

RESOLUTION NO. 295 - RESTRUCTURING COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL AND AMENDING RESOLUTION NO. 103 OF 1971

MOVED by Mr. Lane, seconded by Mr. Totman.

WHEREAS, the Tompkins County Environmental Management Council was created by the Tompkins County Board of Representatives in 1971 by Resolution No. 103, and

WHEREAS, Resolution No. 103 was substantially amended in 1990 by Resolution No. 476, and

WHEREAS, the County Board of Representatives wishes to now alter the structure of the Tompkins County EMC to improve its effectiveness and efficiency and for ease of reference, proposes re-adoption of the entire original Resolution 103 of 1971, incorporating all subsequent amendments, and

WHEREAS, preservation and improvement of the quality of the natural and human made environment within the County of Tompkins in the face of population growth, urbanization, and technological change with their accompanying demands on natural resources, are of increasing and vital importance to the health, welfare and economic well-being of the present and future inhabitants of the County, and

WHEREAS, it is recognized that the natural environment has intrinsic value, that humans are dependent on it for survival, and the natural and functional beauty of our surroundings condition the quality of our life experience, all of which cannot be protected without the full cooperation and participation of all local governments in the State and County working in concert with each other and with other public and private institutions, agencies and organizations, and

WHEREAS, establishment by the County of Tompkins of a council for environmental management is a needed step in fostering unified action on environmental problems among local governments and among public and private agencies and organizations located within the County, and

WHEREAS, the purpose of the Tompkins County Environmental Management Council shall be to identify problems, propose priorities and promote coordination of activities in the development and management of our natural resources and to provide a public forum for the discussion and resolution of these problems and completion of proposed projects, now therefore be it

RESOLVED, on recommendation of the Planning, Intergovernmental Relations and Education Committee That:

1. ESTABLISHMENT OF THE TOMPKINS COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL. The Board of Representatives of the County of Tompkins hereby creates and establishes a council which shall be called the Tompkins County Environmental Management Council, hereinafter called the EMC, pursuant to Article 19 of the Conservation Law.

2. MEMBERSHIP AND TERM. The County Board shall appoint all members to the EMC, who shall serve at the pleasure of the County Board. The membership of the EMC shall consist of the following:

a) Municipal Members. Each city, village and town governing body within Tompkins County shall be entitled to a voting member on the EMC as follows:

i) If the municipality has established a Conservation Advisory Council (CAC) or Conservation Board (CB), that municipality shall recommend a member of its CAC/CB for appointment by the County Board of Representatives to the EMC.

ii) If the municipality does not have a CAC/CB, the governing body may recommend a resident from its municipality. This non-CAC/CB member must perform similar communication functions with his/her local municipality that a CAC/CB member would have performed. At a minimum, he/she must provide the local municipality with a quarterly report of

RESOLUTION NO. 295 - RESTRUCTURING COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL AND AMENDING RESOLUTION NO. 103 OF 1971

EMC activities and report quarterly to the EMC on environmental activities or concerns from his/her municipality.

iii) Each municipality will be given three (3) months (September 1 – December 1) to recommend a person to be appointed to the EMC by the County Board of Representatives. If the municipality does not give a formal recommendation (a resolution of the local Board) to the County by December 1, then the municipality forfeits its seat on the EMC for the first year of that two-year term, and the County Board is free to appoint an at-large member to fill that seat for one calendar year.

iv) If a municipal seat is vacated during a municipal appointee's term, then the municipality will again have three (3) months to make a recommendation to fill the vacancy, and, if no recommendation is made, the County Board may appoint an at-large member to fill that seat for the remainder of the term.

b) At-large Members. The County Board of Representatives shall also appoint at least five (5) at-large members to ensure a broad-based representation of interests and environmental expertise within the County. All at-large members shall be residents of the County who have expressed interest in the improvement and preservation of environmental quality in Tompkins County. The EMC may make recommendations for these appointments, and may maintain a list of persons interested in such appointment.

c) Non-voting Liaisons. A representative from the Department of Health's Environmental Health Division, from the Soil and Water Conservation District, and from the appropriate committee of the County Board (hereinafter referred to as the Appropriate Board Committee) or the Appropriate Board Committee's designee may serve as liaisons and non-voting members of the EMC.

d) Total Membership. The total number of voting members on the EMC shall be at least twenty-one (21), but no more than twenty-eight (28).

e) Term. The term of office of the members shall be two (2) years, except when an at-large member is appointed for one (1) year to fill a seat which was forfeited by a municipality (as outlined in part 2-1-iii of this resolution). The two (2) year terms shall be staggered, so that roughly half of all seats shall expire on the last day of one year, and the other half shall expire on the last day of the following year. Staggering of appointments shall begin with the appointments for 2000.

f) Vacancies. Vacancies on the EMC shall be filled in the same manner as the original appointment. The attendance policy shall be as described in the EMC's Bylaws. The Chair of the Board of Representatives shall declare a seat vacant and request replacement upon receipt of a non-attendance record of the member and upon recommendation of the EMC that the seat be declared vacant.

3. CHAIR AND MEETINGS. EMC members shall elect from among themselves a Chairperson subject to confirmation by the Board of Representatives. The EMC shall adopt bylaws, rules and procedures for its operations and shall file a copy thereof with the County Board of Representatives. It shall keep accurate records of its meetings and activities and shall submit reports as provided hereinafter. All meetings of the EMC shall be open to the public.

4. POWERS AND DUTIES. The powers and duties of the EMC shall be to:

a) Interact regularly with the Appropriate Board Committee.

b) Advise the County Board of Representatives, through the appropriate Appropriate Board Committee, on matters affecting the preservation, development, and use of the natural resources and conditions of the County insofar as they have a bearing on environmental quality and, in the case of human activities and developments, with regard to any threats posed to environmental quality, so as to enhance the long-range value of the environment to the people of the County.

c) Develop and conduct a program of public information in the County which shall be designed to foster increased understanding of the nature of environmental problems and issues and their solutions.

RESOLUTION NO. 295 - RESTRUCTURING COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL AND AMENDING RESOLUTION NO. 103 OF 1971

d) Develop and recommend a program to improve the coordination and effectiveness of public and private projects and activities in the County and State in accord with the purposes of this resolution, working in cooperation with local CAC/CBs and local planning boards, insofar as such agencies have been established, and with other public and private agencies, focusing particularly on those matters relating to environmental quality which require intergovernmental action.

e) Conduct, with appropriate coordination with existing or prospective work of a similar nature performed within the County, studies, surveys, and inventories in accord with the general purposes of this resolution, including but not limited to surveys and studies for identification of those open spaces, natural areas, marshlands, swamps, and other wetlands and other natural and scenic features which are of a local, County or regional significance and for which records shall be maintained, and make recommendations to the Appropriate Board Committee for the appropriate preservation and use of such areas and features.

f) Recommend to the Appropriate Board Committee plans and programs for environmental improvement for inclusion in the County master plans, including but not limited to the recommendations in the report and plan required in section five of this resolution.

g) When authorized by further resolution of the County Board of Representatives, the EMC may accept by gift, grant, devise, bequest, or otherwise, property both real and personal in the name of the County, as may be necessary to conserve and otherwise properly utilize open spaces and other land and water resources within the boundaries of the County. Such real property may be accepted in fee for land and water rights, or as any lesser interest, development right, easement, including conservation easement, covenant, or other contractual right including conveyance with limitation or revisions.

5. REPORTS.

a) The EMC shall, within twenty (20) days following each meeting, submit a copy of the draft minutes along with pertinent supporting materials to the Appropriate Board Committee. The EMC shall also submit an annual report to the Appropriate Board Committee no later than the 31st day of March of each year, concerning the activities and work of the EMC, and from time to time shall submit such other reports and recommendations as are necessary to fulfill the purposes of this resolution.

b) The EMC shall review the state of the County environment as a whole, and shall prepare and submit an annual report of its findings to the Board of Representatives. This report shall also include an account of the EMC's activities and accomplishments which shall be based on accurate records of its meetings and other works.

6. APPROPRIATION TO THE EMC. The members of the EMC, including the non-voting liaison and associate members, shall receive no compensation for their services as members thereof, but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties, provided appropriations are made available by the County Board for this purpose. The Board of Representatives shall annually review and determine the need for staff support as may be necessary for the conduct of the EMC's official business.

RESOLVED, further, That the structural changes to the membership of the EMC detailed in this resolution shall be effective on January 1, 2000.

RESOLVED, further, on recommendation of the Planning, Intergovernmental Relations and Education Committee, That the aforesaid amendments to Resolution No. 103 of 1971, incorporating all subsequent amendments, be and hereby are adopted.

SEQR ACTION: TYPE II-20

4

RESOLUTION NO. 295 - RESTRUCTURING COUNTY ENVIRONMENTAL MANAGEMENT
COUNCIL AND AMENDING RESOLUTION NO. 103 OF 1971

cc: Administration - via Network
Finance Department
Public Works
Planning
Solid Waste
Public Health
Cooperative Extension

STATE OF NEW YORK)
) ss:
COUNTY OF TOMPKINS)

I hereby certify that the foregoing is a true and correct transcript of a resolution adopted by the
Tompkins County Board of Representatives on the 7th day of December, 1999.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the said Board at Ithaca, New York, this
9th day of December, 1999.

Catherine Covert, Clerk
Tompkins County Board of Representatives