

RULES  
OF THE  
BOARD OF COMMISSIONERS  
OF  
LEHIGH COUNTY

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Department of Law  
Revised  
July 2020

# **RULES OF THE BOARD OF COMMISSIONERS OF LEHIGH COUNTY**

## **SECTION I - ORGANIZATION OF THE BOARD OF COMMISSIONERS**

### **RULE 1.1 -- ORGANIZATIONAL MEETING**

The organizational meeting of the Board of Commissioners, herein referred to as the Board, shall be held on the first Monday of January in each year at 7:30 P.M. If the first Monday is a legal holiday, the meeting and organization shall take place the next day.

Resolution 1979 -No. 18 (8/11/79)

### **RULE 1.2 -- NOTICE OF THE ORGANIZATIONAL MEETING**

The date, time, and place of the next organizational meeting shall be announced at the year-end meeting of the Board, Commissioners absent or newly elected shall be informed of the organizational meeting by the Clerk of the Board. Notice of the meeting shall be provided as required by the Sunshine Law of 1986 and any amendments thereto. If any additional business is to be considered at this meeting, each Commissioner must receive an agenda stating the nature of the business.

Resolutions 1979-No. 18 (8/11/79); 1987-No. 19 (1/7/87)

### **RULE 1.3 -- ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON**

A. A quorum of the Board, as defined in Section 306 of the Charter of Lehigh County, herein after referred to as the Charter, shall organize by electing a chairperson and a vice-chairperson.

B. If a quorum of the Board fails to attend an organizational meeting as announced under Rule 1.2, those members present may adjourn the meeting to such time as they agree upon. The members attending the rescheduled meeting, although less than a majority, shall nevertheless constitute a quorum for the purpose only of electing the officers of the Board. The rescheduled meeting shall be duly advertised pursuant to the Sunshine Law of 1986 and any amendments thereto.

C. Elected officers of the Board have and may exercise the rights to which they are entitled as Board members.

Resolutions 1979-No. 18 (7/11/79); 1987-No. 19 (1/7/87)

### **RULE 1.4 -- APPOINTMENT OF STAFF**

All appointments to the staff of the Board, and all suspensions and removals therefrom, shall be made by the affirmative vote of at least a majority of the Board in office.

Resolution 1979 -No. 18 (7/11/79)

RULE 1.5 -- CONFIRMATION OF APPOINTMENTS

A. Confirmation of appointments made by the County Executive shall be by affirmative vote of at least a majority of the Board in office. This includes the office of County Solicitor, Public Defender, members of agencies, and heads of all departments and bureaus.

B. Appointments made by the County Executive shall be filed with the Clerk of the Board within 10 days. The Board shall act on these appointments within 30 days or relinquish its right to do so.

C. Upon receiving and logging in appointments made by the County Executive the Clerk of the Board shall immediately forward all written notices of appointment to the Legislative Review and Appointments Committee as well as to all Commissioners. The Committee shall make known to the whole Board its receipt of such appointments at the meeting of the whole Board which immediately follows the Committee's receipt of the appointments. The Committee shall report to the whole Board at a public meeting of the whole Board within the thirty (30) day time limit mandated by the Charter within which the Board as a whole must act upon appointments.

Resolutions 1979-No. 18 (7/11/79); 1980-No. 9 (2/27/80)

## SECTION II -- MEETING OF BOARD OF COMMISSIONERS

### RULE 2.1 -- GENERAL PROVISIONS OF MEETINGS

A. In addition to its meeting to organize, the Board shall hold regular meetings twice a month in separate weeks at such time and on such days as the Board shall establish at its annual organizational meeting. All regular and special meetings shall be open consistent with the Sunshine Law of 1986 and any amendments thereto and may be adjourned from time to time. Upon motion duly passed or as called by the Chairman, the Board may meet to receive information or for other non-deliberative purposes. Such meetings need not be advertised in advance nor open to the public. All such meetings shall be held in the Commissioner's Hearing Room, Number 711, Lehigh County Court House, Allentown, Pennsylvania.

B. Presence of a Commissioner at any meeting shall constitute a waiver of notice of such meeting, except where a Commissioner attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called.

C. If a meeting cannot be organized for lack of a quorum, those present may adjourn the meeting to such time as they may determine.

Resolutions 1979-No. 18 (7/11/79); 1987-No. 19 (1/7/87)

### RULE 2.2 -- REGULAR MEETINGS

A. The time and day of regular bi-monthly meetings of the Board shall be established at the organizational meetings. Meetings falling on a legal holiday may be rescheduled. Public notice of the meetings scheduled shall be given pursuant to the Sunshine Law of 1986 and any amendments thereto.

B. The Clerk of the Board shall submit, at least 5 days before the date of the meeting, a record of all matters to be presented at the next meeting except as provided in Rule 4. 5. The record shall consist of an agenda, copy of all ordinances and resolutions, appointments to be considered as well as other matters needing advance consideration. The date and time of the meeting shall be clearly stated. The record shall be on the desk of each Commissioner at 12 noon. A Commissioner may, in writing, authorize the Clerk to mail this material to a specified address. It shall be mailed at least 5 days before the date of the meeting.

Resolutions 1979-No. 18 (7/11/79); 1980-No. 19 (1/7/87)

### RULE 2.3 -- SPECIAL MEETINGS

A. Special meetings of the Board shall be held at the call of the Clerk of the Board as directed by the Chairman or upon written request signed by a majority of the members of the Board. Notice in writing stating the time, place, and purpose of the special meeting shall be presented to each member by the Clerk of the Board.

B. Legal notice of special meetings of the Board shall be given pursuant to the Sunshine Law of 1986 and any amendments thereto.

Resolutions 1979-No. 18 (7/11/79); 1980-No. 19 (1/7/87)

RULE 2.4 -- EMERGENCY MEETINGS

During a declared state of emergency, a special meeting of the Board may be called pursuant to the Sunshine Law of 1986 and any amendments thereto. The meeting may be held at the call of the Clerk at the direction of the Chairman, by any two members of the Board or at the request of the County Executive. Proposed emergency ordinances shall be submitted in writing and shall be limited to one subject. They may be adopted pursuant to Section 311 of the Charter.

Resolution 1980 -No. 19 (1/7/87)

RULE 2.5 -- ORDER OF BUSINESS

The order of business as determined by the Chairman of the Board shall include the following:

- Call to Order
- Roll Call
- Approval of previous minutes
- Citizen and Press courtesy of floor
- Committee reports
- Resolutions, Bills and motions
- Commissioner announcements
- Citizen and Press courtesy of floor
- Adjournment

Note: Prototype agenda attached as Appendix at end of Rules.

Resolutions 1979 -No. 18 (7/11/79) and 22 (8/8/79) and 1980 -Nos. 6 (2/13/80), 19 (4/23/80), 31 (5/28/80) and 32 (5/28/80)

RULE 2.6 -- SEATING ARRANGEMENT OF BOARD MEMBERS

In order to facilitate roll call voting, the Commissioners, during regular and special meetings, shall be seated in alphabetical order beginning with the furthest chair to the right of the chairman, who shall be seated in the middle chair regardless of where his name falls in the alphabetical order of the Commissioners' names.

Resolution 1979-No. 33 (12/12/79).

### SECTION III -- OFFICE OF CLERK TO THE BOARD

A. The Clerk shall, immediately after certification of election of new Commissioners, supply each new Commissioner with a copy of these Rules; the Charter, the Administrative Code, the Personnel Code and any other material germane to orientation of new Commissioners.

B. The Clerk, shall keep a record of all acts and proceedings of the Board and shall be custodian of the records, vouchers, and other papers required or authorized by law to be deposited in the Clerk's office. The Clerk shall perform such additional and related duties as may be the Clerk's by law, as directed by the Board, or by an individual Commissioner.

Resolution 1979 -No. 18 (7/11/79)

## SECTION IV -- RULES OF ORDER AND PROCEDURE

### RULE 4.1 -- ROLL CALL

The members of the Board of Commissioners shall be called to order by the Chairman at every meeting of the Board, and it shall be the duty of the Clerk of the Board to call the roll and record the names of those members who are present or absent. Any member arriving after the roll call has been completed shall be recorded by the Clerk, "Present, late" and at what point in the agenda.

Resolution 1979 -No. 18 (7/11/79)

### RULE 4.2 -- ATTENDANCE AND QUORUM

A. A majority of the members of the Board of Commissioners shall constitute a quorum for the transaction of business, including electing a temporary Chairperson in the absence of the duly elected Chairperson or Vice-Chairperson. No business may be conducted with less than a quorum except for adjournment.

B. A member of the Board of Commissioners who has answered roll call at any meeting of the Board shall not be permitted to absent him/herself from such meeting without notifying the Chairperson.

C. The Commissioners may attend meetings remotely, utilizing technology identified by the Chairperson, so long as the meeting complies with the provisions of the Open Meetings Law (Sunshine Act).

Resolution 1979 -No. 18 (7/11/79), 2020 – No. 16 (3/18/20), 2020 – No. 38 (7/8/20)

### RULE 4.3 -- POWERS AND DUTIES OF THE CHAIRPERSON

A. The Chairperson shall preside at all meetings of the Board at which he is present; shall preserve order and decorum; shall decide all questions of order, subject to appeal to the Board; and shall perform such other duties as are provided by law and these Rules.

B. In the event the Chairperson fails to appear within fifteen (15) minutes of the fixed time for a meeting of the Board, it shall be the duty of the Vice-Chairperson or the Clerk to call the meeting to order. The Vice-Chairperson or the temporary Chairperson shall exercise all the duties and powers of the Chairperson for that meeting.

C. The Chairperson shall in all cases have the right to vote, except on appeals to the Board from decision of the Chair. On all questions, when the vote is equally divided, including the vote of the Chairperson, the question is lost.

D. The Board of Commissioners may delegate to the Chairperson the power to:

a. determine what officers and employees of the Board may attend conferences and schools conducted for the betterment of County government.

b. perform such other duties as the Board may determine to be necessary to give full effect to the provisions of the County law or these Rules.

E. The Chairperson shall have the power to deem a question, motion, issue or topic irrelevant, contentious or unproductive due to previous discussion and/or action on the same topic and may rule the question out of order. This discussion may be appealed and overturned by a simple majority of the Board present, except in the case where the Board has discussed the issue in 3 of the 5 past Board meetings.

Resolution 1979 -No. 18 (7/11/79)

RULE 4.4. -- DECORUM IN MEETINGS

A. Commissioners are called to meetings to represent their constituents. While in attendance they may not represent themselves. If a conflict of interest exists, the Commissioner shall state the conflict and refrain from further participation in the matter.

B. A Commissioner who has the floor shall refrain from dealing in personalities and impugning the motives of others. Reference to other members of the assembly shall be by proper title, i.e. Mr. Chairman, the last Commissioner who spoke, the last citizen who spoke or the former speaker.

C. Commissioners shall confine their remarks to the question before the Board. Any reflection on a past act of the Board shall be an introduction to a motion to rescind the act, if such a motion is in order.

D. Commissioners shall refrain from whispering, walking around the room or any other actions which might disturb the Board during debate. Proper decorum shall also be maintained while the Chairman is speaking, while a citizen is speaking or during a voting procedure.

E. When a speaker is called to order by the Chairman, that person shall relinquish the floor immediately until the question of order is resolved.

Resolution 1979 -No. 18 (7/11/79)

RULE 4.5 -- ORDINANCES, RESOLUTIONS, MOTIONS AND REPORTS

A. ORDINANCES, being local laws, require at least two readings before they may be enacted. Passage of the ordinance by the Board requires the affirmative vote of a majority of Commissioners in office. Executive approval or veto procedures are contained in Section

312 of the Charter and, the effective date is operative according to Section 313 of the Charter.

a. Ordinances should be drafted by the Legal Department.

1. Any Commissioner may requisition the drafting of an ordinance.

2. Any authorized member of the Executive branch may requisition the drafting of an ordinance. The Executive branch should secure a sponsor (preferably from a related committee) before submitting a requisition to the Legal Department.

b. The Clerk shall receive notification of intent to submit an ordinance by 12 noon of the 7th day before the meeting. The notification shall include the title and subject matter of the ordinance and the sponsoring Commissioner.

c. A sponsor or any concerned individual may address the merits of the proposed ordinance. The Chair may impose equal time limits on any individual, group or point of view being heard. The time limit shall not be less than 5 minutes. Arrangements for speaking to the ordinance may be made in advance. The Board, by a majority vote of those present, may reverse the decision of the Chair.

B. RESOLUTIONS express and/or direct Board policy, opinion or intention. The Clerk shall receive notification of intent to submit a resolution by 12 noon of the 7th day before the meeting. The notification shall include the title and subject matter of the resolution and the sponsoring Commissioner. For discussion and action they must be seconded and require a majority vote of those in attendance for adoption, except when otherwise expressly provided by law or in the resolution.

C. MOTION commonly used to augment the smooth flow of the business of the County Commissioners are those motions referred to in these Rules, supplemented by those contained in Robert's Rules of Order Newly Revised.

D. REPORTS from the Committees are informational in nature. Resolutions and recommendations from the Committee making the report should be placed at the end of the report and put in proper form for action by the Board.

Resolution 1979 -No. 18 (7/11/79)

#### RULE 4.6 -- PRIORITY OF BUSINESS

All questions relating to the priority of business under the same order of business shall be decided by the Chair without debate.

Resolution 1979 -No. 18 (7/11/79)

#### RULE 4.7 -- WHEN DEBATE IS IN ORDER

No debate shall be in order until the pending question shall be stated by the Chair.

Resolution 1979 -No. 18 (7/11/79)

#### RULE 4.8 -- ADDRESSING THE CHAIR

A Commissioner wishing to debate, to give notice, to make a motion, report on legislative business, or to question any individual shall address the Chair and shall not proceed until recognized by the Chair. When two or more Commissioners desire to speak at the same time, the Chair shall decide which is entitled to the floor. When any other individual desires the floor, generally, that individual shall be recognized when no other Commissioner desires the floor, and should two individuals desire the floor, the Chair shall decide and determine which may have the floor.

Resolution 1979 -No. 18 (7/11/79)

#### RULE 4.9 -- CALLS TO ORDER

If a Commissioner or individual shall breach or violates these Rules or Robert's Rules of Order, the Chair shall call such person to order, in which case that person so called shall yield the floor and observe order and decorum until recognized by the Chair.

Resolution 1979 -No. 18 (7/11/79)

#### RULE 4.10 -- MEMBERS ENTITLED TO VOTE

A. Any member who is present when the Chair announces a vote shall vote unless that member abstains, although that member knows the effect of abstaining is the same as voting on the prevailing side.

B. A member has the right to change his or her vote up to the time the vote is finally announced by the Chair. After that the member can make the change only by permission of the members of the Board present, which may be given by unanimous consent after the Chair inquires if anyone objects. If objection is made, a motion may be made to grant that permission, and said motion is not debatable.

Resolution 1979 -No. 18 (7/11/79)

#### RULE 4.11 -- APPEAL FROM DECISION OF THE CHAIR

A. Any member of the Board may appeal any decisions of the Chair, except when another appeal is pending, but only at the time the ruling is made. If any debate or business has intervened, it is too late to appeal. The Board, by vote, will sustain or reverse the decision of the Chair.

B. An appeal cannot be debated when related to indecorum, transgression of rules of speaking, priority of business, or while the immediately impending question is not debatable. When an appeal is debatable, no member is allowed to speak more than once, except the Chair, who at the close of the debate may answer the arguments.

C. When a member wishes to appeal the decision of the Chair, that member shall do so as soon as the decision is made, even though another has the floor. Without waiting to be recognized by the Chair, the member says, "Mr. Chairperson, I appeal the decision of the Chair". If this appeal is seconded the Chair should state clearly the question at issue, and his reasons for the decision, and then state the question. If there is a tie vote then the Chair is sustained.

Resolution 1979 - No. 18 (7/11/79)

RULE 4.12 -- POWER TO AMEND OR REPEAL ORDINANCES AND RESOLUTIONS

Except as otherwise expressly provided by law or these Rules, the Board shall have the power to amend, repeal, or supercede any ordinance or resolution theretofore adopted.

Resolution 1979 - No. 18 (7/11/79)

RULE 4.13 -- ROLL CALL VOTE

The roll call vote shall be taken on every ordinance, resolution or motion as required by the Charter, Section 307.

Resolution 1979 - No. 18 (7/11/79)

RULE 4.14 -- WITHDRAWAL OF A MOTION

A motion for leave to withdraw a motion may be made at any time before voting on the question has commenced, even though the motion has been amended. The motion to withdraw requires no second. Until a motion has been stated by the Chair, the mover may withdraw or modify it without asking consent of anyone. After the question has been stated, it is in the possession of the Board, and a member can neither withdraw or modify it without the consent of the Board.

Resolution 1979 -No. 18 (7/11/79)

RULE 4.15 -- ACCEPTABLE MOTIONS

When a question is under debate, no motion shall be entertained unless:

1. for an adjournment
2. to lay on the table

3. for the previous question (requires 2/3 vote)
4. to postpone or defer
5. to refer to committee
6. to amend

These motions shall have preference in the order in which they are here stated: motions one and three are neither amendable nor debatable.

Resolution 1979 - No. 18 (7/11/79), 2013 – No. 06 (1/23/13), and 2018 – No. 43 (08/08/18).

#### RULE 4.16 ADJOURNMENT

A motion to adjourn may be made by a member who has the floor. It cannot be made during a roll call nor when the Board is engaged in voting, and it shall be decided without debate.

Resolution 1979 -No. 18 (7/11/79)

#### RULE 4.17 POSTPONEMENT OF CONSIDERATION

A. A motion to lay a question on the table shall be eligible for amendment or debate. This motion can be applied only to a question actually pending, and may be used to postpone consideration of that question indefinitely. No specific reason is required to make such a motion.

A question may be taken off the table by motion, however it may not be voted upon until the next advertised meeting. If a question remains on the table at the end of a calendar year in which a municipal election has been held, that question expires and is no longer eligible for consideration by the Board. It may be reintroduced at any time thereafter.

B. A motion to postpone or defer to a specific day, or to make the consideration of the question a special order for a specific day, shall preclude all amendment to the main question, until said motion is decided.

C. The public shall be given the opportunity to speak to any item that is listed on a Board of Commissioners' agenda and then postponed, deferred, tabled, or withdrawn during that meeting. The public shall have the ability to comment at the time the item has been postponed, deferred tabled, or withdrawn.

Resolution 1979 -No. 18 (7/11/79)

#### RULE 4.18 REFERENCE TO COMMITTEE

The motion to commit or refer to a committee shall not specify a particular committee, but shall preclude all amendments to the main question until said motion is decided.

Resolution 1979 -No. 18 (7/11/79)

RULE 4.19 -- RECONSIDERATION

No motion for reconsideration shall be in order, unless made on the same day or at the next regular or special meeting following the decision. Such a motion is in order when made by a member who voted with the prevailing side on the motion or resolution proposed to be reconsidered.

Resolution 1979 -No. 18 (7/11/79)

RULE 4.20 MINUTES OF THE MEETING OF THE BOARD

- A. The minutes docket shall be the official record of the meetings.
- B. The printed minutes of the Clerk shall record the reading of all communications with sufficient description to show their nature and purpose, but they need not be printed in full in the proceedings, except upon order of the Board.
- C. In all cases where an ordinance, resolution or motion is entered in the minutes, the Clerk shall enter the name of the moving members.
- D. Magnetic audio tape recordings of Board of Commissioners meetings may be re-used by the Board at any time beyond two years of the date of the meeting recorded.

Resolution 1979 -No. 18 (7/11/79) & 1982 -No. 20 (4/14/82)

RULE 4.21 WHERE NO EXPRESS RULE IS PROVIDED

Except as herein otherwise provided, Robert's Rules of Order shall be applicable and govern.

Resolution 1979 -No. 18 (7/11/79)

RULE 4.22 -- STATE STATUTE OR COUNTY CHARTER SUPERCESSION

- A. In the event that any rules herein, or portion thereof, be inconsistent or in conflict with any State Statute or County Charter, the said State Statute or County Charter shall govern.
- B. In the absence of any rule, or in the event of any inconsistency of any rules of this Board with respect to any requirement of the statutes of the Commonwealth of Pennsylvania or the County Charter, such statutory provisions or requirements shall be deemed to be a part of these Rules and shall govern.

Resolution 1979 -No. 18 (7/11/79)

RULE 4.23 -- AMENDMENT TO RULES

These rules may be amended by the affirmative vote of the majority of the Board in Office.

Resolution 1979 -No. 18 (7/11/79)

SECTION V -- COMMITTEES

RULE 5.1 -- CREATION OF COMMITTEES

In order to assist in the transaction of its business, the Board may appoint from among its members, any committees, regular and special, who shall perform duties and functions established by the Board. The Board shall adopt such rules as may be necessary for such committees.

Resolution 1979 - No. 18 (7/11/79)

RULE 5.2 -- APPOINTMENT OF COMMITTEES

A. The Clerk to the Board shall submit a list of standing committees to each Commissioner and Commissioner-elect on or about December 15 of each year.

1. Each commissioner or commissioner-elect shall prepare a written list in numerical sequence of the committees he or she prefers to serve on and the reasons for the preference. Each commissioner and commissioner-elect shall also indicate which committee he or she desires to chair. Such preferences shall be signed by the commissioner or the commissioner-elect and submitted at the adjournment of the organizational meeting each year to the commissioner who is then chairman of the Board.

2. The chairperson shall chair no committee, but he or she shall sit as an ex officio member of each committee.

3. Each commissioner and commissioner-elect shall submit, at the adjournment of the organizational meeting each year, to the commissioner who is then chairman of the Board, resumes indicating any expertise, however acquired, which he or she has which would be useful to the functioning of particular committees.

4. If a new chairperson is selected before or at the organizational meeting in January, the above requested preference list and resumes shall be turned over to the new chairperson.

5. The chairperson shall select the committees and their chairpersons within seven (7) days of the organizational meeting.

6. Existing committees shall continue to function until the new committees are appointed.

B. Each commissioner shall be expected to serve on at least three (3) committees and shall chair at least one (1) committee, except in the case of the chairperson indicated above.

Resolution 1979 -No. 33 (12/12/79)

### RULE 5.3 TERM OF COMMITTEE MEMBERSHIP

A. A member of any standing or special committee shall serve until new members are appointed, unless sooner by the Chairperson for stated cause.

B. Each member of any special committee shall serve for a period specified in the resolution appointing him, unless sooner replaced by the Chairperson.

Resolution 1979 -No. 18 (7/11/79)

### RULE 5.4 -- FUNCTIONS AND RESPONSIBILITIES OF COMMITTEES

A. Each committee shall have actual or implied authority to carry out its function. These functions may include investigation, inquiry, study and liaison relating to the affairs of the County and its government and to the conduct of any agency, officer or employee within the purview of the committee. The power of subpoena may be granted by a majority of the Board upon petition of a committee.

B. Each committee is responsible to the Board to act on those items referred to it.

C. Written reports of the committee's findings and recommendations shall be distributed to Board members prior to the next regularly scheduled Board meeting. Whenever possible, such distribution shall be made within two days after the committee meeting. The report shall also be presented at the Board meeting and the committee shall be prepared to present supporting data for its recommendation upon request. Any minority report should be presented to the Board.

Resolution 1979 -No. 18 (7/11/79)

### RULE 5.5 -- REFERENCE TO COMMITTEE

Reference for study by a committee may be made by the Chairperson of the Board, a majority vote of the Board, Executive request, the request of two or more Commissioners and by the committee itself. Citizens may use any of these channels to initiate committee study and action.

Resolution 1979 -No. 18 (7/11/79)

### RULE 5.6 -- RULES OF PROCEDURE FOR A COMMITTEE

A. Each committee shall hold regularly scheduled meetings each month. All Committee meetings will be held in the Commissioner's Hearing Room 711, Lehigh County Court House, unless otherwise noted. Notice and conduct of the Committee meetings shall be consistent with the Sunshine Law of 1986 and any amendments thereto. However, upon motion duly passed or as called by the Chairman, a Committee may meet to receive information or for

other non-deliberative purposes. Such meetings need not be advertised in advance nor be open to the public.

B. A quorum shall be defined as a majority of members of a given committee. Other members of the Board attending the meeting shall not be considered for the purpose of determining a quorum.

For the purpose of conducting the business of any given committee, only one member need be present. Once a quorum is established, all voting shall be decided by majority vote.

Committee determinations shall be on recorded vote of a majority. All votes shall be recorded in person in open session.

C. An agenda shall be prepared and distributed to the Commissioners, news media, and Executive Office.

Resolution 1987 -No. 19 (1/7/87)

RULE 5.7 -- REFERENCE TO SPECIAL COMMITTEE

Upon the majority vote of all members of the Board, any matter entrusted to any committee may be withdrawn from the consideration of that committee and referred to a special committee appointed in such manner as the Board shall direct.

Resolution 1979 - No. 18 (7/11/79)

RULE 5.8 -- FAILURE OF COMMITTEE TO ACT

The Clerk shall record the date of each referral or request made to the committee, as well as the date(s) of interim report(s). The Chairperson of the Board shall have the authority to reassign such referral or request, if a delay recommendation is considered reasonable.

Resolution 1979 - No. 18 (7/11/79)

RULE 5.9 -- ASSISTANCE FROM NON-MEMBERS

Any committee is authorized to accept advice and counsel from citizens who are not members of the Board.

Resolution 1979 -No. 18 (7/11/79)

RULE 5.10 -- LIMITATION OF POWERS AND DUTIES

Except when expressly authorized, nothing herein shall be deemed to authorize the usurpation of the power, duties and responsibilities of the Board, or of any officer.

Resolution 1979 -No. 18 (7/11/79)

RULE 5.11 -- COMMITTEE OF THE WHOLE

Deleted, see Roberts Rules of Order.

Resolution 1987 -No. 19 (1/7/87)

RULE 5.12 -- RULES FOR SPECIAL COMMITTEES

A. A special committee may be appointed at the discretion of the Chairperson of the Board or upon a majority vote of the Board. It shall have only one item of business and shall be automatically dissolved when its final report is accepted by the Board.

This subsection "A" shall not apply when the Administrative Committee acts as a special committee to consider the proposed budget of the County Executive pursuant to Art. VII of the Charter.

B. The Chairperson of the committee shall be named by the Chairperson of the Board, except that the Chairman of the Administrative Committee shall be the chairman of that committee when it acts as a special committee to consider the proposed budget of the Executive pursuant to Art. VII of the Charter.

The Chairperson shall be responsible for convening the committee and shall notify all members of the Board twenty-four (24) hours in advance of each meeting.

C. A quorum shall be defined as a majority of the committee, except when meeting to review the budget when one-third (1/3) of the members of the Board shall constitute a quorum.

D. Public hearings may be held upon request at reasonable times, or upon instructions from the Board, or as the Charter may require. The Committee may ask the Board for such powers as may be needed to conduct its business, including the right to subpoena. Professional and technical advice may be obtained when needed.

E. The item of business under consideration by the special committee may not be considered by the Board or any other committee, until the special committee makes its report. Anything involving essentially the same question may not be considered by the Board or any other committee.

F. Instructions concerning the item of business shall be given to the special committee upon its appointment. Reports of the committee shall be presented at times designated by the Board or upon completion of its charge. The names of all members of the special committee shall be affixed to the report. A minority report may be presented and can be acted upon by a motion to submit it for the majority report of the committee.

G. The acceptance of the final report presented by the special committee automatically discharges the committee. The special committee may also be dissolved by two-thirds (2/3) vote of the Board.

#### Rule 5.13 - - Standing Committees

A. The chairperson shall appoint standing committees (as provided in Rule 5.2), which shall have the responsibility to study and act upon all matters coming within their purview (see Rule 5.5) in regard to policy determinations and appropriations. Additional standing committees may be named at the discretion of the Board.

B. Each standing committee shall consider each ordinance and resolution coming within its purview, prior to its being acted on by the Board.

C. Each standing committee shall have not fewer than three (3) members, except during the period of committee reorganization.

D. Except for matters specifically assigned to other committees, each standing committee shall have referred to it all matters relating to or arising out of requirements of law and the action of the Board with respect to said committees inherent purpose and function.

E. The standing committees shall include:

1. Administrative and Human Resources
  - a. All Administrative matters pertaining to the Board of Commissioners.
  - b. All matters pertaining to Human Resources, including Collective Bargaining Agreements and Personnel Code and Personnel Manual.
  - c. All items pertaining to Information Technology.
  - d. All items pertaining to the Department of Administration not otherwise assigned to another committee.
2. Cedarbrook
  - a. All items pertaining to the Department of Cedarbrook Nursing Homes, including Cedarbrook Allentown and the Fountain Hill Annex.
  - b. All matters pertaining to long-term care.
3. Courts and Corrections
  - a. All items pertaining to the Judicial Branch of Lehigh County government, including tracking the Judiciary's annual budget throughout the year.
  - b. Serve as a liaison between the Board of Commissioners and the elected Judges of Lehigh County.
  - c. All items pertaining to the corrections system in Lehigh County, including tracking the annual Corrections budget throughout the year.
  - d. Monitor jail population and the use of the County's jail facilities.
  - e. All matters pertaining to the Offices of the District Attorney, Sheriff,

Clerk of Judicial Records, Coroner and Public Defender.

4. Development and Planning

- a. All items pertaining to the Department of Community and Economic Development.
- b. Review economic development initiatives and serve as a liaison with economic development agencies in the Lehigh Valley.
- c. Short and long range regional planning, including land use and specialized planning of facilities and services.
- d. When the planning is of a specialized nature it shall be in conjunction with the committee charged with oversight responsibility of the completed procedure.
- e. Serve as a liaison between Lehigh County and officials of the municipalities in Lehigh County unless it is topically related to another committee.

5. Finance

- a. All items pertaining to the Fiscal Office, the Office of Procurement, and the Office of the Controller.
- b. Review and make recommendations concerning the tentative budget and capital program funding. However, budget meetings conducted pursuant to Article VII of the Charter shall be conducted by the Board sitting as a Special Committee to conduct hearings and other meetings on the proposed budget of the County Executive submitted pursuant to Article VII of the Charter. Such budget meetings shall be chaired by the Chairman of the Finance Committee or any other member of the Finance Committee in the absence of the Chairman of said committee.
- c. Review and make recommendations for any changes or modifications in the current annual budget or capital program with responsibility for ordinances for transfer of funds as necessitated.
- d. Funding of new positions.
- e. Increasing rates of existing taxes and/or levying new taxes.
- f. Review performance audits by the controller.
- g. Review matters pertaining to Fiscal and Procurement including Bond Funding and Indirect Cost Allocation.

6. General Services

- a. All items pertaining to the Department of General Services.
- b. Care, maintenance, purchase or negotiations of any property, including but not limited to: the Courthouse and other County buildings, bridges, historical sites, skilled care facilities, parks, recreational facilities and Lehigh County Jail.
- c. Acquisitions of any property and granting or securing easements or franchises within the County, and eminent domain proceedings.
- d. All items pertaining to the Trexler Nature Preserve.

7. Governance (Appointments and Legal Affairs)
  - a. All matters pertaining to the County Executive, the Department of Law and the Office of Voter Registration.
  - b. Advice and Consent of appointments made by the County Executive and this Board.
  - c. Questions arising out of and in regard to these Rules and Regulations.
  - d. Requests for subpoena power.
  - e. Reapportionment of the County for purposes of representation on this Board.
  - f. Legalities, compliance and penalties associated with ordinances, resolutions and codes as legislated by the Board.
  - g. All matters pertaining to the Administrative Code and the Home Rule Charter.
  - h. Mutual problems or requests between Lehigh County and any municipality or other governmental entity, including requests for any intergovernmental agreement that transfers the exercise of any power or function between Lehigh County and another governmental unit unless it is topically related to another committee.
  - i. Serve as a liaison between Lehigh County and the State Legislature and other government entities (outside of Lehigh County) unless it is topically related to another committee.
  
8. Human Services
  - a. All items pertaining to the Department of Human Services, and its offices:
    - i. Adult and Residential Services
    - ii. Area Agency on Aging
    - iii. Children and Youth Services
    - iv. Drug and Alcohol Services
    - v. HealthChoices
    - vi. Mental Health/Intellectual Disabilities
  - b. Items pertaining to any responsibility of the Department of Human Services.
  - c. Any items pertaining to human services, social services and public health for the citizens of Lehigh County.

Resolutions 1979 No. 18 (7/11/79), 1980 Nos. 2 (1/23/80), 24 (4/23/80), 44 (7/23/80), and 1993 – No. 5, 1994 – No. 2, 1998 - No. 1 and 2016 – No. 4.

SECTION VI -POSTING OF NOTICE AND INFORMATION

RULE 6.1 -- BULLETIN BOARD

The bulletin board located on the outer wall next to the main entrance to the Commissioners' office, Room 706, is for the posting of official Commissioner business and announcements relating to County business. The posting of any item or article must be approved by the Chief Clerk to the Board.

Resolution 1979 - No. 33 (12/12/79)

SECTION VII -- RECEIPT OF OFFICIAL BUSINESS IN THE OFFICE OF THE  
COMMISSIONERS

RULE 7.1 -- PROCEDURE

Upon receipt of notice of appointment from the County Executive or of agenda items which are received by the Clerk to the Board, the Clerk shall log the item or appointment in a prepared log book and note the date it will appear on the agenda.

Resolution 1979 -No. 33 (12/12/79)

APPENDIX

Prototype Agenda

Commissioners' Meeting-----Date

Call to Order

Roll Call

This meeting is being taped for public record.

Prayer and Pledge to the Flag

Minutes for Approval

Executive Sessions Held

Citizens' Input

Press

Chairman's Review

Old Business:

Commissioners Bills -Second Reading

New Business:

Resolutions

Motions

Commissioners Bills -First Reading

Committee Reports:<sup>1</sup>

Legislative Review and Appointments (Lichtenwalner)

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<sup>1</sup> Resolution 1980-No. 32 states in paragraph 1:

The format for agendas of regular meetings of the whole Board shall conform to the order required under Board Rule 2.5 except that the order in which Committee Reports are given shall rotate from meeting to meeting so that at each meeting the last report given at the prior meeting shall move to become the first report given at the meeting based upon the order in which the Committee Reports are listed in the prototype agenda attached to Board Rule 2.5.

APPENDIX (cont'd)

Planning (Mohr)  
Property Services (Raber)  
Administrative (Newman)  
Authorities, Boards, and Commissions (Eisenhard)  
Human Services (Wieand)  
Inter-governmental (Miller)  
Judicial Liaison/Corrections (Baker)

Citizens' Input for Committee Reports Subject Matter<sup>2</sup>

Commissioner Announcements

Citizens' Input

Questions from the Press

Adjournment

Resolutions 1979 - No. 22 (8/8/79) & 1980 Nos. 6 (2/13/80), 19 (4/23/80), 31 (5/28/80) & 32 (5/28/80)

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<sup>2</sup> Resolution 1980-No. 19 states in pertinent part in paragraph 1:

The Chairman shall only allow citizens' input on subject matter addressed in Committee Reports which is not otherwise specifically listed for consideration on the agenda for that particular meeting. The Chairman shall not deviate from this requirement of so limiting this portion of citizens' input in the meeting without receiving the approval of a majority of the Board of Commissioners present at the meeting.