

Proposed Local Law Number 17 Of 2015

County Of Ulster

A Local Law Amending The Ulster County Charter, (Local Law No. 2 Of 2006), To Modify The Appointment Process Of The Audit Committee and To Clarify The Authority Of Said Committee

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. Section(s) C-25 “M” and “N” of the Ulster County Charter is amended to read as follows:

Section C-25: Powers and duties of County Executive.

M. Execute all contracts under the sum of \$50,000 and, with the approval of the County Legislature, all contracts in excess of \$50,000, **EXCEPT AS PROVIDED FOR IN SECTION C-11.1 HEREIN; and**

N. Approve or disapprove in writing every proposed local law and resolution and the County Budget by specified items, subject to the provisions of § C-12 of this Charter; **EXCEPT AS PROVIDED FOR IN SECTION C-11.1 HEREIN;**

SECTION 2. § C-11.1 of the Ulster County Charter is hereby amended as follows:

There shall be an Audit Committee consisting of seven (7) members: ~~The Chairman of the Legislature or his/her designee will serve on and chair the committee and will appoint two (2) additional members, at least one of whom must be a County Legislator; the minority leader will appoint two (2) members;~~ **The Majority Caucus will appoint three (3) members, at least two of whom must be County Legislators; the Minority Caucus will appoint two (2) members, at least one of whom must be a County Legislator,** the County Executive or designee; the Comptroller or designee. The County Executive and the Comptroller shall be non-voting members. **Voting member appointments shall be confirmed by the Ulster County Legislature via a single resolution.** It shall take the affirmative action of three out of the five voting members to act.

SECTION 3. A new section (B) is hereby added to Section C-11.1 of the Ulster County Charter to read as follows:

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B. (1) The selection of the Audit Committee shall be final and not subject to the approval of the County Legislature or the County Executive, nor shall it be subject to veto by the County Executive.

(2) Upon the final selection of the independent auditor by the Audit Committee, the Chairman of the Legislature shall have the authority to execute and shall execute the contract with the selected independent auditor. The terms of the contract shall contain those provisions included in the County's standard contract and any additional terms or conditions that the Audit Committee deems appropriate subject to the review of the Director of Purchasing and the County Attorney. The Chairman may consult with the County Attorney prior to executing the contract.

SECTION 4. A new section (C) is hereby added to Section C-11.1 of the Ulster County Charter to read as follows:

In order to eliminate any conflict, potential conflict or any appearance of impropriety, in no event shall the firm, corporation, entity or individual chosen to serve as the County Legislature's annual budget analyst be chosen, approved or retained as the independent auditor.

SECTION 5. Mandatory Referendum Question: The question that shall be submitted to the voters is as follows:

Shall the amendments to the Ulster County Charter approved as Proposed Local Law No.17 of 2015 for the County of Ulster be adopted?

SECTION 6. SEVERABILITY

In the event that any portion of this local law is found to be invalid, such finding will not have any effect on either the remaining portions or applications of this local law or any provisions of the Ulster County Charter, which shall remain in full force and effect.

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SECTION 7. EFFECTIVE DATE

Pursuant to Municipal Home Rule Law Section 23, this Local Law shall not become operative unless and until this Local Law is approved by the duly qualified voters of Ulster County in a manner prescribed by law at the general election on November 8, 2016, and thereafter filed with the Secretary of State.