

**BY-LAWS  
OF THE ADVISORY BOARD OF THE  
LUZERNE-WYOMING COUNTIES MENTAL HEALTH AND DEVELOPMENTAL SERVICES  
As adopted at the September 27, 2012 meeting of the Advisory Board and November 13, 2012  
meeting of the Luzerne County Council**

**ARTICLE 1. ADVISORY BOARD**

*Section 1. Number*

The Advisory Board shall consist of 13 members, selected in accordance with the provision of the Mental Health and Intellectual Disabilities Act of 1966.

*Section 2. Term of Office*

A term of office of a Board member shall be for a period of three years. The initial appointment of members of the Board shall be for overlapping periods of three, two and one year(s). In making the initial appointments, insofar as possible, one-third of the members shall be appointed to each of the overlapping periods.

*Section 3. Responsibilities*

The Advisory Board shall select and recommend to the local authorities employment of the Administrator. Further responsibilities and functions of the Board are defined in the Mental Health and Intellectual Disabilities Act of 1966 and are defined under Regulation 4200.24

*Section 4. Vacancies*

Any vacancies occurring in the membership of the Board shall be filled by the local authorities for the unexpired period. The local authorities may remove any member of the Board during his/her period of service for cause only. The members shall serve without compensation, other than reimbursement for travel and other actual expenses in connection with called meetings of the Board.

*Section 5. Meeting*

A majority of the Board members shall constitute a quorum. Any lesser numbers may adjourn from time to time until a quorum is present. In unusual circumstances, members may be considered present through a conference call. The members shall select a chairperson from among themselves. The Board shall meet at least once each quarter, and may, by majority vote of the membership, establish more frequent regular meetings not exceeding one per month. Special meetings shall be held on call of the chairperson, and it shall be the duty of the chairperson to call a special meeting upon the written request of one-third or more of the members, not including vacancies of the Board.

**ARTICLE 2. OFFICERS**

*Section 1. Title*

The officers of the Advisory Board shall be a chairperson, a vice-chairperson, and a secretary. These officers shall be elected bi-annually by the Board in December and will assume responsibilities on January 1. They shall serve for no more than a period of two consecutive years plus up to six months of an unexpired term. For each unexpired term, an election will occur in December when the person filling the unexpired term shall be eligible for a full two-year term, except if he/she has already served as an officer

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for six years of the last ten years. No member may be an officer for more than six years in any eight-year period. Any officership occurring prior to January 1, 2001 is exempt from consideration.

*Section 2. Duties*

- a) The chairperson shall be the principal officer and shall preside at all meetings of the Advisory Board and the Executive Committee. The chairperson shall report to the Board on the conduct and management of the affairs of the organization. He/she shall be an ex-officio member of all committees, except the Nominating/Personnel Committee when it is acting as the Nominating Committee and shall perform such duties as are usual to this office.
- b) The vice-chairperson shall perform the duties of the chairperson in the event of the chairperson's absence or disability and shall assist the chairperson in such duties as the chairperson shall assign
- c) The secretary shall see that minutes of all meetings are recorded. The secretary shall perform the duties of the chairperson, in the absence of the chairperson and vice-chairperson.

*Section 3. Election of Officers*

The election of officers will occur every two years according to the following procedures:

- a) The Nominating Committee will present a slate of officers to the Board at the November Board meeting. Additional nominations from the floor can occur at this time.
- b) At least three weeks prior to the December board meeting, a ballot will be mailed to each Board member.
- c) Ballots will be returned to the chair of the Nominating Committee at any time prior to the election, including during the meeting in which the election occurs.
- d) Ballots will be tallied and results announced at the December meeting and new officers will assume their duties on January 1<sup>st</sup>.

**ARTICLE 3. EXECUTIVE COMMITTEE**

*Section 1. Composition*

There shall be an Executive Committee composed of the officers of the Advisory Board, plus the chairperson of the standing committees. The chairperson or acting chairperson shall call the meetings. Only the chair of the board or acting chairperson may sit as the chair of this committee.

*Section 2. Responsibilities*

The Executive Committee shall have and may exercise the powers of the Advisory Board in the interim between Board meetings, except that the Executive Committee shall not have the power to take any action which represents a major change in policy.

*Section 3. Meetings*

Meetings may be called by the chairperson on not less than three days notice except in emergencies as determined by the Administrator.

*Section 4. Quorum*

Four members of the Executive Committee shall constitute a quorum.

## **ARTICLE 4. OTHER COMMITTEES**

### *Section 1. Standing Committee*

There shall be the following standing committee:

*Nominating and Personnel* composed of members of the Board, appointed by the chairperson as soon after his/her election as is practicable, whose duty it shall be to recommend candidates to fill vacancies on the Advisory Board and present a slate of officers for each election.

The Nominating and Personnel Committee's duty shall be to prepare and recommend to the Board standing personnel practices and policies for the agency, and to consider all other matters relating to personnel administration.

### *Section 2. Ad Hoc Committees*

The Advisory Board may create such other committees as are required for the adequate functioning of the organization which include but are not limited to the following:

- a. *Program Committee*, composed of members of the Board, whose responsibility it will be to work with the Administrator in establishing priorities, doing needs assessments, writing the annual plan, reviewing current and new proposals, evaluating services, reviewing budgets, recommending allocations, and to make recommendations for any necessary program and policy changes to the Board.
- b. *Public Awareness Committee* is composed of members of the Board and community representatives, advocates and agency representatives. This committee's role is to review public awareness activities of the County Office. The Mental Health and Developmental Services Office is responsible for any direct media involvement.
- c. *Legislative Task Force* is charged to have ongoing communication with the legislators representing the bi-county joinder about the impact of legislation and funding influencing the delivery of services to persons served within the Mental Health and Developmental Services System.

### *Section 3. Committee Chairpersons/Vice Chairpersons:*

Each committee will be facilitated by a chairperson and vice-chairperson. All chairpersons and vice-chairpersons will be designated by the Board chairperson as soon as possible after his/her election. Previous chairpersons and vice-chairpersons will continue to serve until new chairpersons and vice-chairpersons are assigned. Committee chairs may not chair more than one committee; however, an individual may serve as a chairperson of one committee and also a vice-chairperson of another committee. Committee chairpersons may not sit in that position for more than three years and must be rotated off the committee.

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The role of the vice-chairperson is to perform the duties of the chairperson in the event of the chairperson's absence and to assist the chairperson in such duties as the chairperson shall assign.

*Section 4: Committee Membership:*

All standing committees, sub committees and ad hoc committees will be composed of members of Board, appointed by the Board chairperson taking into consideration individual interests and background.

The Legislative Task Force and Public Awareness Committee will also include community representatives as approved by the committee chairperson.

**ARTICLE 5. STAFF**

*Section 1. County Administrator*

The County Administrator shall be the chief administrative officer. The administrator shall be appointed by the local authorities from a list of not less than two names submitted by the Board. The administrator will serve as an ex officio member of the Board and all committees.

The power and duties of the administrator are detailed in 4200.32

*Section 2. Other Staff*

The County Administrator shall appoint all other staff in accordance with the budgetary provisions.

**ARTICLE 6. FINANCE**

*Section 1. Fiscal Year*

The fiscal year of the organization shall be the same fiscal year as the Department of Public Welfare.

*Section 2. Contributions*

Any contributions, bequests, and gifts for the purposes of the organization shall be accepted or collected only by the Administrator and a receipt shall be furnished. Approval by the appropriate designated official will be required for all in-kind donations.

*Section 3. Depositories*

All funds of the organization shall be deposited to the credit of the department in the bank designated by Luzerne County.

*Section 4. Approved Signatures*

Orders for payment shall bear the signature of the Administrator or designees. All checks shall bear the signature of the appropriate designated official.

*Revisions to this document adopted at the July 19, 2001 Advisory Board meeting*

*Revised and adopted at the November 14, 2002 meeting of the Advisory Board.*

*Revised and adopted at the March 20, 2003 meeting of the Advisory Board*

*Revised and adopted at the September 27, 2012 meeting of the Advisory Board and November 13, 2012*

*Luzerne County Council Meeting*

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