



**WEST VIRGINIA
SOLID WASTE AUTHORITIES**



**BOARD MEMBER
WORKBOOK**

**GOVERNANCE • LEGAL RESPONSIBILITIES • FINANCIAL OVERSIGHT
COMPLIANCE • BEST PRACTICES**



**Comprehensive Training Conference
April 28–29, 2026
Bridgeport, West Virginia**



Why SWAs Matter & Why Governance Matters

Solid Waste Authorities (SWAs) exist to protect public health and the environment by ensuring solid waste is planned for, managed properly, and handled in accordance with law and regulatory standards. In West Virginia, SWAs operate as public entities created under WV Code §22C-4-1 et seq. They manage public dollars—often including grant funds and locally generated revenues—and they operate within a system that includes environmental oversight, public transparency requirements, and accountability to the communities they serve.

Weak governance can contribute to financial instability, loss of funding eligibility, compliance violations, facility decline, and public distrust. Strong governance creates stability, transparency, long term planning, and consistent decision-making that supports sustainable operations.

Key Message: *This isn't "just trash." It's public health, public money, and statutory responsibility.*

Reflection Questions

- What risks would most concern your community if SWA governance weakened (financial, operational, regulatory, public trust)?
- What does "good governance" look like in your Authority today?

What Is a Solid Waste Authority?

Solid Waste Authorities are established under WV Code §22C-4-3 as public corporations and political subdivisions of the State. They are separate legal entities from county commissions (though board members are appointed by county officials). Under §22C-4-8, SWAs are authorized to perform functions needed to meet their mission—including acquiring property, operating facilities, entering contracts, establishing and collecting fees, and applying for grants.

Core functions may include:

- Solid waste planning and coordination
- Recycling program management and market support

- Facility operations (transfer stations, drop sites, landfills where applicable)
- Litter prevention, public education, and community outreach
- Grant administration and compliance reporting

Where SWAs fit in the broader system:

- WV DEP – environmental oversight and permitting (see generally §22-15 and related regulatory requirements)
- WV Solid Waste Management Board (SWMB) – financial support and grant administration (§22C-3)
- Public Service Commission (PSC) – regulation of haulers and service issues (see generally §24-2)
- Open Meetings Act (§6-9A) and Ethics Act (§6B-1 et seq.)
- County commissions (appointments) and private haulers/landfill operators (service partners)

Reflection Questions

- Which of these system relationships (DEP, SWMB, PSC, county commission, haulers) creates the most confusion for your board?
- What reports or briefings would help your board better understand its role in the system?

The Role of a Board Member

Boards govern; management operates. A board's role is to set direction, approve key decisions, and ensure the Authority is compliant, financially sound, and acting in the public interest. Staff or management execute day-to-day operations, supervise employees, manage vendors, and implement board-approved strategy.

Governance vs. Management

- Boards govern: adopt policy, approve budgets, approve contracts, ensure compliance, provide oversight
- Management operates: runs daily operations, supervises staff, executes procurement,

maintains facilities, completes reporting

Public trust and accountability

Board members must comply with the Ethics Act (§6B-1 et seq.) and conduct business in compliance with the Open Governmental Proceedings Act (§6-9A-1 et seq.), including properly noticing meetings and taking official action in public (§6-9A-3). Board members are accountable for decisions and votes.

Reflection Questions

- Where does your board most often drift into management (and how can you correct it)?
- What information would help board members make better oversight decisions without micromanaging?

Board Meetings: Structure, Transparency, and Accountability

Board meetings are where governance happens. Decisions are made, direction is set, and the official actions of the Authority are documented. Because board members are public officials, meetings must be conducted with transparency, consistency, and adherence to legal requirements.

Under the Open Governmental Proceedings Act (§6-9A), meetings must be properly noticed, agendas must be made available, and official decisions must take place in an open and public setting unless a lawful exception applies. These requirements are not just procedural—they exist to protect the Authority, its board members, and the public trust.

Effective meetings do not happen by accident. They require planning, organization, and discipline. A well-run meeting begins with a clear agenda, materials distributed in advance, and board members who come prepared to engage in informed discussion.

Board meetings should remain focused on governance responsibilities—decision-making, oversight, and strategic direction. When meetings drift into day-to-day operational details, the board risks overstepping into management functions. Staff and management are responsible for implementation; the board's role is to ask the right questions, evaluate information, and make sound decisions.

Documentation is a critical component of every meeting. Accurate meeting minutes serve as the official record of the Authority's actions and must clearly reflect motions, votes, approvals, and key decisions. This documentation supports compliance, provides transparency, and ensures accountability.

Boards must also understand when executive session is appropriate and ensure it is used correctly and in accordance with the law. Misuse of executive session can create legal risk and undermine public confidence.

Key Message: Well-run meetings strengthen governance, improve decision-making, and protect both the Authority and its board members.

Reflection Questions

- Does your board consistently provide agendas and materials in advance of meetings?
- Are your meeting minutes clear enough that an outside reviewer could understand what decisions were made and why?
- How confident is your board in knowing when executive session is appropriate and how to conduct it properly?
- What is one improvement your board could implement immediately to make meetings more effective?

Financial Oversight & Fiduciary Duties

Board members are fiduciaries of public funds. Under §22C-4-8, Authorities may establish and collect fees and manage revenues to carry out their statutory mission. Financial oversight means ensuring the Authority remains stable, solvent, transparent, and compliant with grant conditions and any applicable audit requirements.

Core Oversight Responsibilities

- Approve the annual budget and review amendments as needed
- Review monthly financial statements and budget-to-actual comparisons
- Monitor debt obligations and repayment schedules (loans, leases, capital purchases)
- Track grant balances and reporting requirements (SWMB grants under §22C-3, and other grant agreements)

- Ensure internal controls, segregation of duties, and documentation supporting transactions

How to Read Key Financial Reports

- Statement of Revenues & Expenses: Are revenues stable? Are expenses trending upward? What line items are driving changes?
- Budget vs. Actual: Are you overspending? If so, why—and what corrective actions are proposed?
- Balance Sheet / Net Position: What do we own, what do we owe, and what reserves are available?
- Cash Flow: Do we have enough cash on hand to meet obligations before revenues arrive?
- Grant Tracker: What is awarded, spent, remaining, and what reporting is due?

Best Practice: Require a simple one-page monthly dashboard summarizing cash balance, receivables, payables, grant status, debt obligations, and capital replacement planning.

Reflection Questions

- Can you explain your Authority's top three revenue sources and the biggest cost drivers?
- Do you have reserve targets (equipment replacement, emergencies, landfill/transfer station needs)?
- If an auditor asked for support for the last three major purchases, could the Authority produce it quickly?

Operational & Administrative Basics

Board members do not need to operate equipment, but they do need to understand operational realities that drive cost, compliance, and long-term planning. This includes facility capacity, equipment lifecycle, staffing and safety requirements, tonnage trends, and recycling market shifts.

Operational areas boards should understand:

- Facility capacity and throughput limits
- Equipment lifecycle and replacement planning

- Tonnage trends and seasonal shifts
- Safety compliance and staffing levels
- Maintenance planning and cost drivers
- Recycling market fluctuations affecting revenue and program stability

Administrative and financial basics:

- Annual budgeting and routine financial reporting
- Revenue sources (tipping fees, assessments, grants, other lawful revenues)
- Procurement procedures and contract approvals
- Records retention and documentation expectations
- Internal controls and separation of duties

Reflection Questions

- What is your Authority's biggest operational cost driver right now (equipment, staffing, hauling, maintenance, etc.)?

- What long-term planning item is most urgent (equipment, facility upgrades, reporting systems, staffing)?

Compliance & Reporting Responsibilities

Compliance is a core board responsibility. Boards must ensure compliance with WV Code Chapter 22C, the Open Meetings Act (§6-9A), the Ethics Act (§6B), environmental requirements and reporting (DEP), and grant agreement requirements (including SWMB grants under §22C-3).

Why reporting matters:

- Protects grant eligibility and funding
- Creates transparency and defensibility of board decisions

- Supports audits, reviews, and performance evaluations
- Builds public trust

Key Message: *If it's not documented, it didn't happen.*

Reflection Questions

- Which deadlines are most at risk (grant reporting, DEP reporting, audits, required filings)?
- Are minutes detailed enough to show what was approved, why, and how votes were recorded?

Building & Supporting a Strong Board

Strong boards show up prepared, review materials in advance, ask informed questions, think long-term, and avoid micromanaging. Board development should include orientation for new members, periodic training refreshers, and consistent use of written policies.

Characteristics of strong board members:

- Prepared and engaged
- Understands boundaries (govern vs. manage)
- Asks informed questions and seeks clarity
- Thinks long-term and supports sustainability
- Avoids conflicts of interest and respects ethics requirements

Reflection Questions

- What would improve board preparedness (agenda format, packet timing, dashboards, orientation)?
- What expertise gaps exist on your board (finance, operations, compliance, community engagement)?

Common Pitfalls & How to Avoid Them

- Micromanagement of staff operations
- Lack of routine financial oversight
- Ignoring compliance deadlines or grant conditions
- No long-term equipment or capital planning
- Failure to maintain internal controls and documentation
- Political pressure overriding policy and statutory responsibilities

Best practices for stability:

- Review financials monthly (dashboard + statements)
- Maintain written policies and follow them consistently
- Provide board orientation and ongoing training
- Require documentation for decisions and approvals
- Schedule annual performance discussions where applicable

Reflection Questions

- Which pitfall is most likely to affect your Authority in the next 12 months?
- What is one prevention step your board can adopt immediately?

Action Planning

- One governance improvement I will advocate for:

- One financial oversight improvement we need:

- One compliance area to review immediately:
