

**COUNTY COUNCIL**  
**OF**  
**LUZERNE COUNTY, PENNSYLVANIA**

**ORDINANCE O-2020-\_\_\_\_\_**

***An Ordinance of the Luzerne County Council to amend the 2020 Position Budget legislatively authorizing the elimination and creation of positions in Division 60, Department 4197 Sheriff***

**WHEREAS**, on June 12, 2012 the Luzerne County Council adopted an Administrative Code per Section 6:02 of the Luzerne County Home Rule Charter; and

**WHEREAS**, Section 6:03 of the Charter states; “the Administrative Code shall apply to every County division, department, bureau, office, agency, board, commission, and other administrative unit as well as the offices of all elective County officials, the Judiciary, and Office of Court Administration and shall cover all employees of the County, all members and employees of all County boards and commissions, all elective county officials and all employees of their offices, and all employees of the Judiciary and Office of Court Administration. The Administrative Code shall include, among other provisions, an enumeration of the divisions, departments, bureaus, offices, agencies, boards, commissions, and other administrative units of the County government, their scope of responsibility, and the internal procedures for their operations. In addition, the Administrative Code shall make adequate and specific provisions for, but shall not be limited to: **budgeting and other financial procedures**; purchasing and acquisition procedures; procedures for the disposition of County property; and **any other rules, regulations, and procedures desirable for the efficient and effective administration of County government.**”; and

**WHEREAS**, The Administrative Code, Section 8:02 -B was amended on January 14, 2014 by Ordinance 2014-1 of County Council, which states:

“The Budgets for each year shall be adopted by County Council as set forth in the County Charter and shall include a Position Budget that lists positions defined by the Manager as necessary to County operations along with the defined compensation for each position. The positions so defined shall be the *legislatively authorized positions* for the fiscal year covered by the adopted Budgets, and all required funds for these positions shall be allocated in the adopted Budgets” and

**WHEREAS**, Luzerne County Council adopted the 2020 Fiscal Year Position Budget by Ordinance 2019-11 on December 10, 2019 which **“legislatively authorizes positions”** for Division 60 Department 4197 Sheriff designating two (2) AFSCME District Residual Council 87 Union Security Guard Positions, at a salary designation of \$27,904 and \$29,541, and

**WHEREAS**, Section 5:10- F of the Luzerne County Home Rule Charter states: “At any time during the fiscal year, County Council may amend any of the budgets by ordinance adopted by an affirmative vote of at least a majority plus one of its current members. County Council shall hold at least one public hearing on the proposed amendment(s), commencing not sooner than seven days following introduction of the proposed amendment(s)” and

**WHEREAS**, on May 22, 2018 Luzerne County Council approved by Resolution R-2018-92, the collective bargaining agreement for the AFSCME District Council 87 Residual Union, which authorizes the salaries and position in Department 4197 for Security Officers, and

**WHEREAS**, on April 10, 2018 Luzerne County Council approved by Resolution R-2018-73, the collective bargaining agreement for the AFSCME District Council 87 Court Appointed Union for Deputy Sheriffs, and

**WHEREAS**, the County Manager wishes to eliminate two (2) AFSCME District Residual Council 87 Union Security Guard Positions, at a salary designation of \$27,904 and \$29,541 and create two (2) additional AFSCME District Council 87 Court Appointed Union Deputy Sheriff positions, with salaries of \$28,200 which were not "**Legislatively Authorized Positions**" in the 2020 Fiscal Year Budget for a reduction in salaries of \$1,045

**NOW THEREFORE, BE IT ORDAINED**, the Luzerne County Council does hereby agree to amend the adopted 2020 Position Budget to eliminate the aforementioned **Legislatively Authorized Positions in Division 60 and Department 4197 Sheriff**, and create two (2) Deputy Sheriff Positions at the designated salaries of \$28,200 as designated in the adopted AFSCME District Council 87 Court Appointed Union

**IN WITNESS WHEREOF**, the present Ordinance has been duly adopted this \_\_\_\_ day of July 2020, in duly advertised and convened public session

This Ordinance will become effective 15 days after enactment

Enacted by Luzerne County Council on August \_\_\_\_, 2020.

**LUZERNE COUNTY COUNCIL**

By: \_\_\_\_\_

DATE: \_\_\_\_\_

Tim McGinley, Chair

Attest: \_\_\_\_\_

DATE: \_\_\_\_\_

Sharon Lawrence, Clerk of Council

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