

## Advisory Committees and Advisory Boards Appointed by the County Legislature

<b>Objective:</b>	To provide procedures for recruitment and appointment to advisory boards and advisory committees of the Tompkins County Legislature, and to boards and committees for which there is designated representation from the Tompkins County Legislature, whether such appointments are made by the full Legislature or by the Chair.	<b>Policy/Procedure Number:</b> 08-26	<b>Effective Date:</b> January 12, 1981
<b>Reference:</b> <i>(All applicable federal, state, and local laws)</i>	Rules of the Tompkins County Legislature; Code of Ethics; Public Officers Law, Section 10; Administrative Policy 08-14 ( Oaths of Office); Compliance Program Document; Public Officers Law, Section 30 and Local Law, Section 2.20 of 2004 (Creation of Vacancies); and the Tompkins County Code	<b>Responsible Department:</b> Clerk of the Legislature	<b>Modified Date (s):</b> August 22, 1995; August 1, 2006; April 2, 2013; March 2019
<b>Legislative Policy Statement:</b>	<p>The Legislature shall appoint individuals to County-created advisory boards and advisory committees, and to boards and committees for which there is designated representation from the Tompkins County Legislature.</p> <p>Advisory boards and committees may be created as a permanent (by County Charter or resolution), as standing advisory boards or committees, or as temporary boards and committees.</p> <p>Tompkins County government is committed to a diverse and fully inclusive work environment and promotes the benefits of diversity in all business activities, including the composition of advisory boards and committees.</p>	<b>Resolution No.:</b> 1995-187; 2006-137; 2013-53; 2019-54	<b>Next Scheduled Review:</b> March 2024
<b>General Information:</b>	<p>Volunteer advisory boards ensure engagement, provide judicious guidance, and aid the process of effective, responsible, and transparent government.</p> <p>Advisory boards and committees bring together unique expertise and views that might not otherwise be represented. Activities assigned to these groups include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Provide assistance to the legislature when formulating public policy;</li> <li>• Provide assistance with background work on technical or politically sensitive issues;</li> <li>• Help to build public consensus on controversial issues; or</li> <li>• Provide a more thorough review of complex and significant or unique technical expertise to better inform an issue.</li> </ul> <p>It is important to periodically review whether an advisory board or committee is effective and is still needed.</p>		

### I. Definitions:

**Advisory Board** - Any board, committee, commission, task force, expert panel, or other similar group, or any subcommittee or other subgroup that is established and appointed by the Legislature or its Chair to research, investigate, offer expert advice, take action on, report on, or forward well-developed, thoughtful recommendations on some matter.

**Exclusion Screening**—An inspection process for minimizing risk in hiring individuals, contracting with business entities, or appointing advisory board members that have been involved in adverse governmental actions related to fraud, patient abuse, licensing board sanctions, license revocation/

suspension/surrender, or who have been excluded from federal healthcare programs.

## **II. Policy:**

### **A. Appointments**

The Office of the Clerk of the Legislature shall process all appointments and maintain a record of appointments of individuals by the County Legislature to advisory boards or to boards for which there is designated representation from Tompkins County.

### **B. Vacancies and Resignations**

Per Local Law No. 2 of 2004, when any member of a board, commission, committee, agency, or authority, holding office by appointment of the County Legislature or the Chair of the County Legislature fails to attend three consecutive regular meetings of such board, commission, committee, agency, or authority, unless such absence is for good cause and is excused by the chairman or other presiding officer thereof, or in the case of such chairman or other presiding officer, by the Chair of the Legislature, the office may be deemed vacant by action of the appointing authority for the purposes of the nomination and appointment of a successor.

A copy of all resignation letters shall be forwarded to the Office of the Clerk of the Legislature. If a resignation is received verbally or if a seat becomes vacant through the process described above the Office of the Clerk shall be notified in writing of the vacancy.

The Office of the Clerk of the Legislature shall keep a calendar of expiration dates and a list of vacancies for all advisory boards or positions appointed by the Tompkins County Legislature. The Office of the Clerk of the Legislature shall also maintain a file of names of persons interested in serving on advisory boards.

### **C. Residency Requirement**

All advisory board members must be United States citizens and must be residents of Tompkins County, except where State or Federal law provides otherwise or where the County Legislature approves advisory board bylaws providing that one or more seats on the advisory board will be filled by the holder of a particular office or position.

### **D. Application of County Compliance Policy and County Code of Ethics**

It is the policy of Tompkins County to comply with all applicable federal, state, and local laws and regulations and payor requirements. It is also the County's policy to adhere to its formal County Compliance Program and its adopted Code of Ethics. Every County officer, employee, or appointed representative of the County shall be subject to and abide by these policies and standards. Further, any boards that have authority to grant appropriations or that contribute to the development or execution of policy as these actions relate to the use of Medicaid or Medicare funds shall be subject to monthly Exclusion Screening in accordance with Policy 01- 46.

## **E. County Employees Serving on Advisory Boards and Committees**

County employees may be appointed to Advisory Boards and Committees when their participation, representation and/or subject matter expertise is of value. However, County employees are prohibited from appointment to Advisory Boards and Committees which provide guidance and oversight to the department for which the employee works or where the employee or employee's family member has an interest, direct or indirect, which could conflict with the employee's duties to the County or which could adversely affect an individual's judgment in the discharge of his or her responsibilities.

### **III. Procedure:**

#### **A. Recruitment**

When recruiting for membership, the County attempts to ensure that potential candidates have the specific skills and experiences needed to meet the required responsibilities and duties of the board. Additionally, the County looks to ensure that there is a well-defined recruitment and nominating process with criteria for outreach and criteria for selection of members that reflect the demographic diversity of the community.

#### **B. Appointment**

Tompkins County residents interested in serving on an advisory board or committee must complete an Advisory Board Application and submit it to the Tompkins County Legislature Clerk by e-mail, mail, fax, or by hand. To the extent permitted by law, all application information shall initially be treated as confidential. The names of those persons approved and appointed by the relative Committee will become public information. It is recommended that consideration of appointments by Standing Committee be addressed in Executive Session as a personnel matter.

Members of advisory boards are appointed by the Tompkins County Legislature or the Chair of the Legislature according to the procedure outlined in the Rules of the Tompkins County Legislature. Names of persons interested in serving on an advisory board should be submitted to the Legislative Standing Committee within whose area of responsibility the advisory board would fall (contact the Office of the Clerk of the Legislature for current committee responsibilities). The Office of the Clerk of the Legislature will carry the name(s) through the appointment procedure.

All appointed members of County-affiliated boards must take and file an official oath in the manner prescribed in the Public Officers Law (see Policy 01-14).

#### *Compensation*

The general practice is that members of voluntary advisory boards and committees do not receive compensation, unless otherwise permitted by law.

#### **C. Bylaws**

Some advisory boards have the power as granted by Tompkins County Charter and Code to draft bylaws for approval by the Tompkins County Legislature, elect officers from its membership (unless otherwise provided by Legislature resolution), and establish committees. Prior to submission to the Committee of the Tompkins County Legislature for approval, new or amended bylaws must be submitted to the County Attorney for review. Updated copies of bylaws must be kept on file in the Office of the Clerk of the Tompkins County Legislature.

#### **D. List of Covered Entities**

The following is a list of advisory boards and committees that are covered by this policy. Additions to or deletions from this list of covered entities shall be by action of the Legislature and shall not constitute nor require a change to the policy itself:

Advisory Board on Indigent Representation (ABIR)  
Agricultural and Farmland Protection Board  
Air Service Board  
Board of Assessment Review  
Board of Health  
Community Mental Health Services Board  
Criminal Justice Advisory/Alternatives to Incarceration Board (CJA/ATI)  
Developmental Disabilities Subcommittee  
Economic Development Loan Oversight Committee  
Emergency Response and Oversight Committee  
Empire Zone Administrative Board  
Environmental Management Council (EMC)  
Ethics Advisory Board  
Family Court Advisory Council

Fish and Wildlife Management Board  
Hillview Road Landfill Citizens Advisory Committee  
Historical Commission  
Homeownership Oversight Committee

Board of Human Rights Commission  
Library Board of Trustees  
Local Emergency Planning Committee (LEPC)  
Mental Health Subcommittee  
Office for the Aging Advisory Committee  
Personal Emergency Response Service Advisory Board  
Planning Advisory Board  
Public Information Advisory Board

Recreation Partnership  
Soil and Water Conservation District  
South Central Resource Conservation and Development Committee District  
STOP-DWI Advisory Board  
Strategic Tourism Planning Board  
Substance Abuse Subcommittee  
Tompkins Cortland Community College Board of Trustees  
Traffic Safety Board Water Resources Council  
Youth Services Board  
Workforce Development Board  
Workforce Diversity and Inclusion Committee (WDIC)