



BOARD RULES

John M. Becker, Chairman

**MADISON COUNTY BOARD OF SUPERVISORS
RULES OF THE BOARD**

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**MADISON COUNTY BOARD OF SUPERVISORS
RULES OF THE BOARD**

RULE 1.

The annual meeting of the Board of Supervisors shall be held commencing on the first Thursday after the general election in the month of November.

RULE 2.

Regular monthly meetings of the Board shall be held on the second Tuesday of each month, except in the months of November and December when the annual meeting is in session.

RULE 3.

Special meetings of the Board may be held at the call of the Clerk on the direction of the Chairman of the Board of Supervisors, or on the written request of a majority of the members of the Board.

RULE 4.

If any regular meeting date of the Board falls upon a legal holiday, such meeting shall be held on the next succeeding business day and unless otherwise specifically provided, all meetings of the Board shall be held at the Chambers of the Board in the County Office Building, Wampsville, New York.

RULE 5.

At the first meeting in January each even numbered year, the Clerk of the previous Board shall call the members to order and they shall select from among the members of the Board a Chairperson for a two-year term expiring December 31st of the second year of term as Chairman, who shall preside at all meetings during the year.

Pursuant to County Law Section 151(6-a)(a) and (b), in the case of the absence of the Chairperson at any meeting, the Vice-Chairperson, if one has been selected, shall preside over each duly constituted meeting of this Board, and further shall have and exercise all the powers and duties of the Chairperson at any meeting over which he or she is called to preside.

In the absence of the Chairperson and the Vice Chairperson, the members present and voting shall select a member of the Board to serve as Acting Chairperson at such meeting. The Acting Chairperson shall have and exercise all the powers and duties of the Chairperson at the meeting over which he or she is called to preside.

Rule 5 (continued)

In all cases of absence of a quorum, the members present shall take such measures as shall be necessary to procure the attendance of absent members as prescribed by law.

In case of the absence of the Clerk at any meeting, the meeting shall be called to order by any member of the Board present.

RULE 6.

The following shall be the standing committees to be appointed by the Chairman at the January meeting of the Board and the jurisdiction of each committee shall be as follows:

GOVERNMENT OPERATIONS:

Responsible for Personnel, Civil Service, Labor Relations, Health Insurance and benefits, County Attorney, Ethics Law, Office of the Clerk to the Board of Supervisors, Supervisors' Accounts, NYSAC, NACO, Public Relations to include Freedom of Information Law and Records Access Officer, PESH, HIPAA, Safety and Worker's Compensation, Employees Assistance Program, Personnel Management Functions, in conjunction with the County Administrator appoints search committees for all Department Head level recruitments to include at least one representative of the Government Operations and Legislative Home Committees, and Information Technology including all County telephone services.

FINANCE, WAYS AND MEANS:

Responsible for the Office of the Treasurer and Budget Officer, preparation and administration of the County budget, Real Property

Rule 6 (continued)

Tax Services, Office of the County Clerk (to include Motor Vehicle Department), County Historian, County Historical Society, Community College Affairs, OTB Revenues and insurance other than health and benefits.

ADMINISTRATION AND OVERSIGHT:

Responsible for legislative committees, legislative rules and operations, Board of Elections, Official papers, Supervisors' Journal, Purchasing, examine and investigate the delivery of county services to ensure that they are efficient, effective and non-duplicating.

HEALTH AND HUMAN SERVICES:

Responsible for the administration and operation of all services as prescribed by the New York State Human Services agencies, to include the Office of Temporary and Disability Assistance (OTDA), Office of Children and Family Services (OCFS) and the Department of Health, and the Supplemental Nutrition Assistance Program (formerly known as Food Stamps), County Youth Bureau, and Youth Services, Veterans Affairs, Housing for the Elderly/Low Income, Office for the Aging, the Mental Health Department, including the Madison-Cortland

Rule 6 (continued)

County Chapter NYSARC, Inc., and the Community Action Program for Madison County. Responsible for all Department of Public Health Programs; including Preventive Health Care, Preventive Health Nursing, Environmental Health, Children with Special Health Care Needs, which includes Court Ordered Education, ADA, Weights and Measures, Corporate Compliance and Wanderer's Rest, animal disease and dog control.

PLANNING, ECONOMIC DEVELOPMENT, ENVIRONMENTAL & INTERGOVERNMENTAL AFFAIRS:

Responsible for the County Planning Department, the development, implementation, and ongoing evaluation of Madison County's long range planning program, the County Planning Board, Community Development, public transportation, Tourism, economic development, the Industrial Development Agency, the Environmental Management Council, public lands, County parks and County Parks Commission, agriculture districts and the Agriculture and Farmland Protection Board, County Fair, historic preservation, Central New York Regional Planning and Development, Central New York Regional Market

Rule 6 (continued)

Authority, Cooperative Extension, Federated Conservation Clubs, Soil and Water Conservation District, Forest Practices, Fish and Wildlife Management, County ABC Board, Children's Camp, Mid-York Library System and Workforce Development.

CRIMINAL JUSTICE, PUBLIC SAFETY AND EMERGENCY COMMUNICATIONS:

Responsible for the Office of the District Attorney, Office of the Sheriff (Law Enforcement Division, Corrections Division, Stop DWI, Civil Division and Pistol Permits), Assigned Counsel, Legal Aid and Judiciary, Coroner/Medical Examiner, Probation, Volunteer Firemen, Office of Emergency Preparedness, Civil Defense, Traffic Safety Board, Fire Advisory Board, Communications and Rescue and E-911.

HIGHWAY, BUILDINGS, AND GROUNDS:

Responsible for County Highways, highway equipment, Central Garage and motor and county passenger vehicle fleet operation, County Road maintenance and ice and snow control, Madison County (Cazenovia) Sewer District and wastewater collection, treatment and Disposal, County buildings and grounds, County mail and distribution services, receiving and printing services.

Rule 6 (continued)

SOLID WASTE AND RECYCLING:

Responsible for solid waste disposal, landfill, resource recovery and recycling.

NATIVE AMERICAN AFFAIRS:

Responsible for coordination of relations with the Indian Nations of and affecting Madison County, including the Oneida and Stockbridge Munsee, purchases or other acquisitions of lands, provision of County services, real property assessment and taxation, and potential development initiatives.

****PUBLIC UTILITY SERVICE:**

Responsible for examining, reviewing, and making recommendations to the Board of Supervisors on the development and implementation of Public Utility Service in Madison County.

****AD HOC COMMITTEE:**

Each committee shall consist of not less than five nor more than nine members to be appointed annually by the Chairman of the Board for the duration of the calendar year of appointment. Each Board member shall be appointed to at least one committee.

RULE 6A.

- 1. All Committees act in an advisory capacity to the Board. They are not empowered to perform any of the duties or exercise any of the powers of the Board of Supervisors, except such as the Board may lawfully specifically delegate.**
- 2. Committees shall meet at such reasonable times as the Committee Chairman shall designate, and also upon the request of the Board Chairman, if he deems it necessary to convene a committee.**
- 3. Where overlapping jurisdiction appears to exist, the Board Chairman shall determine which committee has primary jurisdiction.**
- 4. The powers and duties of each standing committee are to:**
 - a.) become familiar with the functions, powers and duties of all departments officers and employees under its jurisdiction as specified in the “Committee Description” which accompany Rule 6 of the Rules of the Madison County Board of Supervisors.**
 - b.) meet with each department head or contracting agency representative with such frequency as the committee chairman deems appropriate to review the performance of the department or agency,**

Rule 6A. (continued)

receive and review his or her requests and communicate recommendations of the Board of Supervisors to such department heads and agency representatives.

c.) study and recommend to the Board the appointment, disciplining and termination of all department heads under its jurisdiction, the filling of vacancies (but not the selection of the person to fill a vacancy) and the expansion or reduction of the staff of the department under its jurisdiction.

d.) review the annual budget requests of each department and contracting agency under its jurisdiction, propose such changes as it may deem necessary in the tentative budget to the Budget Committee and review all requested changes in the tentative budget and the final budget with the Budget Committee before the same are acted upon by the Board.

e.) review all proposed resolutions within its jurisdiction before the same are introduced before the Board of Supervisors, unless impractical to do so.

f.) inform the Chairman of any known or suspected neglect of duty of any department head or employee, and the improper or

Rule 6A. (continued)

inadequate implementation or observance of the policies and directives of the Board of Supervisors.

RULE 7.

Special committees may be appointed as a majority of the weighted vote of the Board may consider necessary, all of which shall be appointed by the Chairman and shall consist of a minimum of three board members unless the Board shall otherwise determine.

RULE 8.

Prior to each meeting of the Board, the Clerk shall furnish to each member a typewritten, to those members furnishing an email address, email copy of the minutes of the preceding meeting, which shall be corrected, if necessary, and approved.

RULE 9.

At all regular meetings of the Board the following shall constitute the order of business:

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Approving Minutes**
- 4. Presentation of Petitions and Communications**
- 5. Reports of Committees**
- 6. Miscellaneous and Unfinished Business**
- 7. Preferred Agendas**
- 8. Resolutions, Notices and Motions**
- 9. Special Order Matters**
- 10. Public Comment Period**

RULE 9A.

A Preferred Agenda by legislative committee may be presented at any regular/annual session of the Board of Supervisors. A Preferred Agenda shall be limited to resolutions that have been adopted unanimously in committee(s) and designated by the recommending legislative committee or the Chair of the Board of Supervisors, as being routine and not likely to need or require discussion by the Board. However, any Supervisor may request, and must be granted in all instances, that separate consideration be given to any resolution within a Preferred Agenda, as such Agenda comes before the Board for consideration. A Preferred Agenda, as such shall be voted upon by a single Roll Call vote. The Clerk of the Board shall assign appropriate introductory and permanent numbers to each resolution within a Preferred Agenda. Resolutions shall not be included in the preferred agenda if they: Adopt local laws; Change the Rules of the Board of Supervisors; Requires a greater than simple majority vote to approve; Appropriate money from the Contingent fund or from any fund balance; Levy taxes or fees; Ratify union contracts; Authorize borrowing; Received any negative vote(s) in

committee; Are designated as non-routine by the recommending legislative committee or Chair of the Madison County Board of Supervisors.

RULE 10.

The Chairperson shall preserve order; shall decide all questions in accordance with parliamentary law, subject to appeal to the Board.

The Chairperson shall have the right to vote on all questions and when a vote is equally divided including his vote, the question shall be lost.

In addition to powers and duties imposed upon the Vice Chairperson under these Rules or by law, the Vice Chairperson shall have and exercise the powers and duties of the Chairperson provided for by these Rules (including but not limited to Rule 30 hereof) and by law, upon the occurrence of and/or in the following instances:

- a) In case of a vacancy in the office of Chairperson (subject to the filling of such vacancy pursuant to County Law Section 151(7): or**
- b) Upon and to the extent of the authorization of the Chairperson and during such Chairperson's absence from the County of Madison: or**

RULE 10. (continued)

- c) In the absence of the Chairperson, upon authorization of the Board of Supervisors, by resolution of such Board in accordance with County Law Section 151(6-a)(c): or**
- d) During the incapacitation of the Chairperson due to sickness or accident preventing such Chairperson from exercising the powers and duties of his or her office.**

During the foregoing designated time periods the foregoing powers and duties authorized to the Vice Chairperson shall not be exercised by the Chairperson.

RULE 11.

Previous to speaking, each member shall address the chair and shall not proceed until recognized by the Chair. No member shall speak more than once on any question before the Board until every member desiring to speak shall have had the opportunity of doing so.

RULE 12.

Upon request of any member or upon his own initiative the Chairman may permit a person not a member of the Board to address the Board in relation to matters pending before it. Should the Chairman refuse such permission, then a requesting member may immediately seek by motion the consent of the Board for permission, which such motion may not be tabled.

RULE 13.

**Every member present when a question is stated from the
Chair shall vote thereon unless excused by the Chairman.**

RULE 14.

When a motion is under debate, no other motion shall be entertained except:

- a.) to adjourn**
- b.) to recess**
- c.) to table**
- d.) to go into executive session when permitted**
- e.) for the previous question (to call the question)**
- f.) to amend the main motion or resolution**
- g.) to permit a person not a member of the Board to address**

the Board in relation to matters pending before it per Rule 12

Each such motion shall take precedence in the order listed and shall not be subject to debate, except the motion to amend. Each shall require a second and be adopted by a simple majority vote, except a motion to table shall only require a second and no vote as provided for in Rule 17.

RULE 15.

The Chairman of the board in his discretion may dispense with a roll call vote on any resolution he considers to be routine or non-controversial in nature, unless otherwise required by law. However, any member of the Board may require that his or her individual vote be recorded during discussion, or may require a roll call vote of all members present upon any resolution.

RULE 16.

A motion to reconsider a resolution previously adopted or defeated shall not be proposed at the same meeting as the earlier motion.

RULE 17.

Any resolution before the Board, other than a procedural motion or resolution, if so demanded by 2 or more members present, shall lie over until the next succeeding meeting of the Board and shall be taken up for consideration as previously introduced under “Unfinished Business.” Upon consideration in its original form, such resolution may be amended by the affirmative vote of the majority and, as originally introduced or as amended, shall be acted upon during such meeting. This rule shall not apply to resolutions which must be acted on by a date fixed by applicable law, rule or regulation of the State of New York of the United States or a date previously fixed by resolution of this Board.

RULE 18.

No bill or claim against the County shall be audited for payment by the Board unless properly itemized, submitted by the claimant, approved in written endorsement of the department head, reviewed by the County Treasurer and shown on the departmental claim summary signed by the Chairman or acting Chairman of the legislative committee having jurisdiction. All contracts and leases shall be signed by the Chairman of the Board following authorization by resolution of the Board.

RULE 19.

No account for publishing legal notices shall be allowed unless such account shall state the number of lines, the number of times published and shall have attached thereto a copy of such printed notice.

RULE 20.

All bills of account for disbursements made by any county office must show the authority for such disbursements and its being a legal charge against the county and all bills for supplies, services or expenses of any county officer shall be approved by the officer or person ordering such charges.

RULE 21.

All resolutions offered for passage by the Board shall have appropriate headings or preamble thereto in accordance with law; shall be dated and signed by the member offering the same and shall be published in the Journal of Proceedings.

RULE 22.

Any petition for the correction of an assessment roll shall not be entertained by the Board later than Friday of the first week of the Annual Session.

RULE 23.

Any committee auditing accounts of this Board shall state their audit in a report to the Board which report shall contain the name of the claimant, the nature of the claim and the amount allowed. Such report shall be furnished to all members of the Board and, when finally adopted by board resolution, the several bills therein stated shall be deemed to have been audited and approved, and the Clerk of the Board shall be and is hereby directed to certify to the County Treasurer the Board's approval and he shall then pay the accounts so audited and approved from the appropriate fund provided therefor. The gross amounts of such reports shall be included in the minutes of the session, and the reports and vouchers shall be filed with the Clerk of the Board.

RULE 24.

All resolutions intended to be moved for adoption at a regular meeting shall be filed with the Clerk not less than seven calendar days prior to the meeting, and copies mailed or, if requested by written notice of a member providing an email address, emailed to all members with the meeting agenda.

A resolution intended to be offered for adoption at a special meeting shall be mailed to all members with the Clerk's written notice of the call of the special meeting.

This rule may be waived by a two-thirds majority of the weighted vote of the Board, except in the case of a resolution to amend a rule of the Board, and the motion to waive may not be tabled.

RULE 24-A.

No resolution shall be introduced by an individual board Member at a regular meeting that has not been first submitted to the Legislative committee having jurisdiction as determined by the Chairman of the Board. All such resolutions shall be filed with the Chairman of the appropriate legislative committee at least ten days prior to the meeting at which its introduction will be sought. If the resolution is not introduced by the chairman or other member of the committee, then any member of the Board may introduce same.

This rule may be waived by a two-thirds majority of the weighted vote of the Board and the motion to waive may not be tabled. This rule may also be waived by the unanimous consent of all members of the legislative committee having jurisdiction.

This rule shall not apply to the introduction and passage of resolutions at the annual meeting relative to the adoption of the budget or the levy or collection of taxes, nor to any resolution which must be acted upon by a date fixed by applicable law.

RULE 24-A (continued)

This rule shall not apply to resolutions of a routine and recurrent nature such as the monthly audit and approval of claims, approval of minutes of the previous session, and the like.

RULE 25.

These rules shall not be changed or otherwise modified except at least upon one day's notice or a motion to that affect; such proposed change to be made in writing, offered and laid upon the table for 24 hours.

RULE 26.

These rules shall not be suspended except upon unanimous consent of every member present.

RULE 27.

Nothing in these rules contained is intended to repeal, set aside or nullify any previous standing resolution adopted by the Board.

RULE 28.

A majority of the whole number of the members of the Board shall constitute a quorum for the transaction of business. Except where a greater affirmative vote is required by law, the adoption of a motion, resolution or local law shall require the affirmative vote of not less than a majority of the weighted votes of the total membership of the Board.

RULE 29.

The Board Chairman shall annually establish and distribute a schedule of the time and dates of all meetings constituting the Annual session. No resolution to amend the tentative budget shall be introduced at the meeting scheduled for the adoption of the county budget, except that this rule may be waived by a two-thirds weighted vote of this Board.

RULE 30.

The Board of Supervisors empowers and instructs the Chairperson of the Board of Supervisors to perform the following duties. The regularity and the performance of these duties unless otherwise outlined in this text or other applicable New York State or County Law, is subject to the discretion of the Chair while being aware of Board priorities and the urgency associated with certain county functions.

The Chairperson (hereinafter referred to as the Chair)

- 1. Shall be an ex-officio member of all committees.**
- 2. Will attend a sufficient number of meetings of all boards, commissions, or other bodies appointed by the Board of Supervisors to enable the Chair to respond to Board inquiries. Periodic attendance at various official meetings that are conducting county business or expending county funds will be considered a duty of the Chair.**
- 3. a. Shall become familiar with the property, administrative and operational functions as well as the fiscal affairs of the County.**

RULE 30 (continued)

b. Shall have the right to inspect all records and allied documents pertaining to all classifications or assets and liabilities of the county or controlled by the County.

c. Shall conduct periodic and/or random inspections or perusal of areas and documents outlined in a. and b. above.

4. Shall assure that the statutory and local laws and resolutions of the Board and the direction of the County officers employed to make the same (departmental directives) are faithfully executed and report to the Board any non-compliance or neglect of duty.

5. Shall provide recommendations or respond to questions of the Board relating to legislation, rules, regulations, policies and all matters deemed necessary to promote economy and efficiency in the operation of County government. Matters which appear to have legal ramifications will be coordinated with the County Attorney when applicable.

6. Is empowered and will supervise, advise, provide recommendations relative to departmental operations and will coordinate the performance of the powers and duties of all County

RULE 30 (continued)

departments and department heads except as otherwise specifically provided by law. The execution of these duties must be carried out in a constructive manner, mindful of the committee system and the expertise of the various department heads.

a. The Chair will schedule and preside over one meeting each year that include all department heads and all Supervisors. The meeting will be conducted in January for the purpose of discussing the State of the County. Maximum attendance will be required. The Chair will request that elected officials attend this meeting. Additional sessions may be scheduled at the discretion of the Chair.

b. The Chair will have the authority to establish functional teams comprised of department heads and legislative committee chairpersons and/or Ad Hoc committees to address particular problems or issues. The January meeting (ref. a. above) will serve as the initial opportunity to identify known issues that fit this criteria.

c. County Supervisors and department heads will be notified

RULE 30 (continued)

of the scheduling of all meetings that are to be held in compliance with a. and b. above.

d. The above meetings will include, but not be limited to, the development of policy and procedural recommendations as well as any other reports or recommendations the Chair deems appropriate and relative to county government. Information will be prepared and disseminated to the Board of Supervisors for action if required or deemed necessary.

7. Will perform the following duties as outlined below:

a. transfer employees temporarily from one department or office to another with the approval of the appointing officer and review by the Personnel Officer.

b. determine what officer shall perform a particular power or duty not clearly defined by law.

c. determine what officers and employees may attend conferences and schools within the State of New York conducted for the betterment of county government; This provision notwithstanding, no decision of a committee permitting the

RULE 30 (continued)

attendance at same of an officer or employee under the jurisdiction of such committee shall be overridden by the Chair.

d. execute and deliver documents and contracts authorized by the Board.

e. act as chief executive officer of the County in the negotiation of agreements with public employee unions.

f. act as liaison and represent the Board in contracts with the Office of the County Treasurer, County Clerk, District Attorney, and Sheriff, and the political subdivisions, State and Federal officials and agencies.

8. Exercise all powers and perform all duties which are implicit in or may reasonably be inferred from those above recited and all such other powers and duties as may be conferred upon the Board Chairperson by other provisions of the law, including the rules of this Board.

9. Except as outlined in Section 4, of Local Law No. 3 (Selection of Vice Chairperson) for the year 2000, the responsibility for these duties may not be delegated, however, the facilitation of certain duties may be delegated to an individual or groups of individuals.

Rule 30 (continued)

10. a. In connection with Indian affairs including legislation, litigation, settlement, and related matters, shall have the authority, subject to obtaining the approval of three of the four below named County officials (including himself or herself), to authorize the out of state travel (or in state overnight travel) and related activities, and the expenditure of County funds for expenses incurred by such persons so authorized.

**Chairman of the Board of Supervisors
Chairman, Finance Ways and Means Committee
Chairman, Government Operations Committee
Chairman, Native American Affairs Committee**

b. The authority granted by this paragraph 10 will continue until termination by resolution of the Board of Supervisors.

RULE 31

The purpose of Privilege of the Floor is to provide the Chairman of the Board and/or the Board of Supervisors the discretion to allow the public to make a statement on any issue in a public forum to the Board. The Privilege of the Floor will be permitted at the end of each regular meeting of the Board.

To gain consent to exercise the Privilege of the Floor a member of the Public shall sign up on a sign-up sheet provided at the meeting; print and sign their name; and set forth their address and the topic they desire to speak about.

Rules governing the Privilege of the Floor are as follows:

- 1. No member of the public shall be permitted to address the Board unless recognized by the Board Chairman or upon a motion of a member of the Board of Supervisors, duly seconded and adopted by the majority of the members present.**
- 2. Each person so recognized to speak will be allotted three (3) minutes to speak and in the order the requests therefor were made in advance through the signup sheet.**
- 3. Any person speaking to the Board with the Consent of the Board Chairman or a member of the Board of Supervisors after motion, shall address their remarks to the Board and not the other members of the audience in the form of a debate. Members of the public shall refrain from making personal or derogatory comments regarding individuals.**
- 4. The time allotted for the Privilege of the Floor shall be thirty (30) minutes.**
- 5. The time limits allowed in subparagraph number 2 and subparagraph number 4 above may be extended by the Chairman of the Board or on motion of any member of the Board of Supervisors, duly seconded and adopted by the majority of the members present.**
- 6. The Privilege of the Floor may be limited or denied by the Chairman of the Board or on motion of any member of the Board of Supervisors, duly seconded and adopted by a majority of the members present.**

RULE 32.

Recording of all Board and Committee meetings, be it video or audio, will be allowed so long as it is not disruptive or obtrusive. Those members of the public and/or the press videotaping the proceedings must be in the designated area as demarcated by tape or by the chairman of the board or appropriate committee chairman and video cameras shall be held by the person operating same or on a tripod.

Updated: 7/11/17