

PROPOSED AMENDMENTS TO LUZERNE COUNTY COUNCIL BYLAWS

AMENDMENT #1:

Rule 1D: Telephone/Electronic Media Appearance.

1. Council members may appear at a Council meeting via telephone or electronic media, such as Skype or video-conferencing, under specific circumstances. Such appearances shall be ~~approved by the Chair~~ for the benefit of the Council operations, not solely for the convenience of any member. The member requesting telephone/media participation shall, as soon as possible prior to the meeting in question, ~~request permission from~~ notify the Chair of the need to participate by telephone/media and state the reason for the request.
2. ~~The Council Chair may approve a~~ Council member's ~~may~~ appearance at a council meeting via telephone or electronic media when one or more of the following circumstances exists:
 - a. Due to fire, flood, earthquake, or other emergency, there is a need for action by a governing body to meet the emergency;
 - b. A vote of the council is required for action; or
 - c. A quorum is not present at a regular meeting.
3. In the event that a quorum is not present at a regular meeting, reasonable efforts shall be given to provide all absent members an opportunity to appear via telephone/electronic media. However, a majority of those participating in the meeting must be physically present at the meeting.
4. A Council member's telephonic/electronic appearance shall only ~~be approved~~ occur when satisfactory equipment is available. Satisfactory equipment shall mean any equipment with a speakerphone function capable of broadcasting the Council member's voice attending via such means clearly and sufficiently enough to be heard by those in attendance at the meeting. The equipment must allow the Council member to ask, take, and answer questions and to fully participate in the action of the meeting.
5. During any meeting that a Council member is attending via telephone/electronic media, the Council Chair or presiding Council member shall state for the record that a particular Council member is attending via telephone/electronic media and the reasons for such attendance.
6. Council members appearing via telephone/electronic media must be engaged in the meeting from the roll call through the adjournment, allowing for the potential of temporary disconnection, and may participate and vote during the meeting as if physically present.

7. Any Council members appearing via telephone/electronic media must ensure that the remote location is quiet and free from any background noises and interruptions. If the telephone/electronic media participation is marked by a bad connection, or by noise or interruptions that are disruptive to the meeting and inhibit or distract from the action of Council, the Chair may terminate the connection after majority vote of Council members present physically at the meeting.
8. Council members appearing via telephone/electronic media shall comply with all rules and procedures as if physically present.
9. If a telephone and/or electronic connection is continually interrupted or broken off more than three times during a meeting, the Council Chair shall declare the participation null and void and shall direct the record to reflect that the member appearing via telephone/electronic media was not present.
10. In the event of technical failure, the Solicitor shall determine whether the Council member's participation in the meeting has met the requirements of the Sunshine Law regarding the validity of any votes.
11. Any Council member who appears via telephone/electronic media for three (3) meetings during the calendar year, shall, prior to attending another meeting via telephone/electronic media:
 - a. ~~Seek permission through~~ Notify the Chair; and
 - b. State the reason(s) for such a request; ~~and~~
 - c. ~~Be approved by Council attending the meeting.~~
 - d. ~~The vote to determine whether the Council member's request is approved shall be taken immediately after roll call. The Council member requesting to appear via telephone/electronic media shall not participate in said vote.~~

RULE 5B and D

CURRENT:

Rule 5B: Regular Place and Times for Council Meetings

Public Meetings shall normally occur on second and fourth Tuesdays of every month at a start time in compliance with the Luzerne County Home Rule Charter ("Charter"). All meetings of Council shall take place at the County Council Meeting Room on the first floor of the Luzerne County Court House unless otherwise specified by the Chair.

PROPOSED:

Rule 5B: Regular Place and Times for Council Meetings

Public Meetings shall normally occur on second and fourth Tuesdays of every month at a start **time no earlier than 6:01 PM**, All meetings of Council shall take place at the County Council

Meeting Room on the first floor of the Luzerne County Court House unless otherwise specified by the Chair.

Rule 5B (1) The Luzerne County Manager, State of the County address as per Luzerne County Home Rule Charter Section 4.07 A (8) shall be presented at a regular County Council Meeting no earlier than 6:01 PM.

CURRENT:

Rule 5D: Procedure and Notice for Change of Council Meeting Schedule

The Chair may cancel and/or reschedule a Regular Council Meeting. Notice of any rescheduled Regular Meeting of Council shall be promptly given to all Members, posted on the County's website, posted at the Clerk's Office, and advertised as required by law.

PROPOSED:

Rule 5D: Procedure and Notice for Change of Council Meeting Schedule

The Chair, after consulting with all members of County Council regarding availability, may cancel and/or reschedule a Regular Council Meeting. Notice of any rescheduled Regular Meeting of Council shall be promptly given to all Council Members no later than 72 hours prior to the date of the change and posted on the County's website, posted at the Clerk's Office, and advertised as required by law.

Section 8D

CURRENT:

(3) Main Motions to Take or Reconsider Action

- a. To Introduce a Proposed Ordinance
 - i. Second required;
 - ii. Debatable prior to vote;
 - iii. Affirmative vote of at least four (4) Council Members needed;
 - iv. There shall be no Debate on a Proposed Ordinance following its initial introduction and reading.

PROPOSED:

(3) Main Motions to Take or Reconsider Action

- a. To Introduce an Ordinance according to Section 2:11 of the Charter
 - i. Second required;
 - ii. Debatable prior to vote to introduce;
 - iii. Vote to introduce Ordinance cannot be tabled according to Rule 8 D (2): Motion Practice and Precedence;
 - iv. Affirmative vote of at least four (4) Council Members needed;
 - v. There shall be no debate on a Proposed Ordinance following its initial introduction and reading.

Rule 8F: Nomination procedure for appointments to Authorities, Boards, and Commissions:

(1) Council shall hold a nomination period, in which any person receiving a nomination and a second shall have their name put forward as a candidate on a roll call ballot for the appointment.

(2) After nominations are completed, council shall conduct a roll call vote, in which each council member shall signify her/his selection by announcing a candidate's name.

(3) In a roll call vote concerning two candidates, the candidate receiving six (6) votes, regardless of the number of Members present, shall have their name put forth on a resolution, which must be passed by a majority of present council members to effectuate any appointment.

(4) In a roll call vote concerning three or more candidates, the candidate receiving six (6) or more votes, regardless of the number of Members present, shall have their name put forth on a resolution.

- a. If any one candidate does not receive six (6) votes, all candidates except for the two candidates receiving the highest number of votes shall be eliminated. Council shall then conduct another roll call vote for selection between the two highest voted candidates. The candidate receiving the highest number of cast votes shall have their name put forth on a resolution.
- b. If any one candidate does not receive six (6) -votes, and there is a tie for the second highest number of votes, council shall do the following:
 - i. Perform a roll call vote for selection between the second place-tied candidates to break the tie.
 - ii. Perform a subsequent roll call vote for selection between the highest voted candidate and the winning tie-breaking candidate. The candidate receiving the majority of cast votes shall have their name put forth on a resolution.
- c. **In the event that more than one vacancy for the same authority, board, or commission are to be filled, nominations shall be solicited as set forth in Rule 8F (1). After nominations are completed, council shall conduct a roll call vote, in which each council member shall signify his/her selection for the first vacancy by announcing a candidate's name. A candidate receiving six (6) or more votes in this roll call shall be removed from the list of nominees, and a subsequent roll call shall be conducted for each of the remaining vacancies, with council members naming one (1) candidate from the remaining nominees in each roll call. If any one candidate does not receive at least six (6) votes in any of the roll calls, the procedure outlined in Rule 8F(4) shall be followed until the number of candidates receiving six (6) votes is sufficient to fill the vacancies.**