

BY-LAWS
of the
LUZERNE/WYOMING COUNTIES
DRUG AND ALCOHOL EXECUTIVE COMMISSION

Not Yet Approved - Revised/Approved March 13, 2018

Article I. Name

The name of this organization shall be the Luzerne/Wyoming Counties Drug and Alcohol Executive Commission (organized under authority of 4 Pennsylvania Code Chapter 254, Single County Authorities (SCA)).

Article II. Mission and Philosophy Statements

The Luzerne/Wyoming Counties Drug and Alcohol Executive Commission works in conjunction with the Luzerne/Wyoming Counties Drug and Alcohol Program to provide a continuum of care to residents of Luzerne and Wyoming Counties with respect to the abuse of alcohol, tobacco, and other drugs. The Commission oversees the Luzerne/Wyoming Counties Drug and Alcohol Program's delivery of the services of prevention, intervention, and treatment. The Executive Commission's goal is to eradicate addiction within the counties and, to this end, to advise the Program Administrator in the distribution of federal, state, and county resources.

The Executive Commission recognizes the disease concept of chemical dependence. By contracting with the service providers in local and surrounding areas, the Luzerne/Wyoming Counties Drug and Alcohol Program provides the highest quality of service to chemically dependent county residents in the matters of prevention, intervention, and treatment.

Article III. Membership

The membership of the Luzerne-Wyoming Counties Drug and Alcohol Executive Commission shall consist of eleven (11) members, chosen and constituted as herein described.

A. Representation shall be solicited but is not limited to the following categories:

1. **Criminal Justice** - One (1) representative involved in the criminal justice field, for example, attorney, law enforcement officer, or an ex-offender
2. **Education** - One (1) representative presently working in the field of education, for example, principal or teacher
3. **Business or industry** - One person representative of the business or industry community
4. **Medicine** - One (1) representative with any of the following credentials: physician, dentist, health care administrator, pharmacist, or nurse
5. **Psycho Social Professional** - One (1) representative with any of the following credentials: Psychologist, M.S.W., or any other social services professional, for example, member of clergy
6. **Labor** - One (1) representative of the labor community.

Of the remaining five members, the local authorities shall appoint individuals who are representative of the constitution and character of the SCA. The following categories shall be represented by at least one individual each unless documentation is submitted to the Council showing that an individual is not available or that the category is not applicable.

1. **Student** - Individual representative of a high school, trade school, college, or university population in the community
2. **Elderly** - Individual representative of the elderly population in the community

3. Client - Individual representative of current or past recipients of drug or alcohol treatment services

4. Community - Individual representative of the economically disadvantaged either by residence or employment

Only one member of the board or staff of a single drug or alcohol project may sit on the Executive Commission at any designated time, at least one of the choices should be an individual 25 years or under at the time of appointment, and no more than 60% of the members may be of the same sex.

B. In addition to the eleven (11) members, the Executive Commission will include one (1) representative of the District Health Office or State Health Center. This would be an ex-officio, advisory position with no term limitations and no voting privileges.

C. The Service Provider Group shall also select one (1) representative. This would be an ex-officio, advisory position with no term limitations and no voting privileges.

D. Executive Commission Membership Stipulations

1. Membership will be divided between the two counties as defined and in accordance with DDAP requirements, and with Luzerne County Council appointing six (6) members and with Wyoming County Commissioners appointing five (5) members. The Executive Commission will recommend new candidates for membership. Luzerne County Council also has a listing of individuals interested in serving on Luzerne County Boards and Commissions. Luzerne County members are appointed to the Executive Commission

2. Each member is appointed for a three-year term and may be reappointed for a second three-year term. A nominee for reappointment or to fill any vacancy shall be proposed to the Luzerne County Council and the Wyoming County Commissioners.

3. An individual may be a member of the Executive Commission for six consecutive years. Active members, with the approval of the Nominating Committee, Executive Commission, Luzerne County Council and Wyoming County Commissioners, may be recommended for an additional three (3) year term.

4. Appointments must address minimal issues/shortages created by the vacancy.

5. No member of the Executive Commission may be a staff person of the SCA, a staff person of a Contracted provider of the SCA, or be a member of any Board of a contracted provider of the SCA.

F. Roles and Responsibilities for Members

___1. Attend and participate in the regular monthly meeting of the Executive Commission.

2. Attend and participate on committee's of the Executive Commission on an as needed basis.

3. Review materials presented to the Executive Commission and its committees and offer advice, comments, and recommendations.

4. Assist in the recruitment and retention of Executive Commission members.

5. Assist the Program Administrator in preparing the annual plan or plan update.

6. Review and evaluate drug and alcohol services, programs, and special problems in relation to the incidence and prevalence of drug and/or alcohol abuse.

7. Review new programs and any other matters related to drug and alcohol services in the bi-county area.

8. Assist the Program Administrator in conducting evaluations of Single County Authority funded Programs in accordance with guidelines approved by DDAP.
9. Prescribe, amend, and repeal bylaws governing the manner in which business is conducted by the Executive Commission and the manner in which the powers granted to it are exercised.
10. Assist the Program Administrator, in accordance with guidelines of the DDAP, in conducting annual public hearings relating to the preparation of the annual plan or plan update.
11. Assist the Program Administrator in submitting the annual plan or plan update to the Luzerne County Office of Human Services and to the Luzerne County Council and Wyoming County Commissioners for approval.

G. Attendance – Provision – Resignation

1. Members are expected to attend seven (7) meetings conducted each year as well as two phone or teleconference meeting's, if necessary. Emergency votes, where time restrictions prevent a quorum from coming together within the next 24 hours, may be conducted via email. In compliance with the PA Sunshine Law, emails and notice of such meetings will be published, after the fact, so that all items discussed have the opportunity for discussion at the next public meeting.
2. Attendance will be reviewed at a minimum, semi-annually, by the Nominating Committee. If a member misses three meetings during a one-year period, a member of the Nominating Committee will contact that individual.
3. **Provision:** If a member misses a fourth meeting during a one-year period the member may be removed for cause if the removal is approved by a 75% vote of the voting members (excluding the member that is being considered for removal) and if the removal is approved by the County that appointed and approved the member. The Luzerne County Council and Wyoming County Commissioners will be requested to appoint and/or approve a new member to fill the vacancy.
4. Members may also be removed for actions in direct conflict with the mission or goals of the committee. The removal must also be approved by a 75% vote of the voting members (excluding the member that is being considered for removal) and if the removal is approved by the County that appointed and approved the member. The Luzerne County Council and Wyoming County Commissioners will be requested to appoint and/or approve a new member to fill the vacancy.
5. If any member wishes to resign from the Executive Commission, the member shall do so by submitting a letter of resignation to the Chairperson of the Executive Commission.

Article IV.
Officers and Duties

- A. Officers. The officers of the Executive Commission shall be a Chairperson, a Vice-Chairperson, and a Secretary.
1. The Nominating Committee at the November meeting of the Executive Commission shall present a slate of candidates to the Executive Commission.
 2. Election of officers shall occur at the December meeting of the Executive Commission.
 3. The elected officers shall take office on January 1 of the calendar year following their election.
 4. Members may succeed themselves without limits.

- B. Duties of the Chairperson: It shall be the duty of the Chairperson to preside at all meetings of the Executive Commission and to be responsible for directing the business of the same. The Chairperson will also serve as an ex-officio member to all committees.
- C. Duties of the Vice-Chairperson: It shall be the duty of the Vice-Chairperson to perform the duties of the Chairperson in his/her absence.
- D. Duties of the Secretary: It shall be the duty of the Secretary to assure that minutes of each monthly meeting are recorded and kept on file. Minutes will be drafted and prepared by the Program Administrator's staff. In the absence of the Chairperson and the Vice-Chairperson, the Secretary shall preside at the monthly meeting of the Executive Commission.

**Article V.
Meetings**

- A. The Executive Commission shall be scheduled no less than 11 times per year and not more than sixty (60) days shall transpire between meetings. A majority of the Executive Commission shall constitute a quorum at scheduled meetings or special meetings. A majority is defined as 6 of the voting membership. No official business will be conducted at a meeting unless at least one of the elected officers is present.

Notice of all meetings shall be published no more than 30 days prior to the meeting. Meeting notices shall comply with criteria set forth in the Sunshine Act.

- B. Special Meetings

- 1. Special meetings shall be held at the directive of the Chairperson with at least forty-eight (48) hours notice to each member.
- 2. It shall also be the duty of the Chairperson to call a special meeting within three days of the receipt of a written request by one third or more of the members of the Executive Commission.
- 3. No business shall be transacted at such a meeting except that named in the notice.

- C. Public Hearings

The Executive Commission shall assist the Drug and Alcohol Program Administrator in the conducting of public hearings, in accordance with the Department of Drug and Alcohol Program directives, prior to the approval of the annual plan or plan update. The Executive Commission shall insure that adequate notice of such hearings is given to the public.

- D. The Executive Commission shall permit any Subcommittee established by the Commission to hold meetings in person and/or via telephone conference. Any actions will be reviewed by the Executive Commission for final approval. The quorum of the Executive Commission will give final approval.

**Article VI.
Standing Committees**

The Standing Committees of the Executive Commission and their duties are as follows:

- A. Administrative Committee: The members of the Administrative Committee shall include the following:
 - 1. Chairperson of the Executive Commission, who serves as Chairperson of the Administrative Committee
 - 2. Vice-Chairperson of the Executive Commission
 - 3. Secretary of the Executive Commission

4. Chairperson of all Standing Committees
5. Any members of the Executive Commission can be appointed in an advisory capacity to the committee by the Chairperson

The duties of the Administrative Committee shall include the regular review of business scheduled for the Executive Commission, planning of presentations to the commission members, assisting the Program Administrator in the conducting of public hearings regarding services, overall review of the performance of the commission and the general business involved in the Single County Authority.

The Administrative Committee shall be empowered to act on behalf of the Executive Commission in certain situations requiring approval and/or action by the Executive Commission when sufficient time or circumstances preclude calling a commission meeting and/or the attendance of a majority of members. A majority of the Administrative Committee is defined as 50 percent plus one of the Administrative Committee membership.

B. Program Committee: Members of the Program Committee shall be appointed by the Chair of the Executive Commission. The Chairperson of the Program Committee shall be appointed by the Executive Commission Chair and shall be well informed on the program issues and a member in good standing of the Executive Commission.

The Program Committee is responsible to assure that a comprehensive plan is established for the delivery of prevention, intervention, case management and treatment services in the bi-county area.

The committee will assist the Program Administrator in the annual "request for proposal" process, which includes review of budgetary and service data, submitted by provider agencies. Following the data review, a funding allocation plan will be recommended for approval.

C. Nominating Committee: Responsibilities of the Members will be to recommend candidates to fill vacancies on the Executive Commission. Recommendations will be forwarded to Luzerne County Council and/or Wyoming County Commissioners for appointment/approval.

The Nominating Committee shall also present a slate of officers to the Executive Commission each November.

D. Prevention Committee: Prevention services will be provided through contracted prevention agencies.

At least two members of the Executive Commission shall be appointed as the Prevention Committee by the Chair to sit with local prevention providers to review the planning of prevention programs. It shall be their duty to work with the Single County Authority Program Administrator and the Prevention Providers to promote overall coordination of services.

Prevention services shall be aimed at the broadest population of Luzerne and Wyoming Counties. When required, the Executive Commission shall assist in conducting a needs assessment to determine the extent and variety of needs in the bi-county area.

The Executive Commission shall make recommendations to the Prevention Committee identifying needs and populations to be targeted. Furthermore, it shall annually review the prevention plan developed by the Single County Authority Program Administrator and offer recommendations.

The Single County Authority Program Administrator shall provide information to the Executive Commission concerning present and prospective prevention programs being developed.

E. Other Committees/Task Forces: Members of the Executive Commission may be asked to represent the Executive Commission on other committee/task forces, which are not Standing Committees. Such groups may include, but are not limited to, the following: Legislative Task Force, Ad Hoc By-Laws Committee, Annual Award Meeting Committee, Domestic Violence Task Force, and Housing Task Force.

**Article VII.
Voting Procedure**

Actions of the Executive Commission shall take effect upon the approving vote of 50% plus one of the voting members.

A quorum shall consist of 50% plus one of the voting members.

**Article VIII.
Amendment of By-Laws**

These by-laws can be amended at any regular meeting of the Executive Commission by a two-thirds voting membership. Amendments must be submitted, in writing, to the members of the Executive Commission at a regularly scheduled meeting of the Executive Commission. Submission of amendments must be received at least 30 days prior to a vote and preferably at a regularly scheduled meeting of the Commission. Once amendments are approved by the Executive Commission, they will be forwarded to the County Solicitor and County Council for approval.

**Article IX.
Review of By-Laws**

The by-laws will be reviewed, minimally, in the first quarter of each evenly numbered year.