

BY-LAWS

PERSONNEL ADMINISTRATION BOARD OF KENT COUNTY, DELAWARE

ARTICLE I. NAME OF ORGANIZATION

SECTION 1. The name of this organization shall be the Personnel Administration Board of Kent County, Delaware, hereinafter referred to as the "Board".

ARTICLE II. AUTHORITY

SECTION 1. The Board is authorized under Title 9, Chapter 4151, Delaware Code and by action of the Levy Court of Kent County, Delaware on February 14, 1989, effective February 28, 1989 and on December 22, 1998, effective on July 1, 1999.

ARTICLE III. PURPOSE, DUTIES, RESPONSIBILITIES

SECTION 1. The purpose of the Board is to hear appeals filed by County employees or their representatives and render decisions as provided in the Kent County Personnel Ordinance and/or Levy Court approved policies and agreements; review, hold hearings, and make recommendations to the Personnel Director on matters of personnel policy; and review, investigate, and make recommendations on matters referred to it by Levy Court.

SECTION 2. The Board is charged with the duties and responsibilities contained in Chapter 4151, 9, Del. C., and such duties and responsibilities as may, from time to time, be assigned to it by the Levy Court of Kent County, Delaware.

ARTICLE IV. COMPOSITION, APPOINTMENT

SECTION 1. The Board shall be composed of seven voting members: one appointee from each Levy Court district, and one appointee-at-large.

SECTION 2. The members shall serve until replaced by the Levy Court Commissioner in whose district the appointee resides. Each Levy Court Commissioner shall submit the name of a qualified appointee from his/her district for consideration and confirmation by a simple majority of the Levy Court.

SECTION 3. The term of all confirmed members shall expire with the term of the Levy Court Commissioner in whose district the appointee resides, provided however, that in the event no new appointment is made after expiration of the term, then the member shall continue to serve until reappointed or replaced.

SECTION 4. During the term of the appointment, a member must maintain permanent

residency within the Levy Court District from which appointed.

SECTION 5. At the time of appointment, and for the duration of the term, members shall not be candidates for, candidates-elect for, or incumbents of an elective Federal, State, or County public office.

SECTION 6. Persons appointed to the Board shall be individuals with knowledge of, and experience in, dealing with personnel problems and issues.

ARTICLE V. REMOVAL OF BOARD MEMBER

SECTION 1. A member of the Board may be removed and replaced with or without cause by the Levy Court Commissioner in whose district the appointee resides.

SECTION 2. Vacancies shall be filled for the unexpired term in the same manner as in the case of regular appointments.

ARTICLE VI. ELECTION OF OFFICERS

SECTION 1. At its annual organizational meeting, the Board shall elect a Chairman and a Vice-Chairman, each of which shall serve a term of one year, or until a successor shall take office. The Chairman and Vice-Chairman may be elected to succeed themselves.

SECTION 2. Nominations for Chairman and Vice-Chairman shall be made from the floor and elections shall follow immediately thereafter. Voting shall be by paper ballot.

SECTION 3. The candidate receiving a majority vote of those present and voting shall be declared elected.

SECTION 4. Vacancies in office shall be filled immediately by regular election procedure at any properly constituted meeting.

SECTION 5. Newly elected officers will assume their responsibilities immediately.

ARTICLE VII. DUTIES OF OFFICERS

SECTION 1. The Chairman shall preside at all meetings and hearings of the Board, shall appoint all subcommittees, and shall perform all of the duties normally conferred by parliamentary usage on such office, as well as those duties specified by these By-laws.

SECTION 2. The Chairman shall be a voting member of the Board, and shall have the privilege of discussing all matters before the Board, of initiating or seconding motions, and of voting thereon.

SECTION 3. The Vice-Chairman shall act for the Chairman in the Chairman's absence, and shall be a voting member of the Board.

SECTION 4. In the absence of the Chairman and Vice-Chairman at any properly constituted meeting, the members present shall elect one of their members to serve as temporary Chairman for the meeting.

ARTICLE VIII. STAFF

SECTION 1. The County shall provide such clerical and professional staff as may be required to adequately accomplish the Board's administrative functions and responsibilities.

SECTION 2. The Personnel Director shall act as Secretary to the Board. The Secretary shall keep the minutes and records of the Board, prepare an agenda of regular and special meetings, provide notice of meetings to Board members, arrange proper notice of meetings, attend to the correspondence of the Board, and represent the Board in other designated official capabilities.

ARTICLE IX. COMPENSATION

SECTION 1. Board members shall receive such compensation as the Levy Court shall from time to time establish for boards and commissions. No out-of-pocket expenses or mileage will be reimbursed. Each Board member must be present at a meeting or function to receive compensation.

SECTION 2. An annual organizational dinner meeting may be held with dinner paid for by Kent County (not to exceed dinner amount as specified in Levy Court Policy) for all members and staff who normally attend the meetings.

ARTICLE X. MEETINGS

SECTION 1. Sub-committee and ad hoc committees may be established at the discretion of the Chairman.

SECTION 2. A quorum of not less than four (4) members shall be necessary before the Board shall take any official action upon any matter before it for consideration. A simple majority of the constituted Board shall be required to pass any motion.

SECTION 3. All voting shall be by roll call, and a record of the roll call shall be kept as part of the minutes.

SECTION 4. Special meetings may be called by the Chairman. It shall be the duty of the Chairman, or in the Chairman's absence, the Vice-Chairman, to call such a meeting when requested to do so in writing by a majority of the members of

the Board. The notice to the members of such a meeting shall specify its purpose, and no other business will be considered except by unanimous consent of the members present at said meeting. Such notice may be extended verbally or in writing.

SECTION 5. A meeting may be postponed to an alternative date and time agreeable to the Board.

SECTION 6. All meetings at which official action is taken shall be open to the general public, and all official action shall be taken in public session.

SECTION 7. Public accessibility to meetings and records shall be in accordance with Chapter 100, Title 29, Delaware Code (Freedom of Information Act).

SECTION 8. Any member of the Committee who fails to attend 75 percent of regular or special meetings of the Board in any 12-month period, without an excuse acceptable to the Chairman, shall be deemed to have resigned, and the vacancy shall be filled as herein provided for original appointments.

ARTICLE XII. ORDER OF BUSINESS

SECTION 1. The order of business at regular meetings shall be:
Call to Order
Roll Call and Determination of Quorum
Additions To and Approval of the Agenda
Approval of Minutes of the Previous Meeting
and Actions Thereon
Old Business
New Business
Adjournment

SECTION 2. A change in the order of business may be approved by a simple majority of those members present.

SECTION 3. The Secretary of the Board shall have the responsibility of providing a written agenda prior to the Board's business meeting. No new business may be added to the Board's agenda by the Secretary after the close of business two (2) working days prior to the Board's business meeting. However, additional items may be added to the Board's agenda at the business meeting, if agreed to by a simple majority of those present.

ARTICLE XIII. VACANCIES

SECTION 1. Vacancies on the Board shall be filled for the unexpired term by the Levy Court in the same manner as in the case of regular appointments.

ARTICLE XIV. RULES OF ORDER

SECTION 1. The rules contained in Mason's Manual of Legislative Procedures shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with the By-Laws or any special rules of order adopted by the Board.

ARTICLE XV. AMENDMENTS

SECTION 1. Notice of a proposed amendment to the By-Laws shall be given to each Board member in writing at least one (1) week prior to the business meeting at which the proposed amendment is to be considered.

SECTION 2. Four (4) affirmative votes are required to adopt any proposed amendment to the By-Laws.

SECTION 3. Any proposed changes to these By-Laws are subject to approval by the Kent County Levy Court.

Harold J. Teerman
President

KENT COUNTY LEVY COURT

ATTEST: Lorraine Tanaka
Clerk

DATE: June 22, 1999

DATE: June 22, 1999

Michael Adams

Chairman
Personnel Administration Board

ATTEST: [Signature]
Secretary

DATE: 06/07/2000

DATE: 06/07/2000

9/91, 7/99

