

County of Livingston
Geneseo, New York 14454
Board of Supervisors



**RULES OF ORDER
OF THE
BOARD OF SUPERVISORS**

Revised January 10, 2018

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RULES OF ORDER

ARTICLE 1 - MEETINGS

1. **ORGANIZATIONAL MEETING.** The members of the Board of Supervisors shall organize the Board and elect a Chairman on or before the 8th day of January in each year. The Board shall annually, by resolution duly adopted during the month of December, fix the date, time and place of the meeting to organize the Board. The Clerk of the Board of Supervisors shall serve upon each member a notice stating the date, time and place of each meeting to organize the Board, and that a Chairman will then be elected by a single Roll Call vote for a term of office that shall expire at the end of the calendar year in which elected. The notice shall be in writing, and shall be served by mail addressed to each member at his or her last known post office address at least forty-eight hours before the date of the meeting.

2. **REGULAR MEETINGS.** Regular meetings for the transaction of such business as may be brought before the Board, shall be held on the second and fourth Wednesday of each month in each year, at 1:30 o'clock in the afternoon, except when such days fall on a holiday, in which event the meeting shall be held on the day following; except in the month of November when the meeting shall be held on the Wednesday preceding Thanksgiving week at 1:30 o'clock in the afternoon and except in the month of December when the meeting shall be held on the third Wednesday at 1:30 o'clock in the afternoon. Furthermore, the Board of Supervisors may, by resolution approved by affirmative vote of two-thirds of the members of the Board, change the date of any meeting. Notice of any changed meeting date shall be published in the official papers of the County and mailed to each member by the Clerk of the Board at least forty-eight hours before the date fixed for holding the meeting.

3. **SPECIAL MEETINGS.** Special meetings shall be held at the call of the Clerk of the Board upon direction of 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 served personally or by mail on each member by the Clerk of the Board at least forty-eight hours before the date fixed for holding the meeting. A member may waive the service of the notice for such meeting by a writing signed by such member. Only business specified in the notice thereof may be transacted at a special meeting.

4. **PLACE OF MEETINGS.** All meetings shall be held in the Livingston County Government Center, Geneseo, New York, except that any meeting can be adjourned and reconvened at another location. Special meetings may be held at any place designated in the call therefore.

ARTICLE 2 - ORDER OF BUSINESS

At each session of the Board, business shall be taken up in the following order:

1. Roll Call
2. Pledge of Allegiance
3. Approval of Minutes
4. Public Hearings
5. Communications
6. Introduction of Local Laws
7. Abstract of Claims
8. Privileges of the Floor
9. Unfinished Business
10. Preferred Agenda
11. Resolutions
12. Other Business
13. Adjournment

ARTICLE 3 - COMMITTEES

1. **COMMITTEE COMPOSITION AND APPOINTMENT.** All standing committees, committee chairman and committee vice chairman shall be appointed by the Chairman of the Board, and shall serve until the end of the calendar year in which such member shall have been selected, unless the Board shall have fixed a different period. No member shall serve longer than the term for which such member shall have been elected as a Supervisor. Each

Board member will hold one (1) committee membership. The Chairman of the Board and Vice Chairman of the Board shall be members of all committees. Each committee shall be composed of five Board members and the Chairman and Vice Chairman of the Board. There shall be no committee meetings conducted before 1:30 p.m. on the day of a Board meeting unless authorized by the Chairman of the Board.

2. **SPECIAL COMMITTEES.** Special committees shall be appointed by the Chairman of the Board whenever authorized by a resolution of the Board, which resolution shall specify the powers and duties of the committee, the number of its members and the period during which they shall serve.

3. **VACANCIES.** Vacancies in standing and special committees shall be filled by the Chairman of the Board from the Board's membership.

4. **STANDING COMMITTEES.** The following standing committees shall be appointed, to each of which shall be referred all matters of business embraced by its title and the various subdivisions hereunder:

- (1) Ways and Means Committee
- (2) Public Services Committee
- (3) Human Services Committee

5. **COMMITTEE CHAIRMAN.** The Chairman of each committee shall be responsible for approving minutes of each committee meeting and filing them with the Clerk of the Board.

6. **COMMITTEE RESPONSIBILITIES.** Subject to the authority given to the County Administrator by Local Law No. 3 of the year 1988, committees shall have charge of all matters related to their respective subheadings. The designated subheadings shall not to be construed to prevent the addition and assignment of other responsibilities as the need arises.

ARTICLE 4 – WAYS AND MEANS COMMITTEE

OPERATING DEPARTMENTS: Budget Officer, Clerk of the Board, County Attorney, County Auditor, County Treasurer, Grants & Public Information, Information and Technology Services, Personnel, Real Property Tax Services, including functional areas of the operating departments and agencies associated with the operating departments.

ARTICLE 5 – PUBLIC SERVICES COMMITTEE

OPERATING DEPARTMENTS: Board of Elections, Central Services, Conflict Defender, County Clerk, County Historian, District Attorney, Economic Development, Emergency Management Services, Emergency Medical Services, Highway, Planning, Probation, Public Defender, Records Management, Sheriff, Solid Waste, Water & Sewer Districts, including functional areas of the operating departments and agencies associated with the operating departments.

ARTICLE 6 – HUMAN SERVICES COMMITTEE

OPERATING DEPARTMENTS: Office for the Aging, Department of Health (including Community Services), Department of Social Services, Livingston County Center for Nursing & Rehabilitation, Veterans' Service Agency, Workforce Development & Youth Bureau, including functional areas of the operating departments and agencies associated with the operating departments.

ARTICLE 7 - CLAIMS AND ACCOUNTS

1. **COUNTY AUDITOR.** The County Auditor, pursuant to Local Law No. 2 for the year 1990, shall audit all claims, accounts, and demands, which are made County charges by law. The County Auditor shall be responsible for presenting to the Ways and Means Committee the Abstract of Claims for these charges to be presented for approval by the full Board of Supervisors. The County Auditor, subject to the approval of the Board of Supervisors and the County Administrator, shall promulgate rules and policies governing the presentation of such claims, accounts and demands by County departments and agencies. Upon approval by the Board of Supervisors, the County Auditor shall present such claims to the County Treasurer for payment.

2. **COUNTY ADMINISTRATOR.** The County Administrator, pursuant to Local Law No. 6 for the year 2007, shall be the Chief Budget, Purchasing and Property Officer for the County. The County Administrator, subject to the

approval of the Board of Supervisors, shall promulgate rules and policies governing the preparation and management of the County Budget and for the purchasing and property management function of the County.

ARTICLE 8 - SALARIES

All elective officers and all officers appointed by the Board of Supervisors at fixed salaries shall be paid by the County Treasurer in accordance with the statute or resolution fixing such salaries and upon certification of a proper payroll. All other county officials and employees authorized by statute or by a resolution of this Board shall be paid by the County Treasurer in accordance with the statute or resolution fixing their compensation and upon certification of a proper payroll. Such payrolls shall be certified as correct for the period of service and the amount due all employees by their respective department heads.

ARTICLE 9 - RESOLUTIONS

All resolutions to be presented to the Board at any regular meeting thereof shall be approved by the appropriate standing or special committee. Resolutions not approved at a meeting of such standing or special committee must be approved in writing by a majority of the committee prior to presentation to the Board. Nothing herein contained, however, shall affect the legality of any resolution duly enacted by the Board which has not been so presented.

ARTICLE 10 - RULES OF PROCEDURE – REGULAR BOARD MEETINGS

1. **QUORUM.** A majority of the whole number of the members of the Board of Supervisors shall constitute a quorum for the transaction of business, except in such cases where a larger number is required by law, but a less number may adjourn. The term "whole number of the members of the Board" and "whole numbers of its membership" shall be construed to mean the total number of weighted votes which the Board of Supervisors would have were there no vacancies and none of the Supervisors disqualified from acting.

2. **CHAIRMAN OF THE BOARD.** The Chairman shall preside over all meetings of the Board, and preserve order and decorum during its sessions, and decide all questions of order, subject to appeal to the Board from such decisions. The Chairman shall vote all questions before the Board, unless excused from so doing by the Board. A request by the Chairman to be excused from voting must be made prior to the Clerk of the Board commencing the roll call.

3. **VICE CHAIRMAN OF THE BOARD.** In the absence of the Chairman, the Vice-Chairman shall preside over each duly constituted meeting of the board; shall have and exercise all the powers and duties of the Chairman at any meeting over which the Vice Chairman is called to preside; and shall have and exercise those additional powers and duties authorized by resolution of the board, provided such resolution shall specify:

- i. The dates during which the Vice-Chairman may exercise those powers and duties; and
- ii. That the powers and duties authorized to the Vice-Chairman shall not be exercised by the Chairman during that designated time period.

The Vice Chairman of the Board of Supervisors shall be appointed by the Chairman of the Board of Supervisors. The appointment shall be made within fifteen (15) days of the election of the Chairman of the Board of Supervisors. The term of office of the Vice Chairman of the Board of Supervisors shall expire at the end of the calendar year in which appointed.

4. **PRIVILEGES OF MEMBERS.**

- a. No member rising to take part in the proceedings shall proceed until such member has addressed the Chairman and has been recognized by the Chairman.
- b. No member shall speak more than twice upon any question without consent of the Board.
- c. If any member of the Board is called to order while speaking, such member shall take their seat until the question is determined, unless permitted by the Board to explain.
- d. Every member present, when a question is stated by the Chair, shall vote thereon, unless excused by the Board. A request by a member to be excused from voting must be made prior to the Clerk of the Board commencing the roll call.

5. **EXECUTIVE SESSIONS.** Executive Sessions may be held during any regular or special meeting of the Board of Supervisors or during any committee meeting. Executive Sessions shall be called in accordance with

Article 7 of the Public Officers Law. Prior to entering Executive Session, the members shall select by a majority vote a Chairman to preside and a Clerk to act during the Executive Session.

6. MOTIONS AND RESOLUTIONS:

- a. No reports of committees, or resolutions or motions calling for an appropriation or the payment of bills shall be presented to the Board unless funds are available for such purposes or otherwise provided.
- b. The title of each resolution shall be read by the Clerk of the Board before debate, and immediately before the question is put thereon. Every motion, except those specified in subdivision "f" of this rule shall be reduced to writing if the Chairman or any member so requests. Any member may request that the full text of a resolution be read prior to a vote thereon. Such request must be made prior to the Clerk of the Board commencing the roll call.
- c. After a motion has been stated by the Chair, it shall be deemed before the Board, but may be withdrawn at any time before a vote is had thereon by permission of the Board.
- d. If a question under debate contains several distinct propositions, the same shall be divided by the Chairman upon request of any member, so that a vote may be taken on each proposition; however, a motion to strike out and insert shall be indivisible.
- e. When a blank is to be filled, or different sums or times are proposed, the questions shall first be put upon the largest sum, the longest time, or the latest date.
- f. When any question is under debate, no motion shall be entertained except one of the following:
 - To fix the time to which to adjourn.
 - To adjourn.
 - For special orders of the day.
 - For the previous question.
 - To lie on the table.
 - To postpone to a definite time.
 - To commit.
 - To amend.
 - To postpone indefinitely.
 - Such motions shall have precedence in the order in which they are stated in this rule.
- g. No motion for reconsideration, except by unanimous consent, or as hereinafter provided, shall be in order, except during the same meeting, or the meeting following that on which the action which is proposed to be reconsidered took place. Such reconsideration must be moved by a member who voted with the majority upon such action. A motion for the reconsideration shall not be renewed after having been once put and lost. No action may be reconsidered a second time without the unanimous consent of the Board. If any member is absent at the time any action is taken by the Board, such member may move for reconsideration of such action at the first meeting, which such member may attend after having learned of such action, subject to the limitations on unfinished business hereinafter contained.

7. RESOLUTIONS AND REPORTS TO LIE OVER. All resolutions calling for or leading to an expenditure of money, and all reports of committees shall, after presentation to the Board, lie over without action until the next meeting of the Board, except that by unanimous consent the same may be acted upon at the time of presentation. An objection to unanimous consent must be made by a member of the Board prior to the Clerk of the Board commencing the roll call. If such matter is not brought up for action at the next meeting after it is originally presented to the Board, it may be brought up at any subsequent meeting on the request of any member of the Board, subject to the limitations on unfinished business hereinafter contained.

8. PREFERRED AGENDA. A preferred agenda may be presented at any regular session of the Board of Supervisors. That agenda shall be limited to resolutions of a routine and non-financial nature (advisory board appointments, declaring surplus equipment, providing for public hearings, proclamations, authorizing conveyance, etc.). The Preferred Agenda, as such, shall be voted upon by a single Roll Call vote. Any Supervisor may request

and must be granted in all instances, that separate consideration be given to any resolution within the Preferred Agenda; as such Agenda comes before the Board for consideration. The Clerk of the Board shall assign appropriate numbers to each resolution within the Preferred Agenda.

9. VOTE BY ROLL CALL. Every question, which involves an appropriation or expenditure of money by the County, shall be determined by a roll call of the members present. A roll call shall not be necessary upon questions involving an appropriation or expenditure of money by a single town when such motion is made by the member from such town. In the event any member shall demand a roll call upon any other question, the vote shall be taken accordingly. All votes upon roll call shall be entered upon the minutes.

10. LIMITATIONS ON UNFINISHED BUSINESS. All matters undisposed of at the termination of the calendar year shall automatically die, and must thereafter be reintroduced before the Board unless otherwise ordered by a majority vote of the Board at any regular meeting thereof held in the month of December.

ARTICLE 11 - AMENDMENT OF RULES

These rules shall not be amended except upon the affirmative vote of two-thirds of the members of the Board, after the proposed amendment has been submitted in writing and has laid over until the next meeting of the Board, but any rule may be suspended, for one meeting only, by unanimous consent.

Revised, July 14, 1993

Revised, February 22, 1995

Revised, December 18, 1996

Revised, July 9, 1997

Revised, August 11, 1999

Revised, May 24, 2000

Revised, September 13, 2000

Revised, June 27, 2001

Revised, September 28, 2005 to be effective November 1, 2005

Revised January 26, 2011

Revised January 23, 2013

Revised February 11, 2015

Revised January 10, 2018