

2016

RULES OF ORDER AND PROCEDURE

OF THE

LEELANAU COUNTY BOARD OF COMMISSIONERS

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ARTICLE I
BOARD MEETINGS – TIME AND PLACE

A. Regular, Executive Board of Commissioners and Adjourned Regular Meetings

The Board of Commissioners shall convene for the purpose of holding meetings in the Board of Commissioners Meeting Room, Leelanau County Government Center, 8527 E. Government Center Drive, Suttons Bay, Michigan, or such other place as provided by public notice, pursuant to the Open Meetings Act, 1976 PA 267, as amended, on the days listed below. The said meetings shall convene at the times indicated, except as otherwise provided in these rules.

1. Organizational Meeting - first Tuesday of January at 9:00 a.m.
2. Executive Committee - second Tuesday of January at 9:00 a.m.
3. Regular Board Meeting - third Tuesday of January at 7:00 p.m.
4. Executive Committee - second Tuesday of February at 9:00 a.m.
5. Regular Board Meeting - third Tuesday of February at 7:00 p.m.
6. Executive Committee - second Tuesday of March at 9:00 a.m.
7. Regular Board Meeting - third Tuesday of March at 7:00 p.m.
8. Executive Committee / Statutory Equalization Meeting (MCLA 209.5) – second Tuesday of April at 9:00 a.m.
9. Regular Board Meeting – third Tuesday of April at 7:00 p.m.
10. Executive Committee- second Tuesday of May at 9:00 a.m.
11. Regular Board Meeting - third Tuesday of May at 7:00 p.m.
12. Executive Committee - second Tuesday of June at 9:00 a.m.
13. Regular Board Meeting - third Tuesday of June at 7:00 p.m.
14. Executive Board of Commissioners Meeting - second Tuesday of July at 9:00 a.m.
15. Regular Board Meeting - third Tuesday of July at 7:00 p.m.
16. Executive Board of Commissioners Meeting - second Tuesday of August at 9:00 a.m.
17. Regular Board Meeting - third Tuesday of August at 7:00 p.m.
18. Executive Board of Commissioners Mtg. - second Tuesday of September at 9:00 a.m.
19. Regular Board Meeting - third Tuesday of September at 7:00 p.m.
20. Executive Board of Commissioners Mtg. – first Tuesday of October at 9:00 a.m.
21. Statutory Annual Meeting - second Tuesday of October at 7:00 p.m.
22. Executive Board of Commissioners Mtg. - second Tuesday of November at 9:00 a.m.
23. Regular Board Meeting - third Tuesday of November at 7:00 p.m.
24. Executive Board of Commissioners Mtg. - second Tuesday of December at 9:00 a.m.
25. Regular Board Meeting - third Tuesday of December at 7:00 p.m.

Any other meetings not listed above shall be special meetings or adjourned sessions of regular scheduled meetings. Unless the Board provides otherwise, the motion to “adjourn” any meeting of this Board, whether Executive Board of Commissioners Meeting, Special or Board, shall mean to adjourn to the next succeeding regular meeting on the list above.

B. **Special Meetings**

The Board shall convene for the purpose of holding special meetings only upon the written request of at least one third of the commissioners, to the county clerk, specifying the time, date, place and the purpose of such meeting. When a special meeting is called by written request, the county clerk shall immediately communicate the written request to each commissioner within 24 hours in one or more of the following ways:

- Via confirmed facsimile to the commissioner's residence;
- Via personal delivery of the notice to the commissioner;
- Leaving the notice at the home of the commissioner;
- Via confirmed telephone call to commissioner's residence; or
- Via confirmed email.

The clerk shall post a public notice at least eighteen (18) hours before the meeting, as required by the Open Meetings Act, 1976 PA 267, as amended.

C. **Meetings on Legal Holidays**

A regular, Executive Board of Commissioners Meeting or adjourned meeting of the Board that falls on a legal holiday shall automatically be set over to the next working day following, that is not a legal holiday, at the same time and place indicated on the original meeting notice.

ARTICLE II CHAIRPERSON

A. **Election**

At the first meeting in each odd numbered calendar year, the Board shall elect, from among its members, a chairperson and in each calendar year a vice-chairperson, who shall take office and assume their respective duties immediately upon their election provided that the Constitutional Oath of Office had been administered previously by the appropriate officials. The concurrence of a majority of all members of the Board shall be necessary for election.

B. **Duties**

The chairperson (and during any absence of the chair, the vice-chairperson) shall preside at all meetings of the Board and shall decide all questions of order, subject to appeal to the Board. It is the responsibility of the chair to appoint standing and special committees, with approval of the Board of Commissioners. The vice chairperson shall hold office for one year, and the chairperson shall hold office for two years or until their successors are duly elected and qualified.

C. **Orientation Session**

For the purpose of more fully informing the new members of the Board of Commissioners about the workings and procedure of Leelanau County government, the chairperson of the Board may provide for an orientation session for the purpose of explaining the structure, functions and procedures of county government.

**ARTICLE III
CLERK OF THE BOARD / OPEN MEETINGS ACT**

A. **Official Clerk and Duties**

The duly elected clerk of Leelanau County shall be the clerk of the Board. In the clerk's absence, the duly appointed deputy clerk shall perform all duties pertaining to such office, as required by law.

B. **Minutes**

Proposed minutes of all county Board meetings shall be ready for public release no later than eight (8) working days following the meeting date pursuant to the requirements of the Open Meetings Act. Recordings of all Board meetings shall be retained until minutes are approved.

C. **Open Meetings Act Posting**

The clerk or deputy clerk shall perform all posting functions required by the Open Meetings Act, 1976 PA 267, as amended.

D. **Prior Notice of Absence**

Board members should notify the county clerk or the county administrator at the earliest available opportunity for any absences prior to the meeting. Notification of said absences will be documented in the meeting minutes.

**ARTICLE IV
EXECUTIVE BOARD OF COMMISSIONERS MEETING**

Executive Board of Commissioners Meeting (All Commissioners)

This meeting is comprised of all seven elected County Commissioners and shall meet as a whole as noted Under Article I-A. The primary objective of this meeting shall be to conduct extensive research and discussion on matters dealing with county issues and finances for presentation/recommendation at the Regular Board meeting, or Special Board meetings as needed. The chair shall conduct the overall order of business so as to permit free and informal discussion of the agenda items presented.

1. Matters presented at the Executive Board of Commissioners meeting may or may not be recommended to the full Board, based on a majority vote of those elected.
2. The Commissioners shall make NO final decisions at the Executive Board of Commissioners Meeting. This power is expressly reserved for the Board of Commissioners when meeting in a Regular Session or Special Session.
3. An item/issue at the Executive Board of Commissioners meeting that does not receive a majority vote for recommendation, may be added to the Regular Session agenda as a late addition, if a motion is made and seconded at said meeting and agreed to by a majority vote of the Board of Commissioners elected.
4. Any question at the Executive Board of Commissioners meeting that does not receive a majority vote of support for recommendation to the Regular Session or Special Session of the Board of Commissioners may be reconsidered at the same meeting or at any succeeding Executive Board of Commissioners meeting. A simple majority vote is needed to place the item on the Executive Board of Commissioners agenda if said topic previously failed to receive a majority vote for recommendation.
5. Discussion may take place on items on the Executive Board of Commissioners meeting agenda without a recommendation being made.
6. Recommendations will only be allowed to have one amendment to an amendment, which are germane to the original recommendation. All amendments must be in writing to the County Clerk or staff.
7. The Order of Precedence of Motions will be the same as that of the Regular Session and Special Session meetings (Article VI, F, 2 a-h.)

**ARTICLE V
COMMITTEES**

A. Commissioner Appointment – Standing Committees

The chair of the Board shall appoint, with the approval of a majority of the Board members, commissioners to their areas of responsibility under the designated standing committees and/or commissions. The commissioner so appointed shall be responsible for reporting back to the full Board of Commissioners.

B. Select Committee

The chair of the Board of Commissioners, with the approval of a majority of the Board members, shall establish select committees, as needed, to study a particular one-time issue, problem or requirement. Normally, the commissioner in whose district the issue exists shall be appointed unless there is a conflict. The chair for each select committee shall schedule meetings and locations to accomplish the task at hand. The select committee shall be dissolved at the completion of the issue.

C. Committee Procedures

The board member assigned to a committee may be authorized to request additional help to research, analyze, and make recommendations on specific matters before the Board of Commissioners. In addition, these procedures applicable to each committee, board or commission shall be followed:

1. Upon majority vote, recommendations and resolutions shall be developed and presented to the full Board.
2. Provisions will be made for separate committee minutes to be taken and provided to the Board of Commissioners and administrator's office for consideration.
3. Meeting schedules, except those set forth in these rules shall be at the discretion of the chair of the respective board, commission or committee, subject to the posting requirements of the Open Meetings Act.
4. No scheduled committee meeting set forth by these rules shall be changed to another time or date unless all members are polled and a majority agree to the change.
5. All Committees are required to comply with the requirements of the Open Meetings Act.
6. All Committees including the Executive Board of Commissioners shall refer for final decisions on all matters to the Regular Board of Commissioners meeting as this power is expressly reserved for the Board of Commissioners.

7. Public meeting notices shall be posted and published in coordination with the county clerk as required by the Open Meeting Act, 1976 PA 267, as amended.

D. Committee Meetings

Meetings of the Executive Board of Commissioners, standing committee, or select committees may be convened by its chair or a majority of its members upon reasonable notice of at least 24 hours to its members and the Board chair provided said notice complies with the Open Meetings Act, 1976 PA 267, as amended. A quorum shall consist of a majority of the committee members. Each committee shall have a prepared agenda including all items to be considered prior to the committee meeting; however, late items may be added with the concurrence of a majority of the quorum present. All committees shall keep minutes of their meetings as required by the Open Meetings Act, 1976 PA 267, as amended. Every committee shall provide an opportunity for the public to be heard. Members of the public may address the Executive Board of Commissioners and other committees for up to five (5) minutes per person or longer at the discretion of the chair, after they identify themselves and are recognized by the chair.

**ARTICLE VI
CONDUCT OF REGULAR MEETINGS OF THE BOARD OF COMMISSIONERS**

A. Chair

The chair shall take the chairperson's seat on the date and hour set forth for regular meetings or at the time and date of any other meetings as may be provided by these rules.

B. Quorum

A majority of the members of the Board of Commissioners shall constitute a quorum for the transaction of the ordinary business of the county.

C. Adoption of Measure

For the final passage or adoption of a measure or resolution, or the allowance of a claim against the county, a majority of the members elected and serving shall be necessary.

D. Order of Business

1. Agenda

- a) Call to Order
- b) Pledge of Allegiance / Moment of Silence
- c) Roll Call
- d) Communications, proclamations, presentations
- e) Approval of Board and other minutes
- f) Approval of agenda and late additions

- g) Public Comment, up to five (5) minutes per person
- h) Review of Financials
- i) Action Items
- j) Approval of Financials
- k) Committee reports, recommendations, and resolutions
- l) Special reports by staff, commissioners and affiliated agencies
- m) Informational items
- n) Public comment, up to five (5) minutes per person (General)
- o) Commissioner comments
- p) Adjournment

Members of the public may address the Board of Commissioners, Executive Board of Commissioners, and other committees for up to five (5) minutes per person or longer at the discretion of the chair, after they identify themselves and are recognized by the chair.

2. **Specific Agenda Priorities**

All matters shall be placed upon the agenda within the applicable sub-committee section.

3. **Agenda Deadline**

A Commissioner, an Elected Official, a Department Head or an Affiliated Agency wishing to meet with the Board, or have an item placed on the agenda for the Board, must notify the administrator's office six working days preceding the scheduled meeting date. However, an item may be added to the agenda at any meeting prior to the closing of the agenda and considered or referred to a committee if agreed to by a majority vote of the Board or committee to which the request was made.

4. **Late Items**

Late items shall be distributed to all commissioners no later than at the beginning of the Board meeting and shall be announced by title with appropriate agenda numbers, and may be considered if approved by majority vote of the Board. A five-minute recess shall be granted at the request of any commissioner prior to consideration of late items. Late items shall only be considered if a majority of the Board votes to do so.

5. **Agenda Availability**

An agenda for each meeting shall be sent at least 24 hours in advance to be received in a timely manner by each commissioner as well as being made available to the public and news media.

E. **Rights and Duties of Members (at Executive Board of Commissioner meetings, Regular Board of Commissioner meetings and Special Sessions:**

1. **Speaking Priorities** -

- The sponsor of any properly moved and seconded motion, resolution, ordinance or report shall have the right to speak for five minutes after the formal introduction and prior to any discussion on the floor.
 - No commissioner shall speak a second time on a question until all others who wish to speak have had an opportunity to speak at least once.
 - When two or more members address the chair at the same time, the chair shall designate the member who is to speak first; but in all other cases, the member who shall first address the chair shall speak first but limited to no more than five (5) minutes.
 - Only members of the Board of Commissioners shall be given the right to speak during any Board meeting except:
 - a) A county staff person or elected official when information or report pertinent to their office is requested by a Board member.
 - b) Any member of the public, recognized by the chair, not to exceed five (5) minutes per person.
 - No member, while addressing the Board shall be interrupted except to be called to order; and thereupon, the member shall cease talking.
2. **Voting** – Every commissioner shall vote on all questions unless excused by the chair for substantial reason. The chair shall also vote on all questions unless excused by the Board for a valid reason.
3. **Interruption/Leaving** – No member shall interrupt a meeting for private discourse or leave a meeting prior to adjournment unless excused by the chair. The clerk shall record the time and point in the proceedings at which a member enters or leaves a meeting.
4. **Order and Decorum** – The chair shall at all times preserve order and decorum pursuant to these rules.

F. **Motions, Resolutions and Committee Reports**

To provide an orderly flow of items before the Board (at all meetings – Executive Board of Commissioners, Regular Meeting and Special Session), agenda items shall be scheduled according to subject matter and committee interest. If the item needs to be considered by more than one committee, it will be scheduled during the Executive Board of Commissioners meeting or Regular Board meeting.

1. **No motion shall be debated or voted on unless seconded**. Any motion may, with the permission of the person who moved and seconded it, be withdrawn at any time before it has been adopted.
2. **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 (end meeting now) – not debatable.
 - b) To raise a question of privilege (welfare of individual/assembly) – not debatable.
 - c) To lay on the table (set aside temporarily) – not debatable.
 - d) To call for the previous question (stop debate) – not debatable.
 - e) To limit or extend limits of debate (shorten or lengthen debate) – not debatable.
 - f) To postpone to a certain date (put off to another time) – debatable.
 - g) To commit or refer or recommit to a committee (let a committee investigate) – debatable.
 - h) To amend (change a motion) – debatable (See #5 Amendments below.)

These motions shall have precedence in order named.

3. **Motion 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.
4. **Motion to Reconsider** – Applies to the Regular Meeting of the Board of Commissioners and Special Sessions only. A first 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 an event, the moving member shall file written notice of their intention to move for a reconsideration in the office of the clerk at least one day before making such a motion.

5. **Amendments** – No motion or proposition not germane to a subject under consideration shall be admitted under cover of an amendment. Commissioners shall give all amendments in writing to the clerk. The clerk shall read it back prior to a vote being taken on the subject. Only one (1) amendment to an amendment is allowed.
6. **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.
7. **Division of Question** – Upon request by any member, any question may be divided and separated into more than one question; provided, however, that such may be done only when the original is of such nature that, upon division, each of the resulting questions is a complete question permitting independent consideration and action.

Such request for any member does not need a second or a vote of the Board in order for the question to be considered, provided that the other provisions of this section are met.

G. **Appeal from Decision of Chair**

When an appeal is taken from a decision of the chair, the member taking the appeal shall be allowed to state their 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 vice-chair shall preside over such vote.

H. **Public Meetings**

All Board and committee meetings shall be open to the public as required by the Open Meetings Act, 1976 PA 267, as amended.

I. **Comments from the Floor**

Only members of the Leelanau County Board of Commissioners shall be given the floor to speak during any Board or Executive Board of Commissioners meeting, except:

1. Anyone who desires to speak under D.1. (g), D.1. (n) or E.1.(b) of this Article for the time allocated; and
2. County officials or personnel under E.1.(a); and

3. Any person with the consent of the chair or majority of the Board.
4. Public comment shall be limited to no more than five (5) minutes per individual, and at times as stated in these rules except where extended by the chair.

ARTICLE VII VOTING

A. Roll Call Votes

1. A roll call vote shall be taken on any question when called for by any member of the Board or as required by law. The chair shall determine and announce the outcome of each vote.
2. The names of those who voted for or against the same shall be entered in by district in the minutes. Each member called upon may declare openly and without debate their assent or dissent to the question.

ARTICLE VIII ADMINISTRATOR'S OFFICE

A. Responsibilities

1. The agenda for each Regular Board meeting, Executive Board of Commissioners meeting, select committee, and special meetings shall be prepared by the administrator's office, sent to all members of the Board of Commissioners for review with final approval from the chair, and then coordinated with the clerk in time for the required Public Notice to be posted.
2. Prior to each meeting, each commissioner, elected official or department head shall be provided the agenda to insure that they are aware of the items that fall under their oversight or action responsibility.
3. Action agenda items shall be scheduled, including type of presentation, documents or in-person presentation to insure continuity of category, and time consideration.
4. Individuals wishing to meet with the Executive Board of Commissioners or select committee or place an item on the agenda must notify the administrator's office at least six working days before the announced or scheduled meeting date, unless waived by the committee.

**ARTICLE IX
ADMINISTRATION**

A. **Signing of Documents**

The chair shall be the signatory of all contracts, bonds and other documents which requires the signature of the Board of Commissioners. In the event the chair is unable to perform such functions, then the vice-chair shall act in the chair's 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 administrator in coordination with 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 proposed minutes of each Board meeting shall be prepared and delivered to each member of the Board no later than eight (8) working days after the meeting in accordance with the Open Meetings Act, 1976 PA 267.

D. **Resolutions**

All resolutions finally adopted by the Board shall be consecutively numbered by the county clerk in order of their adoption.

E. **Motions**

All motions finally adopted by the Board shall be consecutively numbered by the county clerk in order of their adoption.

F. **Robert's Rules of Order, Second Edition**

The Leelanau County Rules of Order and Procedure supersede Robert's Rules of Order. The rules of parliamentary practice set forth in Robert's Rules of Order, revised shall govern the Board, providing they are not in conflict with the Board's rules or laws of the State of Michigan.

ARTICLE X
AMENDMENT TO AND EFFECTIVE DATE OF THESE RULES

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

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.

ARTICLE XI
CONCLUSION

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