

**Presque Isle County Board of Commissioners**  
**Rules of Order**  
**As Amended**

1. **AUTHORITY**

These rules are adopted by the Presque Isle County Board of Commissioners pursuant to Section 46.11 of the Compiled Laws of Michigan, as amended.

2. **Meetings**

**2.1 Organizational Meeting**

The first meeting in each calendar year shall be the organizational meeting. At each such meeting, the county clerk shall preside. As the first item of business the county clerk shall administer the oath of office to the commissioners.

The second item of business shall be election of the chairperson of the board and the vice-chairperson. The clerk shall call for nominations for the office of chairperson and when nominations are closed by majority vote or no other nominations are forthcoming, the clerk shall order the roll of commissioners to be called. When one nominee receives a majority of the votes of the members elected and serving, that nominee shall be declared chairperson.

The newly elected chairperson shall assume the chair and proceed with the election to the office of vice-chairperson.

If the commissioners present shall not cast a majority for one nominee, the county clerk shall continue to preside until a majority of commissioners elects one of its members to be chairperson. The board of commissioners may proceed onto other agenda matters as they shall decide.

Should a commission prefer to have a secret ballot, these rules provide an additional rule that the election of the chairperson may be conducted by secret ballot upon the motion of a commissioner and approval by a majority of those present. (MCLA 46.3a; MSA 5.323[1])

**2.2 Regular Meetings**

The county board shall, at the Organizational Meeting, set the meeting dates and times.

**2.3 Special Meetings**

The board of commissioners shall meet in special session upon the written petition to the county clerk signed by one-third or more of the members. The petition for a special meeting shall specify the time, date, place, and purpose of the meeting.

The chairman of the board of commissioners may convene a meeting of the board (with proper notice) upon his/her discretion.

**2.4 Place of Meetings**

Meetings of the board of commissioners shall be held in the chambers of the board of commissioners in the county courthouse unless public notice of the meeting states a different location. Whenever the regular meeting place of the board of commissioners shall appear inadequate for members of the public to attend, the chair may change the meeting location to a larger or more appropriate facility either within or out of the county. A notice of such change

shall be prominently posted on the door of the regular meeting place. The clerk shall also give notice of the change in the meeting place in a newspaper if time permits.

### **2.5 Change in Schedule**

Change in the regular meeting schedule shall not be made except upon the approval of a majority of the members. In the event the board shall meet and a quorum is not present, the board, with the approval of those present, may adjourn the meeting to another time with proper notice.

### **2.6 Public Notice of Meetings**

The clerk shall provide the proper notice for all meetings of the board of commissioners in accordance with the "Open Meetings Act".

### **2.7 Notice of Special Meetings**

If the board shall schedule a special meeting, the clerk shall post a notice of such meeting immediately and deliver the notice of such meeting to the residence of each commissioner by personal delivery, facsimile transmission or registered mail. No meeting shall be held until the notice shall have been posted at least 36 hours.

### **2.8 Notification to Media and Others**

The clerk shall notify, without charge, any newspaper or radio or television station of the board's meeting schedule, schedule changes, or special meetings whenever a written request for such notice has been filed with the clerk. The clerk shall also notify other individuals or organizations of all meetings upon written request and agreement to pay the county for printing and postage expenses, or by any other arrangements made with the county clerk.

## **3. Quorum, Attendance, Call of the County Board**

### **3.1 Quorum**

A majority of commissioners of the board, elected and serving, shall constitute a quorum for the transaction of ordinary business of the board.

### **3.2 Attendance**

No member of the county board may absent himself or herself without first having obtained leave from the board. The county board may revoke a leave of absence at any time.

## **4. Agenda for Regular Meetings**

The clerk of the board, after first reviewing pending matters and requests, shall prepare a draft agenda of business for all regularly scheduled commission meetings. The chair of the board shall review and add or delete issues as he/she considers proper. Any commissioner, or chair of a committee, board, or other commission of the county, desiring to place a matter on the agenda shall notify the clerk of such item by one week prior to the next regular meeting of the board.

### **4.1 Board Approval of Agenda**

The county board of commissioners at the beginning of each regular meeting shall approve of the agenda and make additions or deletions as deemed appropriate by a majority of the members elected and serving.

#### **4.2 Agenda for Special Meetings**

Whenever the board is called into session pursuant to Rule 2.6.1, the agenda shall be included in the notice of the meeting and no other matters shall be considered except when all members are present and a majority concurs. Agenda for special meetings shall be provided along with the notice of the meeting to commissioners, if time permits. At other times, the chair shall declare the agenda upon the approval of a majority of the members present.

#### **4.3 Distribution of Agenda and Materials**

Upon the completion of the agenda, the clerk shall immediately distribute copies of the agenda together with copies of reports, explanations, etc., that relate to the matters of business on the agenda. Commissioners are entitled to receive such materials not later than the Saturday preceding the next regular meeting.

#### **4.4 Order of Business**

The agenda shall be arranged as may be determined from time to time by the chair, and may include:

- Call to Order
- Pledge of Allegiance
- Approval of the Agenda – Additions/Deletions
- Approval of the Minutes
- Public Comment
- Public and Special Presentations
- Reports of Officers, Boards and Standing Committees
- Reports of Special or Ad Hoc Committees
- Special Orders
- Unfinished Business and General Orders
- New Business
- Other Government Officials
- District Commissioner Reports
- Adjournment

### **5. Conduct of Meetings**

#### **5.1 Chair**

The person elected chair in the first meeting each year of the board of commissioners shall preside at all meetings of the board. In the absence of the chair, the person elected vice-chair shall preside. If neither the chair nor vice-chair is present, the clerk shall preside until the commissioners present elect a commissioner to preside during the absence of the chair or vice-chair.

#### **5.2 Form of Address**

Discussion by the board of commissioners may be of an informal nature with the following courtesies observed. Only one commissioner shall speak at a time. No commissioner should speak twice on a subject until all commissioners have been given a chance to speak once. Other persons at the meeting shall not speak unless recognized by the chair. The chair may temporarily suspend any informal discussion for non-consideration of the rules or time constraints.

### **5.3 Recognition**

Any member who has been recognized by the chair will be considered to “have the floor”. No member should make a motion for consideration without first having obtained the floor. When a member has the floor, only in rare instances should he or she be interrupted. The member may yield the floor to someone else if the member so desires.

### **5.4 Disorderly Conduct**

The chair shall call to order any person who is being disorderly by speaking or otherwise disrupting the proceedings, by failing to be germane, by speaking longer than the allotted time, or by speaking vulgarities. Such person shall thereupon be seated until the chair shall have determined whether the person is in order. If a person so engaged in presentation shall be ruled out of order, he or she shall not be permitted to speak further at the same meeting except upon special leave by the board of commissioners. If the person shall continue to be disorderly and to disrupt the meeting, the chair may order the sergeant-at-arms to remove the person from the meeting. No person shall be removed from a public meeting except for an actual breach of the peace committed at the meeting.

## **6. Record of Meetings**

The county clerk shall be clerk of the board and shall be responsible for maintaining the official record and minutes of each meeting of the board. The minutes shall include all the actions and decisions of the board with respect to substantive (non-procedural) motions. The minutes shall include the names of the mover and the seconder and the vote of the commissioners. The record shall also state whether the vote was by voice or by roll call; when by roll call, the record shall show how each member voted. The clerk shall maintain in the office of the clerk copies of each resolution and ordinance or other matter acted upon by the board. The official minutes, however, may refer to those matters by an identifying number and the descriptive title of the ordinance, resolution, or other matter.

### **6.1 Record of Discussion**

The clerk shall not be responsible for maintaining a written record or summary written record of the discussion or comments made by board members nor of the comments made by members of the public. The clerk, though, shall be responsible for making an electronic tape recording of each meeting of the board of commissioners. Each such recording shall be maintained in the office of the clerk for a period of six months following the date of the meeting. Thereafter, the recording may be erased unless the recording shall be pertinent to any legal proceeding then underway, pending, or reasonably anticipated.

### **6.2 Request for Remarks to be Included**

Any commissioner may have his or her comments printed as part of the record upon the concurrence of a majority of the other members. Such comments shall be provided in writing by the member or transcribed exactly by the clerk from the electronic tape recording.

### **6.3 Public Access to Meeting Records**

The clerk shall make available to members of the public the records and minutes of the board meetings in accordance with the “Freedom of Information Act”. Board minutes, prepared but not approved by the board, shall be available for public inspection not more than eight business days following the meeting. Minutes approved by the board shall be available within five business days of the meeting at which they were approved.

#### **6.4 Publication of Minutes**

A synopsis of the county board proceedings may be published in the Presque Isle Advance and the Onaway Outlook, and will be published on the county maintained website at [www.presqueislecounty.org](http://www.presqueislecounty.org).

### **7. Committees, Commissions and Boards**

#### **7.1 Appointment to Standing Committees**

Each year following the election of the board chair, other commissioners will advise the chair of his/her interest in serving on particular committees, and the chair will thereafter appoint committee members subject to the approval of a majority of the entire elected board.

#### **7.2 Standing Committees and Responsibilities**

The chair shall designate the standing committees each year, subject to approval of a majority of the entire elected board. Each committee shall thoroughly investigate any matter referred to it by the board or board chair and shall report in writing or verbally its findings to the board without undue delay. Upon the motion of any board member, and approval by a majority of the board, the board may discharge a committee from further consideration of any matter.

#### **7.3 Record of Committee Meetings**

Committee chairs are responsible to record and file minutes of committee meetings with the county clerk for inclusion with the mailing of the agenda for the next board meeting. Minutes are to include a brief report of what was discussed at the meeting.

#### **7.4 The Standing Committees Listed for 2015**

Finance and Auditing

Personnel

Public Health and Safety

Grounds

Executive

#### **7.5 Standing Committee Meeting Dates**

The standing committees shall meet on a regularly scheduled and posted schedule. Special committee meetings may be called by the committee chair or a majority of the committee members to discuss matters directly related to committee responsibilities.

#### **7.6 Appointments to Other Committees**

The chair shall have the authority to appoint other committees as deemed necessary. Any such appointments shall be subject to approval of a majority of the members elected.

#### **7.7 Appointments to Other Boards/Commissions**

Appointments to all other boards and commissions, including but not limited to the Presque Isle County Road Commission, the District 4 Health Board, Community Mental Health Board, and others, shall be by election of the majority of the members elected and serving.

### **7.8 Special and All Other Appointments**

The Chair shall have the authority to make appointments to any and all other assignments subject to the approval of a majority of the members elected.

### **7.9 Exercise of Governmental Function**

A committee shall not exercise a governmental function as defined by the "Open Meetings Act" in a meeting not open to the public unless the open meetings act permits the action to be considered in an executive meeting closed to the public. The responsibility of each committee is to make recommendations to the board of commissioners and to report matters considered and rejected as well as those considered and recommended.

### **7.10 Committee of the Whole**

Whenever the Board shall meet in "working meetings" the board shall meet as a committee of the whole and the chair, vice-chair, or another member shall preside. Meetings of the committee of the whole shall conform to the requirements of the open meetings act with respect to public notice except when the board shall devolve into a committee of the whole at one of its regular meetings.

The rules of the board of commissioners shall be observed in meetings of the committee of the whole as far as they are applicable, except with respect to limiting debate, moving to vote immediately, and taking a roll call vote.

Resolutions, ordinances, and other matters referred to the committee, unless otherwise ordered by the committee, shall be read aloud by the clerk and then considered and acted upon by sections. Before an amendment is adopted it shall be fully written and read to the committee. Whenever the committee of the whole has completed its deliberations, a member shall move that the committee rise and report to the board of commissioners. The motion to rise is always in order and shall be decided by majority vote without debate. Motions recommending action by the board of commissioners shall take precedence in the same order as analogous motions in the meetings of the board of commissioners.

### **7.11 Chairman – Ex-officio Member**

The chairperson of the board is an ex-officio member of all standing committees, and the vice-chair may attend in that capacity in the absence of the chairperson.

## **8. Executive Meetings**

The vote to hold an executive meeting shall be recorded in the minutes of the meeting at which the decision was made.

### **8.1 Two-thirds Vote Executive Session**

The board of commissioners may meet in executive session upon the motion of any member and roll call approval by two thirds of the members present for the following purposes:

To consider the purchase or lease of real property, until an option to purchase or lease that property is obtained.

To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigating or settlement position of the county board.

To meet with an attorney to consider the attorney's written opinion.

To review the specific contents of an application for employment to a county position and the applicant requests that the application remain confidential. Whenever the board meets to interview an applicant, it shall be in open session.

## **8.2 Other Reasons**

The board may also meet in executive session for the following reasons without the requirements of a two-thirds vote.

To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of a public officer, employee, staff member, or individual agent if the named person requests a closed hearing. If the person rescinds his/her request for a closed hearing the matter at issue shall thereafter be considered only in open public meeting.

To consider strategy connected with the negotiation of a collective bargaining agreement, if requested by either party.

## **8.3 Minutes of Executive Meetings**

For each executive meeting, the clerk shall make a separate record of the topics discussed. This record shall not be disclosed to the public except upon the order of a court. The clerk may destroy the minutes after one year and one day have passed after the meeting at which the board approved the minutes of the meeting at which the board voted to hold the executive meeting.

# **9. Motions and Resolutions**

## **9.1 Statement by Chair/Clerk**

No motion or resolution shall be adopted until the motion is stated by the presiding officer or the clerk. All motions, except procedural motions and resolutions, may be required to be in writing upon the demand of any member. A request to recess for the purpose of writing out a motion or resolution shall be in order.

## **9.2 Rank of Motions**

The order of precedence of motions shall be in accordance with the "Table of Motions" appended to these Rules.

## **9.3 Motion to Clear Floor**

This motion may be made by the chair or a member at any time procedural matters have become sufficiently confused. If the motion to clear the floor has been adopted, it shall clear the floor of all motions as though they have been withdrawn. The motion shall not be subject to debate nor, if adopted, to reconsideration.

## **9.4 Motion to Reconsider**

A motion to reconsider shall be in order on any question the board has decided, but no question shall be reconsidered more than once. The motion to reconsider shall be in order on the same day as the vote to be reconsidered was taken, and in the course of the next regular meeting following. The motion to reconsider shall be made only by a member who voted with the prevailing side. A motion to reconsider a motion to amend shall not be in order if the main

question has been voted upon. If the board has adopted a motion to reconsider, however, motions to amend shall be in order.

## 10. **Voting**

### **10.1 Chairman Equal Voice/Vote**

The chairman has an equal voice and vote on all matters that come before the board of commissioners and shall vote in the normal rotation on roll call votes.

### **10.2 Disclosure Resolutions**

A commissioner or elected county official may request the county board to vote on a resolution to disclose any potential appearance of a conflict of interest between the commissioner or elected official and the county. Such resolution may contain terms of any agreement between said official and the county board of commissioners.

### **10.3 Roll Call Votes**

The names and votes of commissioners shall be recorded on board actions to adopt final measures such as ordinances, resolutions, appointment or election of officers, etc. The election of board chair may be by secret ballot with the approval of a majority of commissioners present. Upon the demand of one-fifth of the commissioners, a roll call vote shall be taken on other motions and actions.

#### **10.3.1 Votes Requiring a Three-fifths Majority of the Members Elected and Serving**

Repeal (action previously approved)

Objection to consideration of a question

Suspension of the Rules

Close Nominations

Postpone to a definite time (special order)

Limit Extended Debate

Previous Question (close debate)

### **10.4 Votes Required**

Procedural and other questions arising at a meeting of the commissioners, **except for those required by statute to have a higher majority** and those listed in section 10.3.1, shall be decided by a majority of the members present. A majority of the members elected and serving, however, shall be required for final passage or adoption of a measure, resolution, or the allowance of a claim against the county.

## 11. **Parliamentary Authority**

*Roberts Rules of Order (Newly Revised)* shall govern all questions of procedure not otherwise provided by these rules or by state or federal law. The legal counsel to the board or other person so designated by the board shall serve as the board's parliamentarian and shall advise the presiding officer regarding rules of procedure.

## 12. **Introduction and Adoption of Administrative Resolutions**

### **12.1 Definition**

Any action regarding the operation or administration of a department of the county government or containing policies of the board of commissioners applicable to one or more departments of the county, and not adopted as an ordinance, shall be declared an administrative policy.



## **12.2 Introduction**

Any commissioner may introduce an administrative resolution at any regular or special meeting of the board of commissioners in the regular order of business.

## **12.3 Order for Consideration**

The regular order for consideration of proposed administrative resolutions shall be:

Introduction, first reading by title, and reference to the appropriate committee, as determined by the board chair.

Report by the committee considering the proposal and placement on the agenda under new business – adoption of resolutions.

Final consideration and vote.

## **12.4 Form**

Each administrative resolution shall conform to the form required for introduction and adoption.

## **12.5 Committee Review**

The chair of the board of commissioners shall refer all proposed administrative resolutions to an appropriate committee of the board. The committee shall review the proposal and invite affected departments of the county to comment and offer explanations. The committee, in its report, shall include a summary of the comments and objections to the resolution. Any administrative resolution reported without recommendation shall automatically lie on the table until ordered removed by the board.

## **12.6 Adoption**

The board of commissioners may adopt the committee recommendation or refer the report to the committee of the whole where further consideration can be given. On the final adoption of a proposed amendment, the vote shall be taken by a record roll call vote. A majority of the commissioners elected and serving shall be required for adoption, unless a statute requires a larger number of votes to adopt the policy.

## **12.7 Notification**

Upon the final adoption of an administrative resolution, the county clerk shall notify each county department head of the board action. Such notification shall be by title or summary. The clerk shall make available a copy of the full administrative resolution.

## **12.8 Record of Administrative Resolutions**

The clerk shall keep a copy of each administrative resolution of the board in a separate file or book with appropriate subcategories according to subjects covered. The record of each administrative resolution shall provide the date of adoption, the record of vote of each commissioner, and any amendments thereto adopted by the board.

## **13. Ratification**

**These rules become effective upon a majority approval by action of the Presque Isle County Board of Commissioners and may be amended by a two-thirds vote of the commissioners elected and serving.**

Ratified this 2nd day of January, 2015.

\_\_\_\_\_, Chairman of the Board

Ann Marie Main, Presque Isle County Clerk