

# COUNTY OF LEHIGH CITIZEN'S ACADEMY

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FEBRUARY 11, 2021



# FIRST CLASS OUTLINE

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- The History of the County Of Lehigh
- What is Home Rule and what is the role of each Branch of Government under a Home Rule Form of Government.
- The Administrative Code
- Legislative Branch
- Judicial Branch
- Executive Branch

# FIRST CLASS OUTLINE

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## Department of Administration

Fiscal (Collections, Assessment)

Human Resources (Six major sites) Health Care, Risk Management & Right to Know

Information Technology IT

Procurement

Veterans Affairs

# THE HISTORY OF THE COUNTY OF LEHIGH

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- The first inhabitants the Lenni Lenape Native Americans the “Delaware Tribe”.
- The early use of the word Lehigh, interpreted by Moravian Settlers was Lehanweking translated as “Where there are Forks”. (The confluence of the Lehigh River into the Delaware River).
- March 31, 1701 The Governor’s Council of the Colony of Pennsylvania, Governor William Penn Presiding Minutes reveal, “At Lechay or ye Forks of Delaware”.
- Old Northampton County was founded in 1752 it stretched from the New York Border to the Bucks County Line and west past the Susquehanna River. The County seat was and is Easton, PA. Eventually, eleven Counties would be carved out of it.

# THE HISTORY OF THE COUNTY OF LEHIGH

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- On February 25, 1812, the PA House of Representatives at a third reading approved the Creation of Lehigh County.
- On February 26, 2019, the PA Senate returned the Bill with their approval.
- On March 6, 1812, Governor Snyder (a Pennsylvania German) approved and signed the Act creating Lehigh County from Northampton County.
- The County seat chosen was the City of Allentown then known as Northampton Borough or Northampton Towne.

# IMMIGRATION FROM 1700 THRU 2019

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- The Pennsylvania Germans
- African Americans
- Scots-Irish
- Western Europeans
- Eastern Europeans
- Latin Americans

# COUNTY OF LEHIGH THE EARLY YEARS

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- First Lehigh Government location George Savitz's Tavern.
- 1816 new \$24,936.08 Courthouse opened at Fifth & Hamilton Street.
- 1813 new \$8,420 Jail opened the 500 block of Linden Street.
- Three Member County Commissioner Form of Government from 1812 thru 1978. They were the Executive and Legislative branches.

# THE FORMATION OF HOME RULE

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- May, 1974 - Formation of a Government Study Commission
- Six Men and Five Women throughout Lehigh County

Three Options:

- 1.) Executive-Council/Commissioner Plan
- 2.) Council/Commissioner-Manager Plan
- 3.) Adopt a Home Rule Charter



# THE FORMATION OF THE HOME RULE CHARTER

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- Ninety-Two Public Meetings held throughout the County
- Over 5,000 hours on the Study

## **Recommendations by the Study Commission**

- A separate executive and Legislative branch due to the absence of checks and balances under the three commissioner system.
- Creation of a Nine-Member Legislative Branch, named the Board of Commissioners. Five members to be elected from Five districts (Guarantees each area represented). Four members at large. All elected in a staggered schedule.

# THE FORMATION OF THE HOME RULE CHARTER

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- An Executive: A County Executive elected to a four year term.
- The County Executive would be responsible for the day to day operations of the County.
- The Judicial Branch would continue to be lead by the President Judge.
- Row Offices remained as elected positions. District Attorney, Coroner, Sheriff, Controller, Recorder of Deeds, Register of Wills, Clerk of Courts and Prothonotary.
- In 2008 the Voters thru a Home Rule Charter Ballot Question, chose to combine the last four offices into the Clerk of Judicial Records.

# HOME RULE BECOMES A REALITY LEHIGH COUNTY THE FIRST

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- On November 4, 1975 the voters of Lehigh County by a greater than 2-1 margin, a vote of 31,201 to 12,499 chose to support the Home Rule Charter Ballot Question.
- Lehigh County becomes the first County in the state to adopt a Home Rule Charter.
- Today, Allegheny, Delaware, Erie, Lackawanna, Luzerne and Northampton Counties are Home Rule.
- Locally, Allentown, Easton, Whitehall and Hanover (Lehigh) Townships are Home Rule. The City of Bethlehem and Lower Saucon Twp. Are Optional Home Rule.

# SO WHAT IS HOME RULE?

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All counties and municipalities in Pennsylvania have the right to create and adopt a home rule charter, according to [Act 62 of 1972](#) (Pennsylvania's Home Rule Charter and Optional Plans Laws).

**Limitations** There are limitations to home rule. A home rule municipality is still subject to the United States Constitution, the Pennsylvania Constitution, state laws, and laws “uniform and applicable in every part of the Commonwealth.” Municipalities must follow laws directed at home rule governments. For example, even with home rule, municipalities still have to follow state laws like the Municipal Planning Code, the Sunshine Law, and Stormwater Management Act.

# SO WHAT IS HOME RULE?

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“Home rule” transfers authority over municipal matters from state laws to a local charter that’s drafted, adopted, and amended by voters in the municipality. A home rule charter is essentially a local constitution: it sets up the government structure and outlines its authority and its limitations.

Under Home Rule, a county or municipality can do anything that’s not specifically denied by the state constitution, the General Assembly, or the charter itself. By contrast, municipalities run by municipal codes (state laws) can only act where specifically authorized by state law.

# HOME RULE TRANSITION

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- In 1977 County Voters would select six new commissioners who would replace the non-elected members of the transition team.
- In January 1978 the newly elected six commissioners were sworn in and joined the three commissioners elected in 1975 to form the first Nine member Board of Commissioners.
- In January 1978 the newly elected County Executive David Bausch was sworn in as the First Lehigh County Executive.

# WHAT IS THE ADMINISTRATIVE CODE?

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- Takes the Home Rule Charter one step further with detailed Powers and Duties of all three branches of the County Government.
- Budgetary and Financial Policies and Procedures.
- Authorities, Boards and Commissions
- Purchasing Policies and Procedures
- Code of Ethics
- Bonds

# THE LEGISLATIVE BRANCH POWERS AND DUTIES

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- County of Lehigh Commissioners are not full time employees
- Public BOC Meetings are the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays of each month, Committee Meetings may start as early as 5 P.M.
- To enact, amend or repeal ordinances, resolutions, and motions not inconsistent with the Home Rule Charter or the Constitution or laws of the Commonwealth.
- To make appropriations, incur indebtedness, and adopt a budget.



# THE LEGISLATIVE BRANCH POWERS AND DUTIES

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- To levy taxes, assessments and service charges.
- To adopt and amend by ordinance an Administrative Code which shall set forth in detail a plan for organization and administration of the County government not inconsistent with the provisions of the Charter.
- To adopt procedures, by ordinance, which shall provide for the purchasing of products, goods and services, the making of contracts, and the sale or lease of personal or real property of the County.

# THE LEGISLATIVE BRANCH POWERS AND DUTIES

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- To adopt a personnel code as required by Article IX of this Charter.
- To appoint or confirm, as the case may be, officers and employees provided by this Charter, by ordinance, or by state law.\*
- To establish the salaries and wage levels of the County officers and employees subject to the provisions of Article IX of this Charter.
- To establish, combine, or abolish, by ordinance, agencies and the powers and duties thereof.

# THE LEGISLATIVE BRANCH POWERS AND DUTIES

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- To receive and accept gifts or donations of real or personal property or interest therein in the name of the County.
- To acquire property, by eminent domain for any necessary purpose.
- To make provisions for any matters of County Government not otherwise provided for including, but not restricted to, any matter involving health, safety and welfare.

# THE JUDICIAL BRANCH NOT IN THE HOME RULE CHARTER

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- The Courts of Lehigh County are under the direction of the President Judge. The President Judge is assisted by the Court Administrator.
- There are nine Court of Common Plea Judges in Lehigh County.

## **Departments under the Judiciary**

Court Administration ,Adult Probation, Juvenile Probation, Juvenile Work Program, Clerk of Orphan's Court, Magisterial District Judges

# THE COUNTY EXECUTIVE POWERS AND DUTIES

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- To supervise and direct the administration and the internal organization of the County government except those specifically placed under the jurisdiction of any other officer by this Charter or by applicable law.
- To appoint, suspend and remove all County employees except those specifically placed under the jurisdiction of any other officer of this Charter or by applicable law and except staff of the Board appointed under 305.
- To execute and enforce resolutions, motions and ordinances of the Board of Commissioners.

# THE COUNTY EXECUTIVE POWERS AND DUTIES

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- To exercise the power of veto as set forth in this charter.
- To prepare, as chief budget officer, the annual operating and capital budgets and submit them to the Board prior to September 1, of each year and execute same in accordance with provisions of this Charter.
- To represent the County in deliberations with other governmental bodies.
- To ensure that all laws relating to the affairs and government of the County are duly executed and enforced within the County.

# THE COUNTY EXECUTIVE POWERS AND DUTIES

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- To report to the Board annually within sixty(60) days after the close of the fiscal year, and at such other times as he or she may deem necessary or as the Board shall direct, on the activities of the agencies of the County in such detail as he or she may deem necessary or as the Board shall require or direct. ( Ex:The Annual State of the County Address)
- To serve on all boards and commissioners..... (Ex: LVPC, LVEDC, Workforce Board)
- To sign or cause to be signed on the County's behalf all deeds, contracts, papers and other instruments.....

# THE COUNTY EXECUTIVE POWERS AND DUTIES

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- To declare a “State of Emergency” whenever there is an immediate threat to life, health and/or property of the inhabitants of Lehigh County and during such state of emergency to take appropriate action to meet the emergency including action of a legislative nature in the absence of a quorum of the Board.....
- To have the authority to recommend such matter for legislative action as may be in the best interests of the County.
- To have necessary implied and incidental powers to perform and execute the duties and functions as set forth in the Charter or lawfully delegated to him or her.



# THE EXECUTIVE BRANCH THE COUNTY EXECUTIVE'S CABINET

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County Solicitor

Director of Administration

Director of General Services

Director of Community and Economic Development

# THE EXECUTIVE BRANCH THE COUNTY EXECUTIVE'S CABINET

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Director of Cedarbrook

Director of Human Services

Director of Corrections

# ADMINISTRATION FISCAL

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- Assessment
- Accounts Receivable/Collections, Accounts Payable
- Annual Budget/forecasting \$516 Million/ \$116 Million generated from Property Tax
- Bonds
- Investments
- Pension Plan

# ADMINISTRATION HUMAN RESOURCES

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- 2010 Full Time Employees, 300 Part Time Employees all over six locations
- Recruitment, On Boarding, Continuous Training
- Benefit Administration Health Care, Vision, Dental, 457 Plan, Life Insurance
- Employee Assistance Program (EAP) Flexible Spending Plan (FSA) Cobra
- Life Insurance, Supplemental Insurance

# ADMINISTRATION INFORMATION TECHNOLOGY IT

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## Information Technology IT

- Computer Aid Inc. Management
- Staff of 29 responsible for eight major County locations
- 911 Center, Judiciary, Public Defender, District Attorney, Sheriff, Coroner, Cedarbrook, Jail, Government Center, Voter, Internal computer system, Federal and State Systems, Local police systems and Phone system.
- CYBER SECURITY

# ADMINISTRATION PROCUREMENT

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- All purchases must be vetted and approved by the Purchasing/Procurement Department
- Professional Service Agreements
- Required Conditions of Contracts/Construction Contracts
- Open and Public Process Required for Non-Bid Contracts

# ADMINISTRATION PROCUREMENT

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- Competitive Bidding
- Award of Contracts
- Bonding and Bid Security
- Sale of Personal and Real County Property
- Purchase of Real Property
- Lease of Real Property for County purposes

# QUESTIONS AND ANSWERS?

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