

**GLADWIN COUNTY
BOARD OF COMMISSIONERS
RULES OF PROCEDURE**

Adopted: January 6, 2022

**I
BOARD MEETINGS**

A. Regular and Adjourned Meetings. The Board shall convene for the purpose of holding meetings in the Commissioners Chambers, 401 West Cedar Avenue, Gladwin, Michigan, provided proper notice is given to the public pursuant to the Open Meetings Act, 1976 PA 267, as amended, on the second and fourth Tuesday of each month, which meetings shall convene at 9:00 o'clock in the morning, except as otherwise provided in these Rules.

January 6th, 2022
January 11, 2022
January 25, 2022

February 8, 2022
February 22, 2022

March 8, 2022
March 22 202

April 12, 2022 *
April 26, 2022

May 10, 2022
May 24, 2022

June 14, 2022
June 28, 2022

July 12, 2022
July 26, 2022

August 9, 2022
August 23, 2022

September 13, 2022
September 27, 2022**

October 11, 2022
October 25, 2022

November 8, 2022
November 22, 2022

December 13, 2022
December 27, 2022

*Statutory Equalization Meeting (MCLA 209.5) to be held the first Tuesday after the second Monday in April

** Note: By statute, a Statutory Annual Meeting must be held each year after September 14, but before October 16.

The first and second meetings of the month shall be considered regular meetings of the Gladwin County Board of Commissioners. Any other meetings not listed above shall be special meetings or adjourned sessions of the regular meetings, depending upon the means and methods used in calling said meeting. Unless the Board otherwise provides, the motion to “adjourn” any meeting of this Board, whether special or regular, shall mean to adjourn to the next succeeding regularly scheduled meeting date on the list above cited.

In the event of a natural or man-made force majeure the Board Chair (or Vice Chair in the absence of the Chair) after consultation with the County Administrator, and/or County Clerk, may cancel or postpone a scheduled meeting. The County Commission shall act to amend its schedule of meetings to reflect any cancellation or postponement of a meeting and the reasons therefore at its next regular meeting.

B. Special Meetings. The Board shall convene for the purpose of holding special meetings only upon the written request of at least one-third (1/3) of the Commissioners, to the County Clerk, specifying the time, date, place and purpose of such meetings. When a special meeting is called by written request, as provided above, the County Clerk shall immediately give written notice thereof to each Commissioner within 48 hours in one of the manners provided as follows:

- via e-mail sent by the Clerk to the e-mail address provided by each Commissioner.
- via personal delivery of the notice of the special meeting to the Commissioner;
- via leaving the notice of the special meeting at the residence of the Commissioner.

The County Clerk shall post at least 18 hours before the meeting a public notice, as required by 1976 PA 267.

C. Workshops. The Board may convene any number of workshop sessions, if a motion is made at a regular or special Board of Commissioners' meeting to schedule a workshop session for one or more topics, and the motion is seconded and passed by a majority vote of the quorum present. A workshop session is a session permitting the Commissioners to give informal consideration to subjects, or hear reports at length, and to foster discussion among the Commissioners. Workshop sessions shall not be deemed formal sessions of the County Commission, for the transaction of business, and matters considered at workshops shall be set over for action at a subsequent meeting of the Board of Commissioners. The Commissioners, convened in a workshop session may consider any matter that presents itself; the workshop session is not limited in scope to a particular or specified subject.

The County Clerk shall post at least 18 hours before the meeting a public notice, as required by 1976 PA 267.

D. Meetings on Legal Holidays and Election Dates. Any regular or adjourned meetings of the Board which fall on a legal holiday shall automatically be set over to the next working day following, which is not a legal holiday, at the same time and place indicated for the original meeting. The same practice would be followed in the event a regular Board meeting falls on an Election Day.

E. Waiver. The Rules of Procedure may be waived for a specific instance by a simple majority vote, unless specifically noted that a consensus of Board of Commissioners is sufficient.

II

CHAIRPERSON

A. Election.

At the first meeting in in 2022, the Board shall elect, from among its members, a chairperson and a vice-chairperson, who shall take office and assume their respective duties immediately upon their election; provided that, at the first meeting of each newly elected Board, the first order of business shall be the administration of the constitutional Oath of Office by the County Clerk to the members-elect, if this has not previously been accomplished. The concurrence of a majority of all members of the Board shall be necessary for election. Said officers shall hold their respective offices for a term of one (1) year, or until their successors are duly elected and qualified, as set forth above.

Beginning in 2023, At the first meeting in each odd numbered calendar year, the Board shall elect, from among its members, a chairperson and a vice-chairperson, who shall take office and assume their respective duties immediately upon their election; provided that, at the first meeting of each newly elected Board, the first order of business shall be the administration of the constitutional oath of office, by the County Clerk to the members-elect, if this has not previously been accomplished. The concurrence of a majority of all members of the Board shall be necessary for election. Said officers shall hold their respective offices for a term of two (2) years, or until their successors are duly elected and qualified, as set forth above.

B. Duties. The chairperson (and during his/her absence, the vice-chairperson) shall preside at all meetings of the Board and shall decide all questions of order, subject to appeal to the Board. The chairperson shall arbitrate all jurisdictional disputes between committees, and act as a representative of the Board of Commissioners for the County Departments, subject to these Rules and subject to appeal to the Board. The Chairman will report back at each meeting any dealings with said departments via written report to be delivered in bi-weekly Board Report Folder as needed.

C. Succession. The chain of succession to the chairpersonship shall be:

1. Chairperson
2. Vice-Chairperson
3. County Clerk

III

CLERK OF THE BOARD/OPEN MEETINGS ACT

A. Official Clerk and Duties. The duly elected Clerk of Gladwin County shall be the clerk of the Board. He/She or his/her duly appointed deputy shall perform all duties pertaining to such office, as required by law.

B. Open Meeting Act Posting. The County Clerk shall perform all posting functions required by the Open Meetings Act, 1976 PA 267.

IV

COMMITTEES

A. Standing Committees. The Gladwin County Board of Commissioners has established the following standing committees. Board members will be paid

only for the committees they have been appointed to. Meetings attended out of interest or invitation do not warrant payment, unless authorized by the Board. A full listing of all committee appointments for 2022 have been attached to this set of rules.

<u>Standing Committees</u>	<u>Duties/Department Oversight</u>
Agriculture & Library	This committee exists to foster the Relationship between the County of Gladwin and the Michigan State University Extension and to update on any Library topics.
County Affairs	County Affairs, Judiciary (Courts/all branches)
County Facilities & Transportation	Buildings & Grounds, Roads & Bridges, County Drains, & County Transit
Data Management	Internal Data Processing/Computer Hardware & Software Programs, Internal Telephone Networks, Cell Phones, Internet & GPS.
Finance	Budget, Finance, Ways & Means, Salaries & Taxation.
Personnel	Personnel, Federal Compliance.
Union Personnel	Union Negotiations, and Union Matters
Insurance & Public Health	Insurance, Health & Welfare, Sports Complex
Public Safety	Sheriff & Jail, Emergency Management, Ambulance, & Facility Safety, Environmental concerns to County and County properties.
Footing Tax Rolls	The entire Board of Commissioners shall comprise this Committee (a meeting of the whole).

B. General Duties of Standing Committees. The standing committees shall have and perform the following duties:

1. Each standing committee shall in the first instance review all appropriation requests most directly related to its own functions before such appropriation requests are referred to the Budget & Finance Committee and make recommendations concerning the same to the Budget & Finance Committee and/or the Board.
2. Each standing committee shall report to the Board upon all matters referred to the committee by the Board, except such matters as are expressly referred to the committee for study only.
3. Each standing committee shall act as liaison between the Board and the various county offices, boards, and agencies respecting matters under the jurisdiction of the committee as prescribed by these Rules, except as the Board otherwise directs.
4. Each standing committee shall be comprised of no more than two County Commissioners, except for a special committee meeting of the whole, Department Heads and/or staff employees as required.
5. Each standing committee shall have and perform such other duties as the Board, from time to time, may require.
6. Board members are eligible to receive per diem payment for those scheduled committee meetings for which they have been appointed to represent.

C. Special Committees. There shall be, in addition to the standing committees, such other special committees as the Chairperson, from time to time, may appoint and establish subject to approval by the Board.

D. Open Meetings Act. The Board will comply with the Open Meetings Act, PA 267 of 1976, and take care that all their deliberations and decisions are made in conformity with the Act.

V

CONDUCT OF BOARD MEETINGS

A. Quorum. A majority of the members of the County Board of Commissioners shall constitute a quorum for the transaction of the ordinary business of the County, and questions which arise at meetings shall be determined by the votes of the majority of the members present, except upon the final passage or adoption of a measure or resolution, or the allowance of a claim against the

county, in which case a majority of the members elected and serving shall be necessary.

B. Order of Business and Agenda.

The Order of Business shall be substantially as follows:

1. Call to Order by the Chair or other presiding officer.
2. Pledge of Allegiance
3. Roll Call
4. Public Comment, specifically limited to agenda items for this meeting.
5. Corrections or additions to the Consent Agenda; and Approval
6. Reading of the Cash Balances
7. Approval of the Board Minutes
8. Finance Reports / Claims and Accounts General Fund
9. Committee Meeting Reports
10. Miscellaneous
11. New Business
12. Chair Comments
13. Board Member Comments / Reports
14. Administration Reports
15. Board Communications
16. Report of Civil Attorney
17. Public Comment, not specifically limited to this meeting agenda
18. Receive & File – All written letters, or considered correspondence, must include a signature and return address before the Board will accept it under this section.

19. Closed Session, if needed. (For situations that meet the circumstances specified in the Michigan Open Meetings Act.)

20. Return to open session

21. Adjournment

C. Consent Agenda: All matters listed under Consent Agenda, are considered routine by the Commission and will be enacted by one motion. There will be no separate discussion of these items. If discussion of an item is required it will be removed from the consent agenda and considered separately. An item on the Consent Agenda may be moved to the Regular Agenda for individual discussion and action at the request of any Commissioner.

Items to be included as Consent Agenda items will be as follows:

1. Approval of minutes.
2. Communications.
3. Committee Meetings.

D. Specific Agenda Priorities. Matters shall be placed upon the agenda of the Board within a specific section, as listed immediately above.

1. Agenda Deadline. All information to be placed on the Board's agenda must be received not less than 18 hours preceding the scheduled Board meeting; otherwise, such submittals shall not appear on the printed agenda. However, an item may be added to the agenda at any meeting prior to the closing of business and may be considered at such meeting or referred to committee, whichever action seems appropriate, unless upon objection of any member of the Board and by majority vote of the Board that the Board refuses to consider said matter. An agenda for each meeting shall be prepared and such agenda shall be available in a timely manner, calculated to be received by each member of the Board prior to such meeting. The agenda shall also be available to the public and news media on the day of the meeting, or earlier at the specific request of the Board. No committee report or individual resolutions, other than reports on routine claims, shall ordinarily be considered unless a copy thereof has been given to each commissioner with the agenda or otherwise delivered to each commissioner not later than the starting time of the meeting. Late items shall be distributed to all commissioners at the beginning of the Board meeting and shall be announced by title and added to the agenda with appropriate agenda numbers. A five (5) minute recess shall be granted at the request of any commissioner prior to the consideration of late items. Late individual and committee reports shall not be considered unless an explanation is given as to why immediate action is necessary and a motion is made and carried to allow immediate consideration of the report.

E. Rights and Duties of Members.

1. Commissioners shall not be limited in the number of comments, and time allotted for speaking during meetings absent disorderly or unlawful conduct, in the discretion of the Chair.
2. The Commission, convened in a lawful open session may consider any matter that presents itself; a particular session is not limited in scope to a particular or specified subject, without regard to whether the meeting is a scheduled meeting, a special meeting, or a workshop.
3. Speaking. No member, while addressing the Board, shall be interrupted, except to be called to order; and thereupon, he/she shall immediately cease talking. Every commissioner shall vote on all questions unless excused by the chairperson. The chairperson shall vote on all questions unless excused by the Board.
4. Leaving Seat, Interruptions. While the chairperson is putting any question or while the roll is being called by the clerk, no member shall leave his/her seat or entertain private discourse. When a member is speaking, he/she shall not be unduly interrupted.
5. Leaving the Meeting. No member shall leave a meeting prior to adjournment, unless first excused by the chairperson. The clerk shall record in the official journal of meetings the time and point in the proceedings at which a member enters and leaves the meeting while the Board is in session.
6. Order and Decorum. The chairperson shall, at all times, preserve order and decorum pursuant to these Rules.
7. Roll Call. Every member shall have the right to demand the yeas and nays and have the same entered on the record. When a roll call vote is taken, the roll call shall be called by commissioner district in rotating order by the County Clerk.

D. Motions, Resolutions and Committee Reports. No motion shall be debated or voted upon unless seconded. Any motion may, with the permission of the person who moved and seconded it, be withdrawn at any time before the same has been adopted. No motion or resolution shall be considered until the same is stated by the chairperson and shall be reduced to writing if required by the chairperson of any member. All motions, resolutions, committee reports, and amendments or substitutes thereto shall be entered at large upon the minutes unless withdrawn. Each recommended ordinance introduced shall be headed by a title of twenty-five (25) words or less, briefly describing or identifying it. Each title shall begin with the words

“An Ordinance ...” If such title is lacking, the clerk of the Board shall return it to the commissioner who submitted it. Each recommended ordinance introduced and referred to committee, postponed, or tabled before its substance is voted upon shall be printed in the minutes by title only, unless otherwise ordered by a majority of the members elect.

1. Order of Precedence of Motions. When a motion is seconded and before the Board, no other motion shall be received except the following:

- a) To adjourn – not debatable.
- b) To rise to a question or privilege – not debatable.
- c) To lay on the table – not debatable.
- d) To call for the previous question – not debatable.
- e) To limit or extend limits of debate.
- f) To postpone to a certain day.
- g) To commit, refer or re-commit to a committee.
- h) To amend.
- i) To postpone indefinitely.
- j) To reconsider (may be debated if original motion was debatable).

The motions shall have precedence in the order named above.

2. Motions to Adjourn. A motion to adjourn shall always be in order except while a vote is being taken on any other motion already before the Board, or when a member has the floor.

3. Motions to Reconsider. A motion for the reconsideration of any question shall be in order if made on the same day or at the Board meeting next succeeding that on which the decision proposed to be reconsidered was made; providing, however, that a second reconsideration of any question or a reconsideration at a later date may be had with the consent of two-thirds (2/3) of the members elected and serving, but in such event, the moving member shall file written notice of his/her intention to move for a

reconsideration in the office of the clerk of the Board at least one day before making such a motion.

4. Amendments. No motion or proposition not germane to a subject under consideration shall be admitted under color of an amendment. Commissioners shall give all amendments in writing or orally to the clerk. If oral, the clerk shall write it out and read it back prior to a vote being taken on the matter.

5. Resolutions and Ordinances. Resolutions shall be considered in the order in which they are received unless otherwise ordered by the Board. All resolutions and motions for the appropriation of money and all proposed County ordinances shall be presented to the Board in writing.

6. Division of Question. Upon request by any member, any question before the Board may be divided and separated into more than one question; provided, however, that such may be done only when the original is of such a nature that, upon division, each of the resulting questions is a complete question, permitting independent consideration and action.

E. Appeal from Decision of Chair. When an appeal is made from the decision of the chair, the member making the appeal shall be allowed to state his/her reason for doing so. The question shall be then immediately put in the following form: "Shall the ruling of the chair be sustained?" The question shall be determined by a majority vote of the members present, except the chairperson shall not preside over such a vote.

F. Referral to Committees. It shall be the duty of the chairperson to refer all petitions, communications, resolutions, motions and other business that may come before the Board to the proper committee unless objection be made by some members, in which event, a motion made and adopted with reference to the subject shall preclude the chairperson's action. All referrals to committee shall be in one of the following forms:

1. General Referral. Any referral which must be referred to the Board after the committee has reviewed or studied the matter, shall be referred to as a general referral.

2. Referral for Information. Any referral which need not be reported back to the Board by the Committee, to which it is referred, shall be called a referral for information.

G. Discharge of Committee. The Board may, by a majority vote of all its members, discharge any committee from further consideration of any matter referred to the committee for general referral.

H. Motion to Clear the Floor. If, in the judgment of the chairperson, there is a confusing of Parliamentary procedure existing, the chair shall have the right to request a “motion to clear the floor”, which motion, if made and seconded, shall be undebatable, shall take precedence over all other motions, shall be forthwith put by the chair, and, if carried, shall clear the floor completely and with the same effect as if all matters on the floor were withdrawn. The motion to clear the floor shall not be reconsidered; but its passage shall not limit the right of any member to move the reconsideration of any other matter in the same manner as, but for the passage of the motion to clear the floor, would be in accordance with these Rules.

I. Public Meetings. Board meetings shall be open to the public, as required by the Open Meetings Act, 1976 PA 267.

J. Comments from the Floor. Except for Public Comment, as provided in the Open Meetings Act, only members of the Gladwin County Board of Commissioners, or those having business before the Commission and invited to speak, shall be given the floor to speak during any Board meeting, except:

1. County officials and/or personnel may speak with the consent of the chairperson; and
2. Any person, with the consent of the chairperson of the Board and/or a majority of the Board.
3. Public comment shall be limited to no more than three (3) minutes per individual and at the times designated, except where extended privileges are granted by the chairperson.
4. If unable to attend, public comments may be submitted in writing, prior to the meeting.
5. Proper decorum must be observed during public comment. Please direct your comments to the Commission as a whole rather than to any individual. Please do not use expletives or make derogatory or disparaging comments about any individual or group. If you do, there may be immediate consequences including being ejected from the meeting. Please abide by these rules in order to minimize the possibility of disrupting the meeting

VI

ADMINISTRATION

- A. Signing of Documents. The chairperson shall be the signatory of all contracts, bonds, and other documents which require the signature of the Board of Commissioners. In the event the chairperson is unable to perform such function, then the vice-chairperson shall act in his/her stead.
- B. Notice of Board Action. When the Board has acted upon a written request or demand for action presented to the Board from other than among its membership, the clerk shall promptly notify the person or agency making the request or demand of the Board's action thereon.
- C. Minutes. A copy of the minutes of each Board meeting shall be prepared and mailed, delivered, or via e-mail to each member of the Board as soon as possible immediately after each meeting of the Board. The County Clerk or his/her designee shall prepare minutes as required by the Open Meeting Act, 1976 PA 267.
- D. Resolutions. All resolutions finally adopted by the Board in each calendar year shall be consecutively numbered in the order of their adoption.
- E. Parliamentary Authority. The Board shall conform as nearly as possible to the procedures of Robert's Rules of Order.
- F. Salary, Per Diems and Mileage: The Chairperson and Board members shall be compensated salaries according to the approved salary schedule. The mileage rate for reimbursement will follow the federal rate that is established for each year. Committee meetings shall be paid by per diem according to the following schedule:
- | | |
|------------------------------------|---------|
| Meeting up to two (2) hours | \$30.00 |
| Half Day two (2) to four (4) hours | \$45.00 |
| Whole Day four or more (4+) hours | \$80.00 |

Board members will be compensated, at the per diem rate listed above, for any Township/County meetings attended that exceed two (2) meetings per month.

VII

TITLES AND SUBTITLES

The titles and subtitles of these Rules, and the citations appended thereto, are for convenience only and shall not be considered as part of these Rules.

VIII

AMENDMENT TO AND EFFECTIVE DATE OF THESE RULES

A. These Rules may be amended, suspended, or rescinded only by a majority vote of all the commissioners-elect. They shall remain in effect until rescinded, amended, or suspended.

B. Any amendment to these Rules, properly presented to the Board of Commissioners and adopted, shall take immediate effect unless otherwise stated by the Board at the time of adoption.

IX

POLICY REGARDING TECHNOLOGY OR DATA RELATED INFORMATION

All public records released by an employee or elected official shall be redacted to eliminate all Internet Protocol address (IP Addresses) and internal network user names. Any other release of technology and data related information should be considered in the context of the information's potential for use by those wishing to obtain unauthorized access to County networks and data and shall be redacted in conformity with the State of Michigan Freedom of Information Act exemptions listed in MCL 15.243.

X

CONCLUSION

To the extent that any of the Rules herein are contrary to statutory requirements, they shall be of no force and effect.