

**MINUTES
CAYUGA COUNTY LEGISLATURE
REORGANIZATION MEETING
THURSDAY, JANUARY 3, 2019, 6:00 PM**

CALL TO ORDER: Sheila Smith, Clerk of the Legislature called the meeting to order at 6:00PM

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

ROLL CALL: Amanda Morgan, Deputy Clerk of the Legislature, all Legislators present

THE CLERK OF THE LEGISLATURE WILL CALL FOR NOMINATIONS FOR LEGISLATIVE CHAIRPERSON.

Motion by Dennison to nominate Whitman as Legislative Chairperson, 2nd by Pinckney, all in favor.

SWEARING IN OF LEGISLATIVE CHAIRPERSON, County Clerk Susan Dwyer, Administered the Oath of Office

THE CHAIRMAN WILL CALL FOR NOMINATIONS FOR LEGISLATIVE VICE CHAIRPERSON.

Motion by Bennett to nominate Lattimore as Legislative Vice Chairperson, 2nd by Didio, passed by majority vote; Ayes – Whitman, Dennison, Petrus, Pinckney, Ripley, Bennett, Lattimore, Didio, and Mahunik; Noes – Vitale, McNabb-Coleman, Batman, DeForest, Daly, and Foley; 500/383.

SWEARING IN OF LEGISLATIVE VICE CHAIRPERSON: County Clerk Susan Dwyer, Administered the Oath of Office

THE CHAIRMAN WILL ASK FOR A MOTION TO ADOPT THE CAYUGA COUNTY LEGISLATURE RULES OF ORDER.

Motion by Petrus to adopt the Cayuga County Legislature Rules of Order, 2nd by Dennison, all in favor.

DESIGNATION OF MAJORITY AND MINORITY LEADERS FOR 2019

County Clerk Susan Dwyer, Administered the Oath of Office.

Motion by Dennison to nominate Didio as the Majority Leader, 2nd by Bennett, all in favor.

Motion by DeForest to nominate Batman as the Minority Leader, 2nd by Vitale, all in favor.

RESOLUTION APPOINTING CLERK OF THE LEGISLATURE & SETTING SALARY AND OATH OF OFFICE

**RESOLUTION NO. 1-19 1/3/19 LEG AppointClkLeg19
RE-APPOINTING CLERK TO THE CAYUGA COUNTY LEGISLATIVE BOARD AND SETTING SALARY (Majority Vote)**

BY: Legislature

WHEREAS, this Legislature submits the name of Sheila Smith for the position of Clerk to the Cayuga County Legislative Board (position control no. 001650-sys) for the year 2019; now, therefore be it

RESOLVED, that Sheila Smith is hereby re-appointed Clerk to the Cayuga County Legislative Board for the year 2019; and be it further

RESOLVED, that the salary for the position of Clerk to the Cayuga County Legislative Board for the fiscal year 2019 shall be \$ 61,000.00; and be it further

RESOLVED, that this resolution shall take effect immediately.

Motion by Vitale, 2nd by Bennett, all in favor.

FIXING THE SALARY OF THE CAYUGA COUNTY SHERIFF AND UNDERSHERIFF

BY: CAYUGA COUNTY LEGISLATURE

WHEREAS, Sheriff Brian Schenck assumed Office on January 1, 2019; and

WHEREAS, N.Y. County Law § 201 provides that the compensation of the Sheriff may not be increased or diminished during his term of Office except by local law; and

WHEREAS, the annual salary of the Sheriff for 2018 was \$84,191 and the same amount having been budgeted for 2019; and

WHEREAS, N.Y. County Law § 652 requires the Sheriff, within ten days of entering upon the duties of the Office, to appoint an Undersheriff to serve during the pleasure of the Sheriff; and

WHEREAS, the 2018 annual salary of the Undersheriff was \$77,438 and the same amount having been budgeted for 2019; and

WHEREAS, Pursuant to Resolution 469-18 and Section 6 of the Cayuga County Policy Manual (Establishing Starting Salaries for Non-Bargaining Employees), the intent of this resolution requires Legislature Approval; now, therefore, be it

RESOLVED, that the annual salary of the Sheriff shall be unchanged at \$84,191 for the term unless otherwise changed by local law; and be it further

RESOLVED, that the annual salary for the Undersheriff remain at \$77,438 unless otherwise changed by Resolution or Local Law of the Cayuga County Legislature; and be it

RESOLVED, that the Sheriff is hereby authorized to backfill any vacancies resulting from his election and his appointment of the Undersheriff.

Motion by Dennison, 2nd by Bennett, all in favor.

10 MINUTE BREAK FOR PHOTO OPPORTUNITIES.

Motion by Bennett to go into executive session at 6:20PM regarding employment history of a particular person, 2nd by Daly, all in favor.

Motion by Didio to come out of executive session at 6:30PM, 2nd by Daly, all in favor.

CHAIRMAN'S REPORT:

Whitman says he is honored to be the Chairman and appreciates the support. He hopes that we can get some things done this year. He says we all have some different goals, but in the end all here for the same reason. He says one of his big goals and always has been is highway. He thinks we are headed in a different direction with highway and hopefully the new structure will work. He would also like to work on a long term capital plan with the new team we have now. He says he would also like to look into redistricting and see if it is for us. Also, would like to keep the water moving as far as finding the secondary source and keeping the water clean. He hopes we can move in the same direction together on those.

ADMINISTRATOR'S REPORT:

Woods says they have talked with counsel about having a Special meeting on January 10th. special meeting January 10th after Health & Human Services to discuss our negotiating strategy before we go into collective bargaining intensive negotiations. He says they also discussed the need to have a meeting on January 16th, which would be the end of the second day of the three day intensive negotiations to check in with the legislature.

Pinckney thanks Mahunik for his year of service as Chairman and it is not an easy task no matter who sits up there.

Lattimore says he would like to see us continue with the spine that we have been building with the 5G network.

Dennison asks if we can have a full report at the legislature meeting from Woods on where we are with fiber. He says there are many stories out there and so much frustration.

Foley says congrats to Whitman. He wanted to share his point of new for voting yes. He says Whitman came in earnest and one of the central themes was communication and working as an entire, which he thinks is really important.

Motion by Dennison to adjourn at 6:37PM, 2nd by Batman, all in favor.

RULES OF ORDER – CAYUGA COUNTY LEGISLATURE

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I – DEFINITIONS AND TERMS

Chairperson: Unless otherwise stated, the term “Chairperson” shall, in the event of the Chairperson’s inability to act, death, resignation, or absence, be substituted with “Vice-Chairperson” in each instance until such time as the Chairperson’s disability is removed, a successor is elected, or the Chairperson returns, as the case may be.

Conflict of Interest: A real or perceived incompatibility between one’s private interests and one’s public or fiduciary duty.¹

Vice-Chairperson: Unless otherwise stated, the term “Vice-Chairperson” shall, in the event of the Vice-Chairperson’s inability to act, death, resignation, or absence, be substituted with “Chairperson of the Judicial & Public Safety Committee” in each instance until such time as the Vice-Chairperson’s disability is removed, a successor is elected, or the Vice-Chairperson returns, as the case may be.

Emergency: Unless otherwise stated, the term “Emergency” shall be defined as a situation, which may result in harm to person or property, or cause the County significant operational difficulty, or significant potential expense if corrective action is postponed until a meeting of the Legislature may be assembled.

Majority: Unless otherwise stated, the term “majority” shall mean a majority of the weighted votes of the Legislature when used in Section II, Meetings of the Legislature.

Unless otherwise stated, the term “majority” shall mean a majority of the assigned members present when used in Section III, Committees.

Notice: Unless otherwise stated, the term “Notice” shall be defined to mean written notice personally delivered or sent by e-mail and by U.S. Postal Service to each member at each member’s last known Post Office address.

Quorum: Unless otherwise stated, the term “quorum” shall mean the number of Legislators carrying such weighted vote as to constitute more than one-half of the total weighted votes when in Section II, Meetings of the Legislature.

Unless otherwise stated, the term “quorum” shall mean one more than half of the total members assigned to a committee when used in Section III, Committees.

Recess: A break from the meeting’s agenda with the intention of re-convening and returning to the agenda at a time later in the same day.

¹ General Municipal Law §800 et seq.

Weighted Vote, Simple Majority: Each member of the Legislature shall carry the following number of votes when a simple majority is required, based on the Legislator's district:

District 1:	53
District 2:	75
District 3:	65
District 4:	51
District 5:	62
District 6:	86
District 7:	68
District 8:	61
District 9:	67
District 10:	49
District 11:	52
District 12:	47
District 13:	48
District 14:	48
District 15:	51

Weighted Vote, 2/3 Majority: Each member of the Legislature shall carry the following number of votes when a 2/3 majority is required, based on the Legislator's district:

District 1:	15
District 2:	21
District 3:	18
District 4:	15
District 5:	17
District 6:	22
District 7:	19
District 8:	17
District 9:	19
District 10:	14
District 11:	15
District 12:	14
District 13:	14
District 14:	14
District 15:	15

II - MEETINGS OF THE LEGISLATURE

The following shall apply to the County Legislature and shall supersede any previous rules to the contrary.

RULE NO. 1: REGULAR MEETING - There shall be only one (1) regular meeting per month of the County Legislature. The regular meeting shall be held on the fourth Tuesday of the month, except in such instances where the Chairperson shall otherwise order. The time of the regularly scheduled meeting shall be **6:00 PM**, excepting the May meeting (Senior Citizen Day) which shall begin at 1:00 PM unless otherwise ordered by the Chairperson, and the October meeting (Student Government Day) which shall begin at 10:00 AM, unless otherwise ordered by the Chairperson. In the event a majority of Legislators vote to hold such meeting at a time different from that ordered by the Chairperson, the decision of the Legislature shall be final.

RULE NO. 2: SPECIAL MEETINGS - Special meetings shall be held at the call of the Clerk of the Legislature upon the direction of the Chairperson, or upon request signed by a majority of the members of the Legislature. The Clerk of the Legislature shall serve Notice of the time, place, and purpose of the special meeting at least forty-eight (48) hours before the date fixed for holding the special meeting.

RULE NO. 3: EMERGENCY MEETINGS - In case of an emergency, or if the facts make less notice necessary to avoid serious consequence, the Legislature, by unanimous vote of all members, may waive notice entirely. Notice of less than forty-eight (48) hours may be ordered by a majority of the Legislature. The Chairperson may order the most reasonable method of notice possible, such as overnight service. Upon ordering such method of notice, prompt personal contact by the Clerk of the Legislature shall also be attempted by phone or in-person.

RULE NO. 4: HOLIDAYS - Whenever the day fixed for a meeting shall fall on a legal holiday, or a day celebrated as a legal holiday, the Legislature shall meet on a date set by the Chairperson of the Legislature. In the event a majority of Legislators vote to hold such meeting at a time different from that ordered by the Chairperson, the decision of the Legislature shall be final.

RULE NO. 5: ORGANIZATIONAL MEETING – 1. The organizational meeting of the County Legislature shall be held on or before January 8th of each year. The County Legislature shall, by resolution, duly adopted in the month of December, set forth the date, time, and place of the organizational meeting.²

2. The Clerk of the Legislature shall serve upon each member a written notice stating the date, time, and place of such meeting to organize the Legislature and that a Chairperson will then be selected. Notice shall be sent at least forty-eight (48) hours before the date of the meeting.³

3. The Clerk shall call the members to order and the members, by a majority vote, shall select the Chairperson and Vice-Chairperson immediately following the roll call. Subsequent to the selection of the Chairperson and Vice-Chairperson, the Rules of Procedure shall be adopted by a majority of the Legislature as the next item of business.

4. In the event that a Chairperson is not selected on or before February first, the County Clerk shall appoint a member of the board as Chairperson until the end of the calendar year in which he/she is appointed.⁴

RULE NO. 6: ORDER OF BUSINESS – The order of business shall be:

1. Roll Call
2. Approval of Minutes
3. Communications and Petitions
4. Reports of Standing Committees
5. Reports of Special Committees
6. Presentation of Claims
7. Motions, Resolutions and Notices
8. Unfinished Business
9. Special Orders

² County Law, Article 4, §151(1)

³ County Law, Article 4, §151(1)

⁴ County Law, Article 4, §151(5)

RULE NO. 7: AGENDA – An agenda of the order of business shall be available electronically not less than five (5) days prior to the regular meeting.

RULE NO. 8: MINUTES – minutes shall be taken and recorded for each meeting. Minutes shall cover all items listed on the agenda or considered by the committee. Original print minutes will be kept in the Clerk of the Legislature Office. Draft Electronic copies of the minutes will be available to the Legislature prior to the meeting. Legislators may report errors or omissions to the Clerk of the Legislature Office giving the Clerk the opportunity to do corrections before the minutes are considered at a meeting. Minutes will be approved at the next regularly scheduled committee meeting; once final approval is received they will be posted electronically for public access.

RULE NO. 9: CLAIMS – 1. All claims are to be itemized by name of claimant and total amount claimed⁵. Such shall be prepared and available for approval by the County Administrator “*or designee*” before 5:00 PM of the Second Tuesday of each month. All claims shall be presented to the Legislature by the County Administrator “*or designee*” for audit prior to the commencement of the regularly scheduled monthly meeting of the Ways and Means Committee.

2. The County Administrator “*or designee*” shall present such claims itemized by name of claimant, nature of claim, and total amount claimed. The County Administrator “*or designee*” shall indicate on the claim whether or not such claim is approved. Approved claims reported by the County Administrator or designee may be passed in the aggregate, but any claim objected to shall be acted upon separately, notwithstanding the recommendation of the County Administrator “*or designee*”.

3. Upon receipt of the warrant recommending the payment of bills or claims, any Legislator may move that any specific claim shall be withdrawn from the consideration of the Legislature, and shall be considered as a claim to be presented at the next Legislative meeting.

4. “*If the County Administrator “or designee” is unavailable, the Chair of the Legislature may act in place of the Administrator*”.

RULE NO. 10: RESOLUTIONS & MOTIONS – Notwithstanding emergency resolutions, all resolutions shall be submitted in writing to each member of the Legislature, and all resolutions shall require a second before being put to vote unless the resolution has been previously signed by more than one member of the legislature, in which case a second is presumed to have been made by all signed. Upon the request of any member, any amendment to a resolution shall be put forth in writing.

2. All motions shall require a second before being put to a vote. Any motion not having a second shall be presumed defeated.

RULE NO. 11: EMERGENCY RESOLUTIONS – An emergency requiring the passage of a resolution by the Legislature shall be deemed to be passed by the Legislature upon the majority of the Chairperson of the Legislature, the Chairperson of Ways & Means, The Oversight Committee Chair, and the Minority Leaders.

⁵ County Law, Article 7, § 369(2)

RULE NO. 12: ROUTINE RESOLUTIONS – 1. Routine resolutions shall include any resolution of a recurring nature. Routine Resolutions may be grouped and acted upon by a single vote. Every Legislator has the right to request that any item so grouped be acted upon separately. Such request shall be granted without debate or vote.

2. Routine Resolutions shall be placed on the agenda with all other resolutions, except that Routine Resolutions shall be grouped together and be the first resolutions to be acted upon.

RULE NO. 13: SPECIAL ORDERS – Special orders shall consist of matters set down by a previous resolution of the Legislature to a certain day and shall be taken in order under Rule 6.

RULE NO. 14: UNFINISHED BUSINESS – All reports, resolutions, and other matters laid on the table may be brought and shall be taken in order under Rule 6.

RULE NO. 15: ADJOURNMENT – At evening meetings, when the hour of 11:00 PM arrives, the topic of discussion at the moment shall continue until completed and then before any new business is brought up, a vote will be taken and decided by a majority of those present whether to continue in session or adjourn until the following evening at 6:00 PM.

III – COMMITTEES

RULE NO. 1: STANDING COMMITTEES - Standing Committees aid and assist the Legislature in the transaction of business. Each Standing Committee shall provide general supervision through the County Administrator of the County Departments, Agencies, Authorities, and activities set forth under each Standing Committee. The Standing Committees shall have the power to decide governmental matters relating to the several departments, subject to final approval of the Legislature. *“The Community College and County Administrator will report directly to the full Legislature and will liaison with the Chair of the Legislature directly. Each will report each month at the regularly scheduled Legislative meeting. In addition, the Administrator will report each month on fiscal issues at Ways and Means and will work with the Chair of Ways and Means to develop reports and format as required by the Committee. In the case of the College, the College budget, capital requests, and other requests involving expenditure of funds, except union contractual agreements, will be treated as Legislative Resolutions and be presented, considered and voted on by all committees. Union contractual agreements will be considered by the full Legislature at its regularly scheduled meeting or at a special meeting called for this purpose.”*

Associated with this change is that under Rule 1 #5 the College and Administrator will be removed from reporting to the Government Operations Committee.

The Standing Committees are:

1. **Ways and Means**
 - a. Auditor
 - b. Budgets & Budget Officer
 - c. Central Purchasing
 - d. Data Processing
 - e. Finance
 - f. Insurance
 - g. Real Property
 - h. Salaries and Personnel
 - i. Taxes
 - j. Treasurer

2. Public Works Committee

- a. All County Buildings and Grounds
- b. Highway Department
- c. Motor Pool
- d. Parks and Recreation
- e. Weights and Measures
- f. Water and Sewer Authority
- g. Building & Fire Code Inspector

3. Planning and Economic Development

- a. Agriculture
- b. Cayuga Economic Development Agency, Inc. (CEDA)**
- c. Cooperative Extension
- d. Employment and Training
- e. Energy
- f. Environmental Management
- g. Planning
- h. Publicity
- i. Soil and Water Conservation District
- j. Tourism
- k. Water Quality Management

4. Health and Human Services

- a. Animal Protection Organizations
- b. Cayuga County Action Program
- c. Health Department
- d. Long Term Care
- e. Mental Health
- f. Nursing Home
- g. Office for the Aging
- h. Social Services
- i. Youth Bureau

5. Government Operations

- a. Board of Elections
- b. County Attorney
- c. County Clerk/DMV
- d. County Legislature and Rules
- e. Education
- f. Historian
- g. Information Technology
- h. Records Retention
- i. Veterans

6. Judicial and Public Safety

- a. Assigned Counsel
- b. Commissioner of Jurors
- c. Communications System (E-911)
- d. Coroner
- e. District Attorney
- f. Emergency Management Office
- g. Emergency Medical Services**
- h. Fire
- i. Grand Jury
- j. Justices & Constables
- k. Probation
- l. Sheriff / Jail

RULE NO. 2: STANDING COMMITTEE STRUCTURE – The Standing Committees shall consist of seven (7) members. The Chairperson of the Legislature shall, as soon as practical after the Organizational Meeting, appoint a Chairperson for each Standing Committee and appoint each of its members from the members of the Legislature, except where the Legislature shall otherwise order by a majority weighted vote. The Chairperson of each Standing Committee, once appointed, shall select a Vice-Chairperson for that committee.

RULE NO. 3: STANDING COMMITTEE MEETINGS – 1. The Chairperson of a committee shall call the meeting to order upon appearance of a quorum, provided that the meeting is not called to order prior to the scheduled time of the meeting.

2. A majority of those present shall be sufficient to vote upon and pass any motion or resolution before the committee.

3. The County Rules of Order shall apply to all Committee Meetings.

RULE NO. 4: WAYS AND MEANS COMMITTEE-The Ways and Means Committee shall be comprised of the Chairperson of Ways and Means Committee, Chairpersons of the other Standing Committees and one at Large member of the Legislature, all to be appointed by the Chairperson of the Cayuga County Legislature. In the event that the Chairperson of one or more of the other Standing Committees is not present, then in that event the Vice-Chairperson of that Standing Committee may under certain conditions substitute for the absent Chairperson of a Standing Committee. In a situation wherein the Vice-Chairperson of a Standing Committee is in a position to participate and vote at the Ways and Means Committee meeting, as the result of being a Chairperson of another Standing Committee then in that event the Vice-Chairperson of a Standing committee may not so participate as a Vice-Chairperson of another Standing Committee. Then in that event the an individual may not participate at the Ways and Means Committee as a Vice-Chairperson of that Standing Committee then said Standing Committee shall be unrepresented. In the event of the absence of the Ways and Means Chairperson or the at large member, then said positions shall be unrepresented at the meeting. In the absence of the Chairperson of the Ways and Means Committee, the Vice-Chairperson of the Ways and Means Committee shall conduct the meeting and participate as Chair of their Standing Committee. In no circumstance, may a Vice-Chairperson of a Standing Committee substitute for more than one Chairperson of a Standing Committee or participate as a member of the Ways and Means Committee meeting if he or she is already a participating member of the Ways and Means Committee. In any possible case no legislator can have more than one vote in a Ways and Means Committee meeting.

RULE NO. 5: COMMITTEE MINUTES – minutes shall be taken and recorded for each meeting. Minutes shall cover all items listed on the agenda or considered by the Legislature. Original print minutes will be kept in the Clerk of the Legislature Office. Draft Electronic copies of the minutes will be available to the Legislature prior to the meeting. Legislators may report errors or omissions to the Clerk of the Legislature Office giving the Clerk the opportunity to do corrections before the minutes are considered at a meeting. Minutes will be approved at the next regularly scheduled committee meeting; once final approval is received they will be posted electronically for public access. Committee minutes shall include a listing of the members present and the members absent, the subject matter for which the meeting was called, action taken and other pertinent information.

RULE NO. 6: SPECIAL COMMITTEES – The Legislature may, from time to time, create and abolish Special Committees. Any resolution creating a Special Committee shall specify the powers and duties of the committees and the number of its members. The Chairperson shall appoint the members of all Special Committees, except where the Legislature shall order by a weighted majority vote.

RULE NO. 7: TERM – Each committee member shall serve as a member of such committee until their successor is appointed.

RULE NO. 8: REFERRAL TO COMMITTEE – All positions, communications, reports, and motions requiring action of a committee shall be referred by the Chairperson, without motion, to the committee having charge of matters relating to the same.

RULE NO. 9: ATTENDANCE – 1. Every member of the Legislature shall have the right to attend the meetings of any committee, whether regular, special, or executive session, unless otherwise prohibited by the rules.

2. Every member of the Legislature shall inform the Clerk of the Legislature in the event that such member is unable to attend a meeting of a committee to which such member is assigned. Failure to do so shall cause such absence to be recorded as an unexcused absence.

IV – RULES OF ORDER

RULE NO. 1: RULE MODIFICATION – No standing rule or standing order of the Legislature shall be rescinded, suspended or changed, or any rule added thereto unless it is by Weighted Majority Vote.

RULE NO. 2: PRECEDENCE – When a question shall be under consideration, no action shall be received except as herein specified, which motion shall have the precedence in the order named, to wit:

1. For an adjournment of the Legislature.
2. To call the question.
3. To lie on the table.
4. To postpone indefinitely.
5. To postpone to a certain day.
6. Executive session.
7. To go into a committee of the whole pending subject immediately.
8. To commit to a committee of the whole.
9. To commit to a Standing Committee
10. To commit to a special committee.
11. To amend.

RULE NO. 3: PRIORITY – 1. All questions relating to the priority of business, that is, the priority of one question or subject matter over another, under the same order of business, shall be decided without debate.

2. When a blank is to be filled or several sums or times are proposed the question shall first be put on the largest sum and the longest time.

RULE NO. 4: ORDER – The Chairperson shall preserve order and decorum and decide all questions of order, which decision shall be final unless an appeal is taken to the Legislature. On an appeal from the decision of the Chairperson, the Legislature shall have the right in their place to assign their reason for their decision. The Legislature shall also have the right to substitute any member to perform the duties of the Chairperson but such substitution shall not extend beyond the next adjournment.

RULE NO. 5: RECOGNITION – 1. A member rising to debate, to give a notice, to make a motion or report, or to present a petition or other paper shall address the Chairperson and shall not proceed further until recognized by the Chairperson.

2. When two or more members shall rise at once, the Chairperson shall name the member who is to speak first.

RULE NO. 6: PERMISSION OF THE FLOOR – 1. Persons not members of the Legislature may, with the permission of the Chairperson, be permitted to speak in regard to matters pending before the Legislature.

RULE NO. 7: PRIVILEGE OF THE FLOOR – 1. Each Legislator may request privilege of the floor on behalf of another during the portion of the meeting designated as such. Those addressing the Legislature during privilege of the floor need not be limited in subject to matters currently before the Legislature, and may speak to any topic.

2. The Chairperson shall have the authority to grant or deny such request, and may limit the time that a person having been granted privilege of the floor may be allowed to speak.

RULE NO. 8: ANNOUNCEMENT – 1. Every motion or resolution shall be first stated by the Chairperson or read by the Clerk before debate, and immediately after the question is put.

2. After a motion or resolution is stated it shall be in the possession of the Legislature and may be withdrawn at any time before decision or amendment.

RULE NO. 9: DEBATE – 1. If any member is speaking or otherwise transgresses the Rules of Order, the Chairperson may call the member to order, in which case the member so called to order shall immediately stop unless permitted to explain.

2. While a member is speaking, no other member shall entertain any private discourse, or pass between the member speaking and the Chairperson.

3. No member shall speak more than twice on the same general question, without leave of the Legislature.

4. No member shall speak more than once on any question until every member choosing to speak shall have had the opportunity to speak.

RULE NO. 10: OBLIGATION TO VOTE: 1. Every member who shall be present when any question is stated from the Chairperson shall vote thereon, unless excused by the Chairperson of the Legislature after presentation of a suitable excuse prior to the beginning of the roll call, or unless the member is directly interested in the question, in which case, the member shall not be allowed to vote.

2. While the Chairperson is putting the question, no member shall walk across or out of the room.

3. The Chairperson shall, in all cases, have the right to vote unless otherwise restricted under Section V, Ethics.

RULE NO. 11: TIE – When the Legislature is equally divided, including the Chairperson's vote, the question shall be deemed to fail.

RULE NO. 12: SEPARATING THE QUESTION – If the question in debate contains several distinct propositions, the same shall be divided by the Chairperson at the request of any member, to the end that a vote may be taken on each proposition; but a motion to strike and insert shall be deemed indivisible.

RULE NO. 13: COMMITTEE OF THE WHOLE – In forming a committee of the whole, the Chairperson shall leave the chair and appoint a Chairperson to preside.

RULE NO. 14: RECORDING OF VOTES – When any proposition or question is submitted a member may ask for a yes or no vote and the same shall be recorded by the clerk, except that the Chairperson may ask the members how many wish to have their votes recorded so indicate.

RULE NO. 15: VOTES NECESSARY – 1. On the final passage of any resolution, having for its object the appropriation of any money, or the levying of any tax, the consent by Weighted Vote, Simple Majority, of the Legislators elected shall necessary and shall be determined by recording a roll call vote.

RULE NO. 16: ACCEPTANCE OF REPORTS - The acceptance of a report by the Legislature shall not carry with it an appropriation without the accompaniment of a resolution to that effect.

RULE NO. 17: CALLING FOR A RECESS – 1. It shall be in the chairperson’s sole discretion to call for a recess of the meeting. Upon calling a recess, the chair will indicate the time at which the meeting is expected to reconvene. However, the meeting will not reconvene until a majority of the legislature is present and the chairperson, in his/her sole discretion; call the meeting back to order.

V – ETHICS

RULE NO. 18: CONFLICT OF INTEREST – 1. It is the duty of each office holder, and each office holder is primarily responsible to disclose and resolve questions concerning a conflict of interest.

2. Advisory determinations from the Board of Ethics are available to help resolve conflict questions. Such determinations are particularly useful when a question is raised early and the Board of Ethics has sufficient time to investigate the matter.

3. In the event a conflict of interest question arises and the Board of Ethics is unable to make a timely determination, any Legislator may ask the County Attorney to render a non-binding opinion, or if any member so chooses, the full Legislature may vote to decide a question of conflict of interest.

4. Every Legislator has the right to call for and vote in such proceeding. Each vote is to be considered separately.

Amended and adopted 2-26-13

Resolution No. 73-13 2-26-13

III-Committees

RULE NO. 1: Standing Committees

Cayuga County Emergency Medical Services was removed from under the purview of the Health Department and placed back into Emergency Management; the reason for placement under HHS and Elane Daly was for grant reporting purposes.

The Planning Committee asks that **Cayuga Economic Development Agency, Inc.** be added to the lists of Departments or agencies that report to the Planning.

Amended and adopted 8-26-14 Resolution NO. 309-14

II - MEETINGS OF THE LEGISLATURE: RULE NO. 11: EMERGENCY

RESOLUTIONS – An emergency requiring the passage of a resolution by the Legislature shall be deemed to be passed by the Legislature upon the *majority* of the Chairperson of the Legislature, the Chairperson of Ways & Means, The Oversight Committee Chair, and the Minority Leaders.

II - MEETINGS OF THE LEGISLATURE RULE #1 REGULAR MEETING -

Amended and adopted 1-4-16 to change the time of all Legislature meetings from 6:30PM to **6:00PM** except for the May Meeting (Senior Citizen Day 1:00PM) and October (Student Government Day 10:00AM)

Amended and adopted 1-3-17

II - MEETINGS OF THE LEGISLATURE, RULE #9, CLAIMS - wherever approval by the County Administrator is required add “*or designee*”. Add number 4. “*If the County Administrator “or designee” is unavailable, the Chair of the Legislature may act in place of the Administrator*”.

Amended and adopted 1-3-17

III – COMMITTEES, RULE #1 STANDING COMMITTEES - (added to the first paragraph) “*The Community College and County Administrator will report directly to the full Legislature and will liaison with the Chair of the Legislature directly. Each will report each month at the regularly scheduled Legislative meeting. In addition, the Administrator will report each month on fiscal issues at Ways and Means and will work with the Chair of Ways and Means to develop reports and format as required by the Committee. In the case of the College, the College budget, capital requests, and other requests involving expenditure of funds, except union contractual agreements, will be treated as Legislative Resolutions and be presented, considered and voted on by all committees. Union contractual agreements will be considered by the full Legislature at its regularly scheduled meeting or at a special meeting called for this purpose.*”

Associated with this change is that under Rule 1 #5 the College and Administrator will be removed from reporting to the Government Operations Committee.