

2021-2022 RULES OF PROCEDURE

Oceana County Board of Commissioners

1. The Board of Commissioners shall meet on the second Thursday in January in odd numbered years at the Courthouse in Hart, Michigan at 9:00 A.M. for the purpose of conducting an Organizational Meeting at which it shall:
 - A. Elect a Chairperson of the Board for a Two-Year Term
 - B. The Vice-Chairperson of the Board shall be elected at the first Board meeting of each calendar year.
 - C. Adopt Rules of Procedure for the Board
 - D. Board Chairperson Appointment of Committee Chairpersons
 - E. Allow commissioners to complete and sign affidavits and/or other disclosures regarding any actual, potential, or perceived conflicts of interest, including the Board of Commissioners' "Code of Ethics- and Conduct Policy."
 - F. Transact any other business required by the laws of the State of Michigan

2. The Board of Commissioners shall regularly meet thereafter at the Courthouse in Hart, Michigan at 11:30 A.M. on the second and fourth Thursdays of each month except for the following:
 - i. In November the Board will not meet on the second Thursday. If any other meeting shall fall on a legal holiday, the meeting shall be scheduled for the previous Tuesday.
 - ii. In April of each year, per Department of Treasury, the first meeting shall be held on the "first Tuesday following the second Monday" in the month.
 - iii. In December, meetings will be held on the first and third Thursday.
 - iv. Pursuant to MCL 46.1, the meeting on the fourth Thursday of September is hereby designated as the Annual Meeting.

3. The Chairperson of the Board of Commissioners may, at any meeting with the agreement of the Board members present, by resolution, provide for a Special Meeting of the Board of Commissioners. Special Meetings may also be called as provided by law.

4. Notice of Regular and Special Meetings shall be posted in accordance with law. In addition, notice of meetings and the agenda for any meeting shall be posted on a bulletin board generally available to the public in the Courthouse; a copy of the Board Rules shall be posted at the door to the room in which the meeting is held and notice

of the meeting and agenda shall be mailed to all persons or organizations on the agenda; to all offices, agencies and boards and departments of county government affected by any item on the agenda; to any newspaper having general circulation in the County of Oceana; and, to any other persons requesting a copy of the same.

5. Unless otherwise changed by the Board of Commissioners, as of January 9, 2014, it is realized that from time to time there may be a scheduling conflict whereby a commissioner is unable to attend committee or board meetings in person. Therefore, commissioners are permitted to attend regular and special committee and board meetings via teleconference not more than two times per calendar year when approved by the Chairperson of the Board. Furthermore, those members attending by conference call will be considered present in terms of making a quorum and voting. They are also entitled to the payment of per diem, but ineligible for mileage. If the Chairperson of the Board is either absent or attending remotely, the Vice-Chairperson of the Board shall preside over the meeting. The same shall be true of any standing committee meeting whereby the committee Chairperson is either absent or attending remotely, the Vice-Chairperson of the committee shall preside over the meeting.
6. The Order of Business for each Regular Meeting shall be as follows:
 - A. Call to Order by Chairperson
 - B. Pledge of Allegiance
 - C. Roll Call by Clerk and Determination of Quorum
 - D. Minutes of any previous Regular or Special Meetings by Clerk which have not been previously approved.
 - E. Conflict of Interest Disclosure Regarding Agenda Items
 - F. Changes to the Agenda
 - G. Approval of the Agenda
 - H. Public Comment on Agenda Items
 - I. Correspondence received and not included in new business
 - J. Public Hearings, if any
 - K. New Business
 - i. Proposals and recommendations from County officers, agencies and boards
 - ii. Proposals and recommendations from public citizens
 - iii. Proposals and recommendations from other governmental agencies
 - iv. Proposals and recommendations from Board members
 - v. New business not covered by i, ii, iii and iv above
 - vi. Opportunity for public to raise new issues not previously covered
 - vii. Opportunity for Board members to raise new issues not previously covered
 - L. Unfinished Business:

- i. Reports by County officials previously requested
 - ii. Reports and recommendations of standing committees of the Board
 - iii. Reports and recommendations of special committees
 - iv. Items postponed to this meeting not covered under Ji, Jii and Jiii above
 - v. Items postponed indefinitely within the past 60 days
 - vi. Other Unfinished Business
- M. Consideration of Chair and Board Appointments
 - N. Fixing time for any special meetings
 - O. Approval of the payment of claims
 - P. Other Reports from Commission Members
 - Q. Public Comment
 - R. Adjournment
7. The Order of Business for each Special Meeting shall be as follows:
- A. Call to Order by Chairperson
 - B. Pledge of Allegiance
 - C. Roll Call by Clerk and Determination of Quorum
 - D. Public Comment
 - E. Reading of the nature of the Special Meeting and report of compliance with statutory requirements
 - F. Items contained in the resolution or call of the Special Meeting in order listed
 - G. Items to be introduced by Board members to be placed on the agenda for the next Regular Meeting with consent of all elected members of the Board
 - H. Adjournment.
8. Correspondence not requiring Board action shall be ordered placed on file with the County Clerk by the Chairperson. Correspondence requiring action by the Board or any officer, department or agency of County government shall be referred to the proper standing committee if Board action is required or the appropriate officer, department or agency of County government for action or reply. If referred to other than a standing committee, the item shall be placed on the next subsequent board agenda for report or action taken by the officer, department or agency of County government. Any commissioner may, by a motion, which motion shall require a second, move to postpone any item on the agenda until the next Regular Board Meeting.
9. Public Hearings shall be opened by the Chairperson who shall read the nature thereof and report on the method of giving notice. Each citizen wishing to be heard shall address the Chairperson and give his/her name and address before being heard. The Chairperson may refer any question to any officer of the County for answer or may

answer the question. At the completion of each citizen's statement, commissioners shall be afforded an opportunity to question the citizen. After all citizens have been heard, commissioners shall be afforded an opportunity to question the county officers or agents. At the completion thereof, the public hearing shall be declared closed by the Chairperson.

10. The question before the Board upon which the public hearing is held shall be placed by the Chairperson on the agenda for the next Regular Board of Commissioners Meeting unless immediate action is moved and carried as provided in these rules or unless immediate action is required by law in which event the Clerk shall read the appropriate resolution and the matter shall be debated and voted as any other item on the agenda.
11. Any item postponed to a specific meeting shall be considered before the Board of Commissioners for discussion and action on its being placed on the agenda. Any item postponed indefinitely may be removed from the table by adoption of a motion to that effect and shall thereupon be disposed of by the Board of Commissioners and cannot again be postponed.
12. Proposals, recommendations and reports other than proposals, recommendations and reports of a standing committee shall be presented as follows:
 - A. Reports by county officials previously requested; reports and recommendations of special committees; proposals and recommendations of county officers, agencies and boards; proposals and recommendations from public citizens; proposals and recommendations from other governmental agencies; proposals and recommendations from Board members shall be made in writing and filed with the Administrator/Fiscal Officer no later than 3:00 P.M. on the Thursday prior to the next Regular Board Meeting to be included on the agenda. The Administrator/Fiscal Officer shall furnish copies to each Board member with the agenda.
 - B. After the proposal is made and explained as above, the Chairperson shall afford each Board member the opportunity to ask questions of the proposer.
 - C. The Chairperson shall thereafter order the proposal referred to a standing committee or postponed and placed on the agenda for the next Regular Meeting of the Board unless soon noticed as a matter on the agenda for a Special Meeting or unless a Board member shall move for immediate consideration. If such motion is made and seconded, the Chairperson shall put the question for

immediate consideration to a vote.

- D. If the motion for immediate consideration is approved, the Board of Commissioners shall proceed as herein provided. If said motion is not approved as provided above, the Chairperson shall proceed as set forth in "C" above as if no motion for immediate consideration had been made.
- E. At such time as a recommendation, report or resolution is before the Board of Commissioners for action as before provided, the following procedure shall be followed:
 - i. The Clerk shall re-read the proposal as submitted, unless immediate consideration has been voted on at the same meeting the proposal was introduced.
 - ii. The Chairperson shall ask for a motion and second to adopt the proposal. If the same is not made, the proposal shall be considered defeated.
 - iii. If a motion and a second is made to adopt the proposal:
 - a. The Chairperson shall afford each Board member an opportunity to ask questions concerning the proposal which questions shall be answered by the Chairperson or the maker of the proposal.
 - b. Each Board member has been afforded an opportunity to speak to the motion before any Board member shall be recognized a second time.
 - c. After each Board member has been afforded an opportunity to speak, the Chairperson may make an additional statement or may designate another person to make a statement.
 - d. Thereafter, the motion shall proceed as hereafter provided for the making of motions.

13. In consideration of motions, the following procedure shall be followed:

- A. The motion shall be made and seconded by Board members.
- B. The maker of a motion shall be the first recognized to speak to his/her motion or he/she may designate another officer of the County to speak.
- C. The Chairperson shall afford Board members an opportunity to ask the maker of the motion or any officer questions concerning the subject of the motion.
- D. Each Board member shall be afforded an opportunity to speak to the motion at the end of which the Chairperson may speak to the motion.
- E. Any other board member shall be afforded a second opportunity to speak to the

motion at the end of which the maker of the motion shall be afforded his/her second opportunity to speak.

- F. The Chairperson shall call for amendments to the motion and, if amendments are made, the above procedure shall be followed except that only one amendment to an amendment to a motion shall be before the Board at one time. Amendments to an amendment shall be disposed of by vote before further motions, questions or discussion shall ensue.
 - G. After all amendments to the amendments have been disposed of, the original motion, as amended, shall be put forth by the Chairperson.
14. In order that public participation shall be preserved and disposed of in an orderly manner, the following procedure shall be followed (also refer to the supplemental document titled "Engaging a Public Citizen during an Open Meeting):
- A. A copy of the agenda shall be posted at the entry to the meeting place of the Board at least one day before the meeting.
 - B. Any citizen wishing to speak on any item on the agenda shall give his/her name, address and item on which he/she wishes to speak when recognized by the Chairperson.
 - C. If any citizen has expressed a desire to speak, he/she shall be afforded an opportunity to speak at the conclusion of the questions by the Board member. At the conclusion of the citizen's statement, the Chairperson shall afford each member an opportunity to question the citizen. Upon the conclusion thereof, the Chairperson may make a statement. No citizen may speak more than once on any motion or amendment thereto until all citizens that have requested to speak have been heard or as determined by the Chairperson.
 - D. Any member of the public wishing to be heard on any item not on the agenda shall make a request of the Chairperson and upon being recognized shall give his/her name and address and proceed to **speak for up to 5 minutes**. After completion of the member of the public's presentation, Board members shall be afforded an opportunity to be heard on the matter at the conclusion of which the Chairperson designated by him/her may make a statement or reply.
 - E. If three or more people wish to speak on the same subject, any Board member may move to advance item Public Comment on the agenda and such motion will be

moved and approved by a majority vote of the Board members.

- F. The Chairperson may have any person removed by the Sheriff who disrupts the orderly conduct of a meeting.
15. Any Board member wishing to speak will so indicate his/her desire by raising his/her hand to be recognized.
16. The Board of Commissioners shall have the following standing committees consisting of a Chairperson, Vice-Chairperson, and all remaining members of the Board of Commissioners. The Chairperson and Vice-Chairperson shall serve at the pleasure of the Chairperson of the Board of Commissioners.
- A. Finance and Equalization
 - B. Personnel and Licensing and Inspection Services
 - C. Planning and Environmental Services
 - D. Law and Safety
 - E. Buildings, Grounds and Insurance
 - F. Health and Human Services and Parks and Recreation
17. The Chairperson of the Board of Commissioners, with the approval of a majority of said Board, may establish a temporary committee of three members of the Board to deal with unusual, temporary, isolated and non-repetitious problems.
18. The jurisdiction of the standing committees shall be as follows:
- A. Finance and Equalization
 - i. Serves as the county's statutory "Finance Committee"
 - ii. Budget and amendments thereto
 - iii. Audit of claims against the County
 - iv. Grants, financial statements, borrowing, purchasing
 - v. Lawsuits
 - vi. Liaison with County Clerk's Office
 - vii. Liaison with County Treasurer's Office
 - viii. Liaison with Register of Deeds' Office
 - ix. Liaison with County Administrator/Fiscal Officer
 - x. Equalization Department and County Equalization
 - xi. Apportionment Reports
 - xii. Liaison with State and Federal agencies

xiii. Remonumentation project

B. Personnel and Licensing and Inspection Services

- i. Personnel quotas and qualifications
- ii. Office Hours
- iii. Salaries and wages of elected officers and county employees
- iv. Personnel standards and conditions of employment, job descriptions, position classifications
- v. Collective bargaining agreements
- vi. Building, plumbing, electrical and mechanical inspection services
- vii. Soil erosion and sedimentation control inspection services
- viii. Purchasing

C. Law and Safety

- i. Circuit Court and its subdivisions
- ii. District Court and its subdivisions
- iii. Probate Court and Juvenile Court
- iv. Prosecuting Attorney's Office
- v. Sheriff's Office and all Divisions
- vi. Animal Control Department
- vii. Emergency Ambulance Service
- viii. Emergency Management
- ix. Medical Examiner

D. Buildings, Grounds and Insurance

- i. County-owned buildings and land other than under the jurisdiction of some other agency (i.e., state or federal park land)
- ii. Liaison with Airport Committee
- iii. Insurances on County buildings, officers and employees
- iv. Construction and remodeling projects
- v. Liaison with the Building Authority and Public Works

E. Health and Human Services and Parks and Recreation

- i. Parks and Recreation
- ii. Liaison to Human Services agencies – public health, mental health, social services, substance abuse, veterans' affairs, council on aging and related

iii. Liaison with the Medical Care Facility

F. Planning and Environmental Services

- i. Environmental Issues
- ii. County Planning Commission
- iii. Drain Commission
- iv. County Ordinances
- v. Agricultural services and MSU Extension
- vi. Liaison with Road Commission
- vii. County Housing Commission
- viii. Review and recommend Farmland Agreements
- ix. Liaison with local and regional economic development organizations
- x. Liaison with Conservation District
- xi. Liaison with Transfer Station
- xii. Liaison with DNR and Forestry

19. Each Committee shall:

- A. Meet at least every two months at a regular time and on a regular date to be fixed by the Board of Commissioners unless there is no business to come before it.
- B. Prepare written minutes and recommendations to the Board of Commissioners. For these purposes, the County Clerk shall act as Secretary and furnish necessary investigative and secretarial services.
- C. A simple majority of members shall constitute a quorum.

In presenting recommendations to the Board, the Chairperson shall read the report and move its adoption. After proper second, the Chairperson shall offer such explanation and answer such questions as may be put to him/her before other members of the Board, County officials or the public shall participate in the discussion of the Committee recommendations.

20. If any Board member shall desire the attendance at a Regular or Special Meeting of the Board or at any meeting of the standing committee of a special committee of any person to explain, discuss or make comments as to any item on the agenda, he/she shall notify the Administrator/Fiscal Officer on or before receipt of the agenda. The Administrator/Fiscal Officer shall thereupon attempt to secure such person's attendance. If any information or documents are desired, the request to have such

person shall include a request for such information. Should such person refuse or fail to so appear, the Board may adjourn the item to be inquired into and may, upon proper motion, authorize subpoenas to the person to attend the adjourned meeting; which subpoenas to attend shall be issued as proven by law.

21. Any person who has not filed a written request to speak to a Regular Meeting, Special Meeting or meeting of a standing or special committee as herein provided prior to the meeting shall be limited to a five minute presentation unless the governing body votes to extend the time. The Chairperson shall enforce this rule at his/her discretion.
22. Where the Clerk has mailed the minutes of the meeting in advance of the meeting, the same may be approved without formal reading by the Clerk. The Clerk will formally read and the Board will approve the final minutes of the last Regular Meeting of each even numbered year.
23. The Board of Commissioners shall be governed by the Robert's Rules of Order with the exception of the above stated Board of Commissioners Rules of Procedure.

Optional (edit to suit specific interests):

24. Role of County Commissioners

(Recommended to be read by the Chairperson of the Board of Commissioners during the biennial organizational meeting and to have it become part of the official record. Edit as needed or preferred.)

The main legislative function of County Commissioners is one of evaluator. The Board of Commissioners (Board) typically evaluates proposals that are usually put forth by others. We are not principal initiators or implementers of action because we are governed largely by statute, as are other constitutionally elected officials like a Sheriff or Prosecuting Attorney. Like a Sheriff and Prosecuting Attorney, other elected officials, namely County Clerk, County Treasurer, Drain Commissioner, and Register of Deeds are directed to perform certain functions that are not subject to Board discretion.

We evaluate, rather than initiate or implement actions, in part because we are part-time legislators. Most counties rely on appointed County Administrators to propose solutions to various issues and then the Board evaluates the importance of the problem and the proposed solutions.

As Chairperson of the Board, I will always be open to any discussions any member of the Board wants to have. I would like to continue the practice wherein constituents and County Commissioners are encouraged to speak with the County Administrator (first) with concerns, complaints, and ideas. In turn, the County Administrator will keep me and the appropriate committees and Boards informed. If, at any time an issue is brought to a Board Member which directly relates to something in a district represented by another Board Member, I ask that after listening to the issue, it be shared with the County Administrator as well as the Commissioner from that district.

Also, when a County Commissioner attends a meeting or other gathering, they should make it known that they are representing their individual interests only, and not the Board as a whole, unless the Board has taken specific action during a meeting on an issue being addressed at a meeting or other gathering.

Footnote:

Although the Board of Commissioners adopts its Rules of Procedure every odd year, it is permissible to amend the rules at any time as long as the amendment complies with the existing rules of procedure (per Joe Bizon, Oceana County Prosecuting Attorney, January 14, 2015).