

**RULES AND REGULATIONS**  
**BOARD OF COMMISSIONERS**  
**LENAWEE COUNTY**

**JANUARY 04, 2010**

**1.00 MEETINGS**

**Meeting Days and Times.** Regular meeting of the Board of Commissioners are to be held at the following days and times:

**JANUARY thru DECEMBER:**

**2<sup>nd</sup> Wednesday - 1:30 p.m.**

**4<sup>th</sup> Thursday - 7:00 p.m. (as necessitated and at the call of the Chair)**

*Any of the above dates subject to change with proper notice and recessed sessions subject to the call of the Chair.*

**1.20 Place of Meetings.** The Board of Commissioners shall meet in the County Commissioners Chambers in the County Court House or other announced site.

**1.30 Changes in Meetings.** Changes in the meeting schedule including time and place, additional meetings, and meetings adjourned or recessed to a specific time and place, may be made by a majority vote of the Board of Commissioners. If recessed to the call of the Chair, the session can be reconvened by the Chairperson, or by the clerk acting upon the written request of one third or more members elect of the Board.

**1.40 Special Meetings.** Special meetings can be called by the Chairperson or by written request of one third or more members elect of the Board. Notice is to be given to each member in writing, by telephone and/or through electronic media indicating the date, time, place, and purpose of the special meeting at least 48 hours prior to the meetings. Attendance precludes protest of non-notification.

**1.50 Emergency Meetings.** Public bodies may meet in emergency sessions without complying with the notice requirements in the event that it is necessary to hold a meeting to deal with a severe and eminent threat to the health, safety or welfare of the Public when 2/3 of the members serving on the body decide that delay would be detrimental to the efforts to lessen or respond to the threat.

The Chairperson, at any time upon finding and the proclamation by the chairperson of a peacetime or civil disaster, or county emergency, may call a special meeting of the Board at a time and place designated by the chairperson and give notice to the members by the best available means of communication.

**1.60 Public Notice.** The Clerk of the Board of Commissioners shall each year give public notice of the regular schedule of the time and place of meetings in one or more newspapers circulated in the county, informing the radio stations and by posting the schedule in several conspicuous places in the county courthouse. Public Notice of special, rescheduled, or reconvened meetings will be given by informing the news media in the county at least 18 hours prior to the time of such meeting.

## **2.00 QUORUM**

**2.10 Number Required for a Quorum.** A majority of commissioners elect must be present to constitute a quorum for the transaction of the ordinary business of the county.

**2.20 Absence of a Quorum.** Upon the absence of a quorum, the Chairperson of the Board may assign an elected Commissioner for the day. If the Chairperson is not available, then the Chairperson of the Committee of concern may fill the vacancy to make a quorum of regularly scheduled meetings only. The members present may adjourn from time to time or to a certain time. Public notice is not required if the time set for reconvening is less than 36 hours.

## **3.00 VOTING**

**3:10 Majority Vote.** All questions which arise at the meetings of the Board of Commissioners shall be determined by the votes of a majority of the members present except: (1) upon the final adoption of any measure or resolution, or the allowance of any claim against the county, which matters shall be determined by a majority of all members elected and serving, and (2) upon the final adoption of any matters which by statute require a greater majority.

**3.15 Action Requiring 2/3's Vote.** A 2/3's vote of the members ELECT shall be required for the adoption of measures relating to the following and to all other areas as required by law:

1. Building Site
2. Real Estate Transactions
3. New Site for County Seat
4. County Buildings
5. Township and County Poor
6. Tax Roll
7. Ordinances and Referendums
8. Taxing Power of Townships
9. Business Management

**The above listings are in accordance to State Law and subject to interpretation.**

**3:15a Action Requiring 88% Vote:**

1. Loans that are applied for by a County Commissioner.

**3:20 Roll Call Votes.** The names and votes of members shall be recorded of an action which is taken by the Board of Commissioners if the action is on an ordinance, resolution, or appointment or election of an officer, except that for the election of a board Chairperson may be by secret ballot. Upon the demand of any member present, a roll call vote shall be ordered and recorded by the Clerk of the Board, rotating the roll call order with each vote. Upon demand of any member present, prior to any voting a roll call vote shall be ordered.

**3.30 Mandatory Voting.** Each member present shall be required to vote on every question unless deemed to be in conflict of interest. A conflict of interest statement must be presented in writing to the Chairperson, prior to the question, for consideration by the board. A 3/4's vote is required to declare a conflict.

**3.40 Reconsideration of a Vote.** When a question has been put and decided by a roll call vote of the members only a member who voted on the prevailing side may move reconsideration thereof. On all voice votes, any member may move a reconsideration. No motion for reconsideration shall be in order unless it is made in the same meeting or the meeting next following the meeting on which the vote to be reconsidered was taken. No matter may be twice reconsidered.

#### **4.00 ORGANIZATION**

##### **4.10 Chairperson.**

**4.11 Election.** During the first meeting in each calendar year, the Board of Commissioners shall elect, by majority vote of all members, one of its members to serve as Chairperson of the Board. The chairperson shall take office and assume the duties immediately upon election.

**4.12 Duties.** The Chairperson, if present, shall preside at all meetings of the Board of Commissioners, preserve order, and decide questions of order subject to appeal of the Board. The Chairperson shall be the agent for the board in signing of contracts, deeds, orders, resolutions, determinations, and minutes of the tax rolls. The Chairperson shall serve "ex officio" on all Board Committees unless otherwise stated, except if a member is absent the chairperson may vote in the member's place. The Chairperson shall vote to break a tie (on committees that have even numbers as long as the chairperson has not previously voted). The Chairperson shall be considered the chief elected official of the county in various functional or ceremonial capacities. The Chairperson shall serve in such other capacities and make appointments as the law requires.

##### **4.20 Vice-Chairperson.**

**4.21 Election.** During the first meeting of each calendar year, the Board of Commissioners shall elect, by majority vote of all the members, one of its members to serve as Vice-Chairperson of the Board. The Vice-Chairperson shall take office and assume duties immediately upon election.

**4.22 Duties.** The Vice-Chairperson shall preside over meetings of the board if the Chairman is absent and shall serve on the Inter-County Drainage Board when the county commissioner's member is disqualified. Other duties may be assigned by the Chairperson when deemed necessary and said Vice-Chairperson shall act in the Chairperson's stead in all matters, in the absence of the Chairperson.

**4.30 Clerk.**

**4.31 Designation.** The Clerk of the county shall be “ex officio” Clerk of the Board. The Clerk, or the Clerk’s appointed deputy, shall perform all duties pertaining to such office. In the event of their absence during a meeting, the board may appoint a clerk “pro-tem” to record minutes of that meeting.

**4.32 Duties.** The Clerk’s duties include the following:

**4.33** To record all the proceedings of the board in book provided for that purpose.

**4.34** To make regular entries of all the Board’s resolutions and decisions upon all questions.

**4.35** To record the vote of each commissioner of any question submitted to the board, if a roll call vote.

**4.36** To preserve and file all accounts acted upon by the board and for no reason are such accounts to be taken from their office.

**4.37** To certify, under Seal of the Circuit Court or the Official Seal of the County, without charge, copies of any and all resolutions or decisions on any of the proceedings of the Board of Commissioners, when required by the board or any of its members; or when by any other person with payment.

**4.38** To preside, until a Chairperson or temporary chairperson is elected during the first meeting of the Board of Commissioners in each calendar year.

**4.39** Shall be authorized to sign Deeds, Contracts, Determinations etc., in conjunction with the Board Chairperson when approved by a favorable vote of the entire Board.

**4.40 Parliamentarian.** The Prosecuting Attorney of the county, or the Prosecuting Attorney’s designate deputy, shall advise the Chairperson and the Board regarding questions of parliamentary procedures and shall be present or supply phone availability for all regular meetings of the County Board.

**4.50 Committees.** The Board of Commissioners shall have the following standing committees with the following number of members:

**Personnel/Ways & Means - Committee of the Whole**

**Criminal Justice - 3 members**

**Human Services - 3 members**

**Physical Resources - 3 members**

**Information Technology/Equalization - 3 members**

**Rules and Appointments - Committee of the Whole**

**Dog License Program - 3 members**

**4.50a Ways & Means/Personnel Committee.** An ex-officio member will be added to this committee that will be chosen by the elected officials (including Judges) to represent them at all meetings of this Committee. Said members shall have ex-officio status, to be allowed to speak upon recognition of the Chairperson but will have no voting privileges.

**4.51 Rules & Appointments.** The Rules and Appointments Committee shall be composed of Committee of the Whole. Said Committee shall elect its own Chairperson and Vice Chair.

**4.52 Committee Duties.** Each standing committee shall report to the Board on all matters referred to the Committee by the Board. Each standing committee except the Ways and Means Committee, shall review all appropriation requests most directly related to its own functions and make recommendations thereon for referral and consideration by the Ways and Means Committee and the full Board. Each standing committee shall act as a liaison between the full Board of Commissioners and the several county officials, and department within its jurisdiction.

Each standing committee shall have a Chairperson and Vice-Chairperson appointed by the Commissioners which will reflect the political make up of the Board.

**4.52a Agenda Items.** Upcoming agenda items shall be reported to the Administrator at least seven (7) days prior to the meeting. All electronic media shall be submitted to the Administrator's Office no later than close of business (4:30 p.m.) the day preceding the meeting, or by noon on the day of scheduled evening meetings. Exceptions may only be approved by the Chairperson, or in his/her absence, the Vice Chairperson of that Committee.

**4.52b Minutes.** Written minutes of each Committee meeting shall be filed with the Clerk of the Board and with the Administrator and serve as basis for payment of per diem and mileage. More than one mileage payment shall be allowed per day when approved with voucher by Committee chairperson. Minutes shall reflect, in addition to attendance, all pertinent facts, data criteria used in making recommendations to the Board of Commissioners. Minutes of all Committee meetings shall be distributed to all Board members in advance of any regular meeting of the full Board and further a copy shall be placed on file in the County Clerk and County Administrator offices.

**4.53 Meeting.** Meetings of a committee may be convened by its chairperson or by a majority of its members at any time upon reasonable notice to its members and the Chairperson of the Board of Commissioners. Mileage shall be paid to all Commissioners attending such meetings.

A majority of the committee members must be in attendance in order for any business to be transacted. In the event of a failure of a quorum at a regular called meeting, members attending may be paid per diem, subject to approval by the County Board of Commissioners. Committee members who are unable to attend a scheduled committee meeting should notify the County Administrator as far in advance as possible.

A commissioner, not a member of a committee, may attend any committee meeting, but

shall not be paid per diem, unless and until approved by the County Board of Commissioners. Mileage shall be paid to all Commissioners attending such meetings, with a cap of two per month.

Board members may be paid per diem and mileage for all other meetings, only if authorized by the Board Chairperson. Board members appointed to Liaison Boards, Ad Hoc Committees, and any authorized meeting shall be paid per diem and mileage upon approval of the Board Chairperson.

Any reimbursement/expense/per diem forms outstanding 30 days after the end of the month in which the expense incurred will only be reimbursed after a reasonable accountability for the delay is reported to and accepted by an affirmative vote of the County Board of Commissioners at a regular scheduled Board of Commissioners meeting.

**4.53a Telephone Tolls.** Commissioners shall be reimbursed for telephone toll calls for County business.

**4.54 Liaison Representative.** The Rules and Appointments Committee will recommend to the full Board of Commissioners members to act as representatives for the following:

Michigan Township's Association.

Any other Special boards, Ad Hoc Committees appointed by the Chair. Further, the liaison members wishing to report at any regular or special full board meeting shall contact the Chairperson or the Clerk before the Call to Order. Any liaison member may be requested to report from their Board or Committee at any time.

## **5.00 CONDUCT OF MEETINGS.**

### **5.01 Order of Business – Board of Commissioners**

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Minutes**
- 4. Additions to the Agenda**
- 5. Petitions and Communications**
- 6. Introduction of Special Guests**
- 7. Limited Public Comment (Granted upon written request on forms provided before CALL TO ORDER.)**
- 8. Special Presentations and Reports**
- 9. Reports of Committees and Liaison Representatives**
- 10. Unfinished Business**
- 11. New Business**
- 12. Public Comment (A limit of five (5) minutes on each speaker)**
- 13. Announcements**
- 14. Adjournment or Recess**

**5.12 Agenda.** The Clerk of the Board of Commissioners will provide each commissioner and the county news media with the agenda of each upcoming Board meeting at least two days prior to said meeting. The agenda shall contain the order of business for the meeting with copies of the proposed resolutions and other matters to be considered at the meeting.

Each Committee Chairperson and liaison representative wishing to report to the Board shall so notify the Clerk for inclusion in the agenda. Resolutions (other than honorary), ordinances or contracts may not be acted upon if they do not appear on the agenda except by a motion or waiver of rules which passes by a two thirds vote of the members elect of the Board of Commissioners.

## **6.00 RIGHTS AND DUTIES OF MEMBERS**

**6.01** Every member previous to speaking to the question shall raise their hand and address the Chair. Rule will be enforced. Commissioners will be allowed to remain seated while using their lap top computers for presenting committee reports or researching questions at hand.

**6.02** When two or more members raise their hand at once the Chair shall designate the member who is to speak first.

**6.03** No Commissioner may speak more than twice during debate on a single issue, unless permission is given by the Chairperson.

**6.04** Any COMMISSIONERS APPOINTED DURING his/her term of office to membership of any County Board, Commission or Authority SHALL resign said appointment immediately upon ceasing to be a member of the Lenawee County Board of Commissioners.

## **7.00 RIGHTS AND DUTIES OF NON-MEMBERS.**

**7.01** Only members of the Board of Commissioners shall be given the floor to speak during any board meeting except:

1. County officials, who may speak with consent of any member and concurrence of Board Chairperson.
2. Any person, who with the consent of the Chairman, or a majority of any Board Committee, has been given permission to be listed in an appropriate place on the agenda.
- 3) Any person during the "Public Comment" segment of the Order of Business may speak. A limit of five minutes shall be enforced on each speaker unless waived by the Chair and/or a majority vote of Board members present.

- 4) Any member of the public wishing to speak on a specific agenda issue at a time other than “public comment” must register with the Chairperson their desire to do so, prior to the beginning of the meeting.

## **8.00 GENERAL**

**8.10 Parliamentary Authority.** The rules of parliamentary procedure as set forth in the latest edition of “Robert’s Rules of Order” shall govern all questions of procedures which are not otherwise provided for by these rules or State law.

**8.20 Suspension of the Rules.** These rules may be temporarily suspended only by a concurrence of two thirds of Board members present.

**8.21 Motions, Resolutions, Committee Reports.** No motion shall be debated or voted upon unless seconded. It shall be stated by the Chairperson before debate. Any motion, with the permission of the person who moved and seconded it, may be withdrawn at any time before it has been acted on. A motion involving non-budgeted expenditures shall indicate source of funds.

**8.22 Motion to Clear the Floor.** If in the judgment of the Chairperson, procedural matters have become confused, the Chairperson may request a “motion to clear the floor”. Such motion, if made and seconded, shall take precedence over all other motions and shall not be subject to debate or if carried, to a motion to reconsider the motion to clear the floor if carried shall clear the floor completely and with the same effect as if all matters on the floor were withdrawn.

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

- To fix the time to which to adjourn
- To adjourn
- To move the previous question
- To lay on the table
- To postpone indefinitely
- To refer
- To amend

These motions are not debatable and shall have precedence in the order named.

**8.24 Adjournment.** The motion to adjourn shall always be in order and the motion to lay on the table shall be decided without debate. A motion to adjourn shall be deemed adjourned by the commencement of the next session of the Board. The Board may recess to a particular time or to the call of the Chair.

**8.25 Special Order of Business.** Any measure, resolution, or motion, having been placed on a special order for some specific time in the future, shall not be taken prior to that time.

- 8.30 Real Estate Conveyances and Contracts.** The Chairperson and Secretary of the Board of Commissioners (County Clerk) are authorized to execute and deliver conveyances of all real estate and contracts that have previously been authorized and approved by 2/3's vote of the entire Board members elect.
- 8.40 Any reference to the male gender in these rules is for convenience only and does not imply any exclusion of the female sex.**
- 8.50 Commissioner's Salaries.** In even numbered years, the Commission by a 2/3 vote shall set the salaries and per diem for the County Commissioners serving for the following two years as required by law.
- 8.60 These rules, having been adopted by not less than a majority of all the members elect of the Board, may be amended or rescinded by a majority vote of all the members elect of the Board. They shall remain in effect until amended or rescinded. Any proposed amendment to these rules must be submitted in writing and acted upon at the following meeting and shall take immediate effect when adopted, unless otherwise stipulated.**

RULES AND APPOINTMENT COMMITTEE  
COMMITTEE OF THE WHOLE

James Van Doren, Chairperson  
Ralph Tillotson, Vice-Chairperson

**TRAVEL POLICY**

County Commissioners receive the budgeted amount each year to use when attending seminars or conventions.

Items charged to the budgeted amount

Registration Fees  
Room Charges  
Out of County Meals

Items not charged to the budgeted amount

Per diem  
Yearly wages  
In state mileage

Out of state travel

Must be approved in advance by the appropriate committee and the entire Board.

This will then be paid by the County, not to exceed an amount equal to or including coach plane fare from portal to portal. PER DIEM for travel not to exceed two days in total per trip.

## **TRAVEL REIMBURSEMENTS**

Travel reimbursements will follow guidelines adopted by the Accounts Payable Committee on December 3, 2009 and are as follows:

### **GENERAL:**

Proper documentation is required for reimbursement.

Reimbursements are paid through the regular check run. Checks will NOT be issued for less than five dollars. Reimbursement requests for less will be held until the five dollar threshold has been met.

Any reimbursement/expense/per diem form(s) outstanding 30 days after the end of the month in which the expense incurred will only be reimbursed after a reasonable accountability for the delay is reported to and accepted by an affirmative vote of the Accounts Payable Committee at a regular scheduled meeting.

Check will NOT be issued more than 90 days of the scheduled event due date, unless stated on the registration form.

### **MEALS:**

In-County meals MUST BE PRE-APPROVED by the Department Head. The name(s) and reason for the meeting must be included with supporting documentation.

Before ordering the meal, verify that a detailed receipt will be provided including the restaurant name and itemized list of food and/or drink. Credit card charge slips are NOT acceptable.

Meals charged to a hotel room also require detailed receipts, which are to be submitted as backup to the hotel invoice.

### **HOTELS:**

**Documentation:** The actual (or copy) of hotel "Check-Out" document must be submitted. If payment is made in advance, documentation needs to be submitted to the Accounts Payable department upon your return. If check-out documentation is unavailable from the hotel because the reservation was secured online and/or paid in advance, some other type of documentation providing proof of your stay must be submitted upon your return.

**Michigan Sales Tax:** Hotel stays are only exempt from Michigan Sales Tax. Check with the hotel in advance, as most will only accept payment on county check submitted with the county tax exempt form to be eligible for tax exempt status.

**Room Rates/Type of Rooms:** Reservations should be made at the applicable government rate, which is available at most hotels/motels. Lenawee County reimburses the lowest applicable room rate. Any upgrades or non-standard/non-discounted rooms to be reimbursed by the County require pre-approval by the Accounts Payable Committee.

### **MILEAGE:**

The authorized expense voucher must include the date, number of miles, and location for

reimbursement. Number of miles shall be rounded to the nearest whole number.

Taxable and non-taxable mileage must be identified and listed separately. Mileage to place of business is taxable; therefore, commissioners' mileage to meetings held at the Old Courthouse is considered taxable. All other mileage is non-taxable.

**Mileage Rate:** Lenawee County reimburses at the standard rate established by the IRS.

## **STANDING COMMITTEE FUNCTIONS**

### **PERSONNEL/WAYS AND MEANS**

Budget preparations, development of draft budget for recommendation; approval, financial oversight, Register of Deeds, Clerk, Administrator, Equalization, Treasurer.

### **PHYSICAL RESOURCES**

Drain Commission, Parks, Planning Commission, Buildings and Grounds, Airport, Soil Conservation, Economic Development, Printing and Purchasing.

### **HUMAN SERVICES**

Health Department, Mental Health, Department on Aging, M.S.U. Extension, County Library, Michigan Works, Lenawee Transportation, Veteran's Affairs.

### **CRIMINAL JUSTICE**

Sheriff Department and related matters, Courts, Prosecutor, Child Care-MSU, Child Care-DHS, Medical Examiner, Bailiff, Emergency Services.

### **EQUALIZATION/INFORMATION TECHNOLOGY**

Oversees Equalization Department, meets with County Assessors for setting valuations, coordinates computer functions of County departments, develops plans for utilization of hardware and software.

### **RULES & APPOINTMENTS**

To make recommendations to the full Board of Commissioners for appointments to various committees and boards, and to recommend established rules for the Board of Commissioners.

### **DOG LICENSE PROGRAM**

Review County dog program and make recommendations to Board of Commissioners.

## **TERM OF OFFICE FOR BOARD CHAIR**

Adopted by County Board of Commissioners on January 10, 2001 and approved for inclusion in Rules and Regulations, January 7, 2002:

**WHEREAS**, Public Act 392 of 2000 amends section 3 of Public Act 156 of 1851 specifying that the chairperson of a county board of commissioners shall be elected each odd-numbered year to serve a two-year, unless the county board of commissioners provides by resolution that the chairperson shall be elected annually for a one-year term; and

**WHEREAS**, Public Act 32 takes effect on January 4, 2001; and

**WHEREAS**, the Lenawee County Board of Commissioners desires to elect its chairperson on an annual basis.

**THEREFORE BE IT RESOLVED** that the Lenawee County Board of Commissioners does hereby determine to elect its chairperson for annual one-year terms in accordance with the terms of Public Act 392 of 2000.