

**TUSCOLA COUNTY BOARD OF COMMISSIONERS**  
**ORGANIZATIONAL MEETING AGENDA**  
**Wednesday, January 2, 2013 – 8:30 A.M.**  
**HH Purdy Building - Board Room**  
**125 W. Lincoln Street, Caro, Mi.**

1. Call to Order – Clerk Fetting
2. Roll Call – Clerk Fetting
3. Alternative to Elect Chairperson by Secret Ballot or Voice Vote **(See Attachment A)**
4. Alternative to Elect Chairperson for One or Two Year Period **(See Attachment A)**
5. Nominations for and Election of Chairperson
6. Nominations for and Election of Vice-Chairperson
7. Establishment of Board and Committee of the Whole Meeting Dates **(See Attachment B)**
8. Appointment of Commissioners to Boards/Commissions **(See Attachment C)**
9. Commissioner Rules of Order **(See Attachment D)**
10. Consent Agenda **(See Attachment E)**
11. Board Per Diem Policy **(See Attachment F)**
12. Board Mileage Reimbursement Policy **(See Attachment G)**
13. Establishment of Meeting Dates with Senator Green and Representative Brown
14. Other Business As Necessary

Note: If you need accommodations to attend this meeting, please notify the Tuscola County Controller/Administrator's Office (672-3700) two days in advance of the meeting.

# GUEST ARTICLE

## REQUIREMENTS FOR ELECTION OF COUNTY BOARD CHAIRPERSON AND VICE-CHAIRPERSON

Prepared by: Peter A. Cohl and Richard McNulty  
COHL, STOKER & TOSKEY, P.C.

Starting in January of next year, new Boards of Commissioners will take office. This article is a reminder of the legal requirements to elect a Chairperson and Vice-Chairperson.



Peter A. Cohl

Every Board of Commissioners is required to elect one of its members as Chairperson and one member as Vice-Chairperson.<sup>1</sup> The Chairperson shall be elected each odd numbered year for a 2-year term, unless the Board provides by resolution that the Chairperson shall be elected annually for a 1-year term. The Vice-Chairperson is always elected annually for a 1-year term. The election of a Chairperson or Vice-Chairperson is required to take place at the first meeting of the County Board of Commissioners in a year in which a Chairperson or Vice-Chairperson, respectively, is to be elected. The term of a Chairperson or Vice-Chairperson begins upon his or her election.

In accordance with these statutory provisions, the Board of Commissioners may opt to elect its Chairperson either annually or bi-annually. If the Board chooses to elect its Chairperson on an annual basis, it must adopt a resolution to that effect or provide for that 1-year term in its Board rules. If the Board does not adopt a resolution or provide for a 1-year term in its Board rules for the Board Chairperson, the election for Chairperson occurs every two years; specifically, at the first meeting in an odd-numbered year, e.g., 2013.

By contrast, the Board does not have the option of electing a Vice-Chairperson for a 2-year term. Rather, the election of the Vice-Chairperson must occur annually at the first meeting of the Board, regardless of whether or not the election of the Board Chairman occurs annually. The election of Chairperson and Vice-Chairperson is

determined by a majority vote of the County Board members elected and serving.<sup>2</sup>

Another unique aspect of the election of Board Chairperson (not Vice-Chairperson) is the potential for use of a secret ballot. State law provides that the vote for Chairperson of a County Board of Commissioners may be accomplished by way of a secret ballot.<sup>3</sup> If the Board chooses to conduct the election of the Board Chairperson by secret ballot, a majority of the Board must first vote to do so. There is no statutory authorization for the election of Vice-Chairperson by secret ballot.

MCL 46.3(4).

MCL 46.3(2).

MCL 46.3a. The Open Meetings Act, MCL 15.261 et seq., was enacted in 1976 pursuant to 1976 PA 267. MCL 46.3a was amended by 1998 PA 97 and retained the language permitting a secret ballot.

## NEW COUNTY COMMISSIONER WORKSHOP FUNDAMENTALS REGISTRATION IS NOW OPEN

For more than 40 years, Michigan State University Extension and Michigan Association of Counties have offered the New County Commissioner Workshop (NCCW) series and other educational opportunities for new and returning commissioners, administrators and other county officials. These six workshops, held biennially, are attended by over 80 percent of newly elected commissioners. We encourage you to attend one of the six NCCWs, designed to help you learn about the challenges and responsibilities of this new role. Dates and locations are:

- December 4, 2012, Big Rapids
- December 5, 2012, Kalamazoo
- December 10, 2012, Frankenmuth
- December 11, 2012, Novi

Workshop topics include policymaking, county board organization, county administration, legal issues, county governmental functions and services, financing county government, and much more. These workshops also provide officials with an opportunity to network with other county officials.

All NCCW attendees will receive a resource notebook, refreshments and meal. Attendees will also receive the MSU Extension publication: County Government at Work,

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DRAFT FOR DISCUSSION

TO: Department Heads and Public

FROM: County Board of Commissioners, Controller/Administrator, County Clerk

DATE:

RE: County Board and Committee of the Whole Meeting Schedule for 2013

The following is a list of dates for the County Board and Committee of the Whole meetings in 2013. Requests to address the Committee of the Whole should be submitted to the Controller/Administrator in advance of the scheduled meeting dates. Also, it should be noted that meetings can be added or cancelled at the discretion of the Committee Leader. All meetings are held in the Tuscola County Annex Building at 125 W. Lincoln St., Caro, MI 48723 unless otherwise stated.

Organizational Meeting	Wednesday, January 2 <sup>nd</sup> , 2013 @ 8:30 a.m.		
	2 <sup>nd</sup> & 4 <sup>th</sup> Tuesdays Full Board		2 <sup>nd</sup> & 4 <sup>th</sup> Thursdays Committee of the Whole
	8:30 A.M.		8:30 A.M.
January	8 <sup>th</sup> , 22 <sup>nd</sup>		10 <sup>th</sup> , 24 <sup>th</sup>
February	12 <sup>th</sup> , 26 <sup>th</sup>		14 <sup>th</sup> , 28 <sup>th</sup>
March	12 <sup>th</sup> , 26 <sup>th</sup>		14 <sup>th</sup> , 28 <sup>th</sup>
April	9 <sup>th</sup> , 23 <sup>rd</sup>		11 <sup>th</sup> , 25 <sup>th</sup>
May	14 <sup>th</sup> , 28 <sup>th</sup>		16 <sup>th</sup> , 30 <sup>th</sup>
June	11 <sup>th</sup> , 25 <sup>th</sup>		13 <sup>th</sup> , 27 <sup>th</sup>
July	9 <sup>th</sup> , 23 <sup>rd</sup>		11 <sup>th</sup> , 25 <sup>th</sup>
August	13 <sup>th</sup> , 27 <sup>th</sup>		15 <sup>th</sup> , 29 <sup>th</sup>
September	10 <sup>th</sup> , 24 <sup>th</sup>		12 <sup>th</sup> , 26 <sup>th</sup>
October	8 <sup>th</sup> , 22 <sup>nd</sup>		10 <sup>th</sup> , 24 <sup>th</sup>
November	12 <sup>th</sup> , 26 <sup>th</sup>		14 <sup>th</sup> , 28 <sup>th</sup>
December	10 <sup>th</sup> , 23 <sup>rd</sup>		12 <sup>th</sup> , 26 <sup>th</sup>

County Board  
Chairperson:  
Vice-Chairperson:  
Members:

Work Groups:  
 Finance:  
 Personnel:  
 Building & Grounds:

Meetings may be added, cancelled or rescheduled as necessary. If you need accommodations to attend a meeting, please notify the Tuscola County Controller/Administrator's Office at (989) 672-3700 two days in advance of the meeting.

## **YEAR 2013 HOLIDAYS**

**TUSCOLA COUNTY COURTHOUSE, ANNEX, H.H. PURDY BUILDING OFFICES,  
MOSQUITO ABATEMENT, FRIEND OF THE COURT and RECYCLING CENTER**

### **WILL BE CLOSED**

THE FOLLOWING WEEKDAYS TO OBSERVE THE LISTED HOLIDAYS:

<b>TUESDAY, JANUARY 1, 2013</b>	<b>NEW YEAR'S DAY</b>
<b>MONDAY, JANUARY 21, 2013</b>	<b>MARTIN LUTHER KING, JR. DAY</b>
<b>MONDAY, FEBRUARY 18, 2013</b>	<b>PRESIDENT'S DAY</b>
<b>FRIDAY, MARCH 29, 2013</b>	<b>GOOD FRIDAY</b>
<b>MONDAY, MAY 27, 2013</b>	<b>MEMORIAL DAY</b>
<b>THURSDAY, JULY 4, 2013</b>	<b>INDEPENDENCE DAY</b>
<b>MONDAY, SEPTEMBER 2, 2013</b>	<b>LABOR DAY</b>
<b>MONDAY, NOVEMBER 11, 2013</b>	<b>VETERAN'S DAY</b>
<b>THURSDAY, NOVEMBER 28, 2013</b>	<b>THANKSGIVING DAY</b>
<b>FRIDAY, NOVEMBER 29, 2013</b>	<b>FRIDAY AFTER THANKSGIVING</b>
<b>TUESDAY, DECEMBER 24, 2013</b>	<b>CHRISTMAS EVE DAY</b>
<b>WEDNESDAY, DECEMBER 25, 2013</b>	<b>CHRISTMAS DAY</b>
<b>TUESDAY, DECEMBER 31, 2013</b>	<b>NEW YEAR'S EVE DAY</b>
<b>WEDNESDAY, JANUARY 1, 2014</b>	<b>NEW YEAR'S DAY</b>

Normal Business Hours are 8:00 A.M. – 12:00 Noon and  
1:00 P.M. – 4:30 P.M. for the Courthouse, Annex & H.H. Purdy Building

# **2013 CONFERENCES**

## **MAC Conferences**

March 18 – 20, 2013

September 15 – 17, 2013

## **NACo Annual Conference**

July 19 – 22, 2013

Fort Worth, Texas

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**DRAFT FOR DISCUSSION ONLY**

**Boards and Commissions Involving County Commissioners Appointments**

<b>Board/Commission</b>	<b>Former Commissioners Serving</b>	<b>Board/Commission Objective</b>	<b>Meeting Times and Days</b>	<b>New Commissioner Assigned</b>	<b>Meeting Location/Other Comments</b>
<b>Two Commissioners Required</b>					
<b>Thumb Area Consortium/Michigan Works</b> - Contact - Marv Pickla 989-635-3561	Petzold & Kern	Job retention and job creation	4 to 6 times per year - A.M.		Held in Marlette 3270 Wilson Street
<b>Human Development Commission</b> - Lori Offenbecher 989-673-4121	Kern & Peterson	Various human needs programs	3rd Wednesday at 3:00 P.M.		HDC Offices
<b>Board of Health</b> - Gretchen Tenbusch 989-673-8114	Petzold & Kern	Public and environmental health	3rd Friday at 9:00 A.M.		County Health Department Cleaver Road
<b>One Commissioner Required</b>					
<b>County Planning Commission</b> - Ione Vyse - 989-245-3481	Peterson	County wide planning programs	1st Wednesday at 5:00 P.M.		Purdy Building
<b>Dispatch Authority Board</b> - Robert Klenk 989-550-8911	Peterson	911 and dispatch oversight	3rd Monday at 9:00 A.m.		Purdy Building
<b>Behavioral Health Systems Board</b> - Sharon Beals 989-673-6191	Kern	Program for mental disabilities	4th Thursday at 7:00 P.M.		Mental Health Building at Caro Industrial Park
<b>Community Corrections Advisory Board</b> Len Watkins 810-245-4744	Kern	Alternative programs to incarceration	Quarterly meetings		Alternate between Caro and Lapeer
<b>Commissioner Liaison</b>					
<b>County Road Commission</b> - Mike Tuckey 989-673-2128	Petzold	Road maintenance and construction	Ever other Thursday 9:00 A.M.		Allen would be interested
<b>Department of Human Services/Medical Care Facility Liaison</b> Margot Rodel 989-673-4117	Kern	Human service and Medical Care Facility	4th Tuesday at 9:00 A.M.		Held at Medical Care Facility - Cleaver Road

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<b>Board/Commission</b>	<b>Former Commissioners Serving</b>	<b>Board/Commission Objective</b>	<b>Meeting Times and Days</b>	<b>New Commissioner Assigned</b>	<b>Meeting Location/Other Comments</b>
<b>Board of Public Works</b> - Clayette Zechmeister 989-672-3710	Allen	Financing and oversight of sewer and water projects	1st Tuesday at 1:30 P.M.		Purdy Building

**Other Commissioner Appointments**

<b>Senior Services Advisory Council</b>	Kern	Senior service programs	4th Wednesday 1:30 P.M. monthly except Jan, Feb and March		HDC Offices
<b>Tuscola 2020</b>	Kern	Economic and think tank programs	Quarterly at 7:00 A.M.		Various locations in the County
<b>Recycling Advisory Committee</b> - Mike Miller 989-672-8836	Petzold	Assist in oversight of recycling programs	1st Thursday at 4:30 P.M.		Purdy Building
<b>Mid Michigan Mosquito Control Advisory Committee</b> - Kim Green 989-672-3748	Petzold	Multi-county mosquito abatement advisory committee	Meets one time per year		Allen would be interested
<b>TRIAD</b> - Lee Teschendorf 989-673-8161	Petzold	Group to help protect people from scams	NA		HDC Offices
<b>All Hazards (MEMS)</b> - Sharon Mika 989-673-8114	Peterson	Emergency preparedness	2nd Wednesday at 8:15 A.M.		County Health Department Cleaver Road
<b>MAC Aging Work Group</b>	Peterson	MAC Committee-MAC appointment required	NA		Appointment made by applying to MAC
<b>MAC Environmental Committee</b>	Peterson	MAC Committee-MAC appointment required	NA		Appointment made by applying to MAC
<b>Saginaw Bay Coastal Initiative</b> - Laura Ogar 989-895-4135	Allen	Study and implementation of bay and lake improvements	Schedule varies		Bay City
<b>Local Emergency Planning Committee</b> - 989-673-8161 Ext 2235 Steve Anderson	Peterson	Emergency preparedness	3rd Monday at 7:00 P.M.		NA
<b>National Association of Counties</b>	Bardwell & Peterson	National county organization	March		Appointment made by applying

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<b>Board/Commission</b>	<b>Former Commissioners Serving</b>	<b>Board/Commission Objective</b>	<b>Meeting Times and Days</b>	<b>New Commissioner Assigned</b>	<b>Meeting Location/Other Comments</b>
<b>Dental Clinic for Indigent</b>	Allen	Temporary committee to study potential of 3 county clinic	Temporary Committee will eventually disband		Last meeting December
<b>Parks and Recreation Commission - Mike Miller 989-550 8836</b>	Allen and Peterson	Vanderbilt park	3rd Wednesday at 9:00 A.M.		Purdy Building
<b>Multi County Solid Waste - Mike Miller 989-550-8836</b>	Petzold	Multi-county solid waste advisory committee	NA		No meeting scheduled inactive committee
<b>Economic Development Corporation and Brownfield Redevelopment Steve Erickson 989-673-2849</b>	Bardwell	Economic development work	2nd Wednesday at 7:00 A.M.		429 N. State St. Caro
<b>Human Services Collaborative Council - Gretchen Tenbusch 989-673-8114</b>	Allen	Coordination of human service agency work	Jan, April, Aug and October - 2nd Tuesday at the Intermediate		Allen would prefer to discontinue
<b>Great Start Collaborative - Ann Hempher 989-673-8114</b>	Allen	Education programs for youth	NA		Allen would prefer to discontinue
<b>Caro DDA/TIFA - Caro City Manager 989-673-2226</b>	Bardwell	Downtown development improvements	2nd Wednesday at Noon		Caro City Offices
<b>Cass River Greenways Pathway</b>	Peterson	Enhance greenway along river	3rd Wednesday at 1:00 P.M.		??
<b>Michigan Renewable Energy Coalition - Mike Hoagland 989-672-3703</b>	Currently no commissioner	Promotes fairness in wind energy system policy, assessing, etc.	Schedule varies		Location Varies



**BOARD OF COMMISSIONERS  
RULES OF ORDER  
TUSCOLA COUNTY, MICHIGAN  
Revised 1/2/13**

**1. PURPOSE**

These rules are adopted by the Board of Commissioners of Tuscola County 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 at the start of the meeting. The organizational meeting may be held in December of the current year provided all current commissioners remain unchanged for the next two year term. If there are any commissioner changes for the next two year term, then the organizational meeting shall be held within 72 hours after New Year's Day.

The first item of business shall be election of the Chairperson of the Board. There are two procedural steps related to electing the Chairperson that have to be decided prior to conducting the election:

The Board Chairperson shall be elected each odd numbered year for a 2-year term, unless the Board provides by resolution that the chairperson shall be elected annually to a 1-year term. The Board needs to make a decision on this term length. If no action is taken the Michigan law states the term shall be for 2-years.

The Board also needs to make a decision regarding the potential use of a secret ballot. State law provides that the vote of the Chairperson may be accomplished by way of a secret ballot. If the Board chooses to conduct the election of the Board Chairperson by secret ballot, a majority of the Board must first vote to do so.

Unless a secret ballot is chosen, 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 call for a vote. When one nominee receives a majority of the votes of the members elected and serving, the nominee shall be declared chairperson.

The next order of business is to proceed with the election to the office of Vice-chairperson, which shall be conducted by roll call vote.

There is no statutory provision for the election of the vice-chairperson by secret ballot or to have a 2-year term, therefore the vice-chairperson is elected for a 1-year term.

## **2.2 Regular Meetings**

At its first meeting in each calendar year, the Board of Commissioners shall establish its schedule including meeting times of regular meetings for the balance of the year.

## **2.3 Special Meetings**

The Board of Commissioners shall meet in special session upon the call of the chairperson of the board. The chairperson may convene a meeting of the Board upon his/her discretion. Notice shall be given as provided in Rule 3.3.

- 2.3.1** As an alternate means of calling a special meeting, upon the written petition filed with the county clerk and 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.

## **2.4 Emergency Meetings**

Emergency meetings of the Board of Commissioners may be held only with the approval of two-thirds of the members of the Board and only if delay would threaten severe and imminent danger to the health, safety, and welfare of the public. A meeting is defined as an emergency meeting only if it must be held before public notice as provided in Rule 3.3 can be given. Actions taken at an emergency meeting should be ratified at the next publicly noticed meeting.

## **2.5 Place of Meetings**

Meetings of the Board of Commissioners shall be held in the chambers of the HH Purdy Building (125 W. Lincoln Street, Caro) unless public notice of the meeting states a different location. Whenever the regular meeting place of the Board shall appear inadequate for members of the public to attend, the chairperson may change the meeting location to a larger facility in the county. A notice of such change shall be prominently posted on the door of the regular meeting place.

## **2.6 Time of Regular Meetings**

The time of regular meetings shall be stated in the regular schedule of meetings adopted under Rule 2.2. Matters on the agenda and not yet acted upon at the time of adjournment will be placed on the agenda of the next regular meeting or special meeting if one is called.

### **2.6.1 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 a later day and time provided that proper notice to members and the public is given.

## **3. PUBLIC NOTICE OF MEETINGS**

The county clerk shall provide the proper notice for all meetings of the Board. Such notice shall include, but not necessarily be limited to the following:

### **3.1 Regular Meetings**

Posting a notice within 10 days after the first meeting of the Board in each calendar year indicating the date, time, and place of the Board's regularly scheduled and committee meetings.

### **3.2 Schedule Change**

Whenever the Board shall change its regular Board schedule of meetings, a posting of notice of the change will be done by the clerk within three days following the meeting in which the change was made. Committee meeting changes from the original schedule will be posted by the Controller/Administrator's Office.

### **3.3 Special and Emergency Meetings**

If the Board shall schedule a special meeting under Rule 2.3 or an emergency meeting under Rule 2.4, notice of such meeting shall be posted immediately by the clerk. No meeting, except emergency meetings, shall be held until the notice shall have been posted at least 18 hours. Commissioners will be notified by written or telephone communication of said meeting.

## **4. QUORUM, ATTENDANCE, CALL OF THE COUNTY BOARD**

### **4.1 Quorum**

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

### **4.2 Attendance**

No member of the County Board may absent himself or herself without first having notified the chairperson of his or her intent to be absent from a scheduled meeting.

## **5. AGENDA FOR MEETINGS**

### **5.1 Agenda Preparation Responsibility**

The Controller/Administrator, after first reviewing pending matters and requests, shall prepare a draft of the agenda of business for all regularly scheduled Board of Commissioners, committee, and other meetings. The chairperson of the Board or chairperson of the respective committee shall review and add or delete items, as he/she considers proper. Unanticipated agenda items that require discussion or decisions may be covered under the other business agenda reference. It is each individual's responsibility to attend the meeting to understand other business items that may be covered.

### **5.2 Distribution of Regular Board of Commissioner Agenda and Materials**

Upon completion of the agenda for the regular Board meeting, the Controller-Administrator shall immediately distribute to Commissioners copies of the agenda together with copies of reports, etc. which shall relate to matters of business of the agenda.

Unless extenuating circumstances arise, a paper copy of the agenda and attachments will be sent enough in advance of the scheduled meeting date to allow commissioner review prior to the meeting. A paper copy of the complete agenda and attachments is made available in the Controller/Administrator's Office. An electronic copy of the agenda and attachments is also made available on the county web [www.tuscolacounty.org](http://www.tuscolacounty.org). The Controller/Administrator's office electronically notifies all department heads and other requesting parties when agendas are available on the website.

It is stressed that other agenda items may be added the day of the meeting. Also, certain items may be covered under the agenda heading "other business/on-going matters."

### **5.3 Distribution of Committee Meeting Agendas**

Committee agendas (in draft form) will be made available electronically via the county website in advance of the scheduled meeting. The Controller/Administrator's Office also notifies all department heads and other requesting parties when the agenda is available on the website. It is stressed that other agenda items may be added the day of the meeting. Also, certain items may be covered under the agenda heading "other business/on-going matters." There may be extenuating circumstances where it is not possible to distribute the agenda in advance of the meeting.

### **5.4 Consent Agenda**

The Board shall use a "Consent Agenda" according to the resolution and rules approved by the Board on January 25, 2000. The consent agenda motions will be prepared by the Controller/Administrator's Office.

### **5.5 Order of Business**

The order of business at all Board meetings shall follow the following agenda, unless the Board approves modifications during the "Agenda" section of the meeting:

- a. Call to Order
- b. Prayer
- c. Pledge of Alliance
- d. Roll Call
- e. Adoption of Agenda
- f. Action on Previous Meeting Minutes
- g. Brief Public Comments
- h. Consent Agenda
- i. New Business
- j. Old Business
- k. Correspondence
- l. Committee and Liaison Reports
- m. Closed Sessions (if necessary)
- n. Extended Public Comment
- o. Adjournment

## **6. CONDUCT OF MEETINGS**

### **6.1 Chairperson**

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

## **6.2 Form of Address**

Any person, including Board members, wishing to speak at a meeting shall first obtain the approval of the chairperson and each person who speaks shall address the chairperson, and not other members of the audience, other commissioners or staff in attendance.

## **6.3 Disorderly Conduct**

The chairperson 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, by speaking vulgarities, or by violating Board rules. Such person shall there upon be seated until the chairperson 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 chairperson may order the person to leave the meeting. Since the purpose of the meeting is to discuss public business and not address individual personalities, "personal attacks" on government officials are prohibited and shall be considered "out of order".

## **6.4 Brief and Extended Public Comment Period**

A brief public comment period will be provided early on the Board agenda. Comments during this period will be limited to 3 minutes in order to leave time for the Board to conduct other items on the agenda unless this time is waived by the Chairperson.

Another public comment period will be provided later on the agenda with the length of public comment extended. The length of comment during this period will be at the discretion of the Chairperson.

## **6.5 Procedures to Address the Board**

Any person who addresses the Board shall state their name for the record. When there are many people who desire to address the Board, the Chairperson may implement other reasonable rules for public participation, including but not limited to requiring the completion of a written request to speak at the meeting.

# **7.0 RECORD OF MEETINGS**

## **7.1 Minutes and Official Records**

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. The minutes shall include the names of the mover and 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/motion, or other matter.

### **7.2 Record of Discussion**

The clerk shall not be responsible for maintaining a written record or summary of the discussion or comments of the Board members nor of the comments made by the members of the public.

### **7.3 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. Comments to be included in the record shall be provided in writing by the member.

### **7.4 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. Draft 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. The Board shall also promptly mail copies of minutes to persons who have subscribed and paid the fee therefore as determined by the Board, consistent with any requirements of the Freedom of Information Act.

### **7.5 Board Stationery**

County Board stationery cannot be used for personal commissioner use unless approved by the Full Board of Commissioners.

## **8.0 COMMITTEES**

### **8.1 Committee of the Whole**

All commissioners shall serve on a Committee of the Whole which will be advisory only but responsible for making recommendations to the Board but not decisions for the Board. The Committee of the Whole may have topic leaders whereby a commissioner is assigned to lead topics areas such as finance, personnel, building and grounds, etc. The County Clerk shall keep minutes of these meetings. The consent agenda motions will be prepared by the Controller/Administrator's Office.

### **8.2 Statutory Finance Committee**

A Statutory Finance Committee (consisting of all five commissioners) will be responsible for review and approval of all claims and per diems. In the event that the Statutory Finance Committee meets in a continuous meeting setting with the Full Board or a Committee of the Whole meeting, the Statutory Finance Committee meeting shall be separately called, opened and adjourned, and separate minutes shall be kept. The County Clerk must keep the minutes of this meeting. The County Clerk will maintain minutes of all Statutory Finance Committee meetings and shall make them available to necessary parties and they shall be included with each Board packet.

### **8.3 Grievance Committee**

Two commissioners will be appointed and serve on the union contract grievance committee

### **8.4 Commissioner Appointments**

The Board chairperson shall appoint commissioners to various boards and commissions and in certain cases as a liaison to boards and commissions.

## **9.0 CLOSED MEETINGS**

**9.1** The vote to hold a closed meeting shall be recorded in the minutes of the meeting at which the decision was made.

**9.2** The Board of Commissioners may meet in closed session, closed to members of the public, upon the motion of any member and roll call approval by two-thirds of the members for the following purposes:

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

**9.2.2** 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.

**9.2.3** To consider a County attorney's written opinion.

**9.2.4** To review the specific contents of an application for employment to a county position and the applicant requests that the application remains confidential. Whenever the Board meets to interview an applicant, the meeting shall be open to the public.

**9.2.5** Other Reasons

The Board may also meet in closed session for the following reasons without the requirement of a two-thirds vote:

**9.2.5.1** 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.

**9.2.5.2** To consider strategy connected with the negotiation of a collective bargaining agreement.

**9.2.5.3** To consider any other matter authorized as a topic of a closed meeting by the Open Meetings Act, upon the proper vote specified therein.

### **9.3 Minutes, Closed Meetings**

Generally, the County Clerk shall prepare the minutes for closed meetings. If the Board Chair determines that it would be inappropriate for the Clerk to attend the closed meeting, he shall designate another party to take the minutes. The County's attorney may review the draft minutes of the Closed Meeting. The minutes are to be sealed and kept in the County Clerk's office. Such minutes do not have to be approved by the Board. The minutes shall not be disclosed to the public except upon the order of a court. With the approval of the Board Chair, 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 closed meeting.

## **10. MOTIONS AND RESOLUTIONS**

### **10.1 Statement by Chairperson, Motions, and Resolutions**

No motions or resolution shall be adopted until the presiding officer states the motion. 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.

### **10.2 Rank of Motions**

- a. Privileged Motions
- b. Fix the time to which to adjourn (to set the time for next meeting)
- c. Adjourn
- d. Recess
- e. Raise a question of privilege
- f. Call for orders of the day

### **10.3 Subsidiary Motions**

- a. Lay on the table
- b. Call the previous question (immediately to close debate and making of subsidiary motions except lay on the table)
- c. Limit or extend the limits of debate
- d. Postpone to a certain time (postpone definitely)
- e. Refer to a committee
- f. Amend the main motion
- g. Postpone indefinitely
- h. Clear the floor of all motions

#### **10.3.1 Main Motion**

#### **10.3.2 Non-debatable Motions**

The motions to fix the time of the next meeting, adjourn, recess, point of privilege, call for orders of the day, to table, vote immediately, limit or extend debate shall be ordered and voted upon without debate.



## **10.4 Procedural Motions**

### **10.4.1 Motion to Reconsider**

The motion to reconsider shall be in order on any question that 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, or at the following meeting. 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.

### **10.4.2 Motion to Clear the Floor**

The motion to clear the floor may be made by the chairperson or a member, whenever 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.

### **10.4.3 Temporary Suspension of the Rules**

These rules may be suspended temporarily at any time by vote of two-thirds of the members elected and serving to achieve any legal objective of the Board in a legal manner.

### **10.4.4 Appeal Rulings of the Chairperson**

Any Commissioner may appeal the ruling of the chairperson. On all appeals receiving a second, the question shall be "Shall the decision of the Chairperson stand as the decision of the County Board of Commissioners?"

## **11. VOTING**

### **11.1 Abstaining from Voting**

Whenever the Chair puts a question to the members, every commissioner present shall vote on the question. No member present shall abstain from voting "yes" or "no". In the event that a member refuses to declare a "yes" or "no", the Chair shall direct the Clerk to record the vote as a "no" vote.

### **11.2 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 the Board chairperson 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.

### **11.3 Voting Via Voice**

When in the judgment of the chairperson, the Board of Commissioners will cast a unanimous vote on the question on the floor, the Chairperson may put the questions to the members by stating: "Without objection, the chair will direct the clerk to enter

a unanimous affirmative (or negative) vote on the question. Is there objection? Hearing none, the clerk is directed to enter a unanimous affirmative (or negative) vote on the question.” At this point, the clerk shall enter an affirmative (or negative) vote for each of the members present.

If any member objects, he or she should do so aloud. Whereupon, the chairperson shall direct the clerk to call the roll.

#### **11.4 Votes Required**

Procedural and other questions arising at a meeting of the Commissioners, except for those decisions required by statute to have a higher majority, shall be decided by a majority of the members present. A majority of the members elected and serving shall be required for final passage or adoption of a measure, resolution, or the allowance of a claim.

### **12. PARLIAMENTARY AUTHORITY**

Robert’s 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.

### **13. INTRODUCTION AND ADOPTION OF ADMINISTRATIVE RESOLUTIONS**

#### **13.1 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 administrative policy.

#### **13.2 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.

#### **13.3 Order for Consideration**

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

**13.3.1 Introduction**, first reading by title, and reference to the appropriate committee, as determined by the Board chairperson.

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

**13.3.3 Full Board** discussion and vote. Each member shall be given opportunity to discuss the resolution and offer such amendments as she or he shall consider appropriate. Amendments shall be made in the following forms:

“I move to amend by striking the following (sections or words).”

“I move to amend by striking the following (sections and words) and inserting the following (sections or words).”

"I move to amend by inserting the following (lines or words) after (describe the location)."

"I move to amend by adding the following (lines or words) after (describe the location)."

Before calling for a vote on the proposed amendment, the chairperson shall direct the clerk to read the proposed amendment and to state how the section or sentence will read if the amendment is approved. Thereafter, the chairperson shall call the question on the amendment.

#### **13.3.4 Form**

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

#### **13.5 Committee Review**

The chairperson of the Board shall refer all proposed administrative resolutions to an appropriate committee of the Board. The committee shall review the proposal and invite effected 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.

#### **13.6 Adoption**

The Board of Commissioners may adopt the committee recommendation or refer the report to a standing committee where further consideration can be given. On the final adoption of a proposed amendment, the vote shall be taken by a record roll call or in accordance with Rule 11.3. 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.

#### **13.7 Notification**

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

#### **13.8 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 vote of each commissioner, and any amendments thereto adopted by the Board.

### **14. INTERPRETATION & OPERATION**

#### **14.1 Intent Controls**

These Rules shall be interpreted in a manner to effectuate their intent, and as a general rule, form should not be elevated over substance.

**14.2 Coordination**

Wherever possible, these Rules should be interpreted in a manner consistent with state law and County ordinance.

**14.3 Severance**

If any Rule herein is determined to be unlawful, it shall be struck and the remaining Rules shall continue in full force and effect.

**14.4 Ratification**

In the event that a Board action shall be declared invalid because of a failure to follow these Rules, the Board shall have the right to ratify the action and to make such ratification nunc pro tunc (effective as of the original date of the defective action).

**14.5 Amendment**

The Board may amend these Rules at any time upon a majority vote of the members serving.

**CONSENT AGENDA RESOLUTION POLICY**  
**Adopted 1/25/00**

**1. PURPOSE**

As the number of matters that require County Board approval has substantially increased over the last decade, the Tuscola County Board of Commissioners has determined that it can achieve greater efficiency by establishing this consent agenda policy and following the consent agenda resolution format attached.

**2. POLICY**

The following rules govern the use of a consent agenda by the Tuscola County Board of Commissioners:

- 2.1 The consent agenda shall be in resolution form approved by the Tuscola County Board of Commissioners.
- 2.2 The Consent Agenda Resolution shall carry a number according to the County Clerk's system of number Board resolutions. Each separate matter on the Consent Agenda itself, shall be separately lettered.
- 2.3 Only those matters that under Michigan law may be approved by a majority vote of the Tuscola County Board of Commissioners are eligible for approval in a Consent Agenda Resolution.
- 2.4 The Chairperson of the County Board of Commissioners shall be responsible for the preparation of the Consent Agenda Resolution, although he or she may delegate this responsibility to the County Clerk or County Controller.
- 2.5 Any Board committee by a majority vote of its members or the Board Chairperson may place a matter on the Consent Agenda Resolution.
- 2.6 The Consent Agenda Resolution must be prepared prior to a regular Board meeting and sent to each commissioner along with the Meeting Agenda.
- 2.7 No matter may be added to the Consent Agenda Resolution at the Board Meeting, and prior to the approval of the Consent Agenda Resolution, any commissioner may sever one or more items from the Consent Agenda, thereby forcing a separate vote on that item or items. Such a request for severance must be recognized by the Chairperson at any time prior to the vote on the Consent Agenda Resolution. Any commissioner may request the severance of items from the Consent

## CONSENT AGENDA RESOLUTION POLICY

Agenda Resolution after the Resolution has failed and may thereafter move the adoption of the Consent Resolution. If the Consent Agenda Resolution fails a second time, it may not be re-introduced at that meeting, although any particular matter therein may be the subject of a subsequent separate vote at that meeting.

- 2.8 The County Clerk is not required to read the entire Consent Agenda Resolution at a meeting, but the entire Resolution, whether approved or rejected, must be published within the minutes of the Board for that meeting.
- 2.9 If a majority of the commissioners elected and/or then serving on the Board affirmatively vote in favor of the approval of the Consent Agenda Resolution, it shall be adopted.
- 2.10 Roberts Rules of Order, provided they are not inconsistent with the terms of this Policy, are otherwise applicable.
- 2.11 Any motion, resolution, or other act of Tuscola County inconsistent with the Consent Agenda Resolution Policy is hereby rescinded, modified, replaced or superseded by this policy.

**TUSCOLA COUNTY BOARD OF COMMISSIONERS  
PER DIEM PAYMENTS  
Revised 02/24/09**

**1. PURPOSE**

A per diem payment is defined as a daily allowance for work performed by a Commissioner when the Board is in adjournment.

**2. POLICY**

**Commissioners shall be entitled to per diem pay for:**

- Committee of the Whole meetings including Finance, Personnel, Building and Grounds, and Labor Negotiations.
- Scheduled meetings with staff and elected officials at the request of the Commissioners
- When appointed to serve or represent the Board on other boards and commissions and public agencies, but only when said entity does not pay a per diem. If the per diem amount paid by a board or commission is less than Commissioner's normal per diem amount, then the Commissioner will only be entitled to the amount paid by that board or commission.
- Commissioners shall be entitled to per diem pay for special committees or special assignments by the Board Chairperson and/or the Board.
- For multi-county committees where there is no standard per diem amount set by the committee, Commissioners shall be paid their standard per diem amount (currently \$40).

**Commissioners shall not be entitled to per diem pay for the following meetings and activities:**

- Per diems are not paid for regular or special County Board meetings
- When meeting attendance is by personal choice and not by virtue of appointment
- Local unit of government district meetings in commissioner districts
- Social gatherings such as the Township Association dinner, Soil Conservation District dinner and 4-H Annual dinner
- Sugar Beet Growers Association meeting

**TUSCOLA COUNTY BOARD OF COMMISSIONERS  
PER DIEM PAYMENTS**

Commissioners shall be entitled to mileage reimbursement for all travel whether for committee meetings or other work involved in serving as a county commissioner. (If travel can be charged to other entities this should be done rather than charging to the county.) Mileage will not be paid for social meetings and meetings with local units of government in respective commissioner districts.

As of June 14, 2005 the per diem rate is currently \$40 per meeting. As of January 1, 2008 mileage is reimbursed at the rate of \$.42 per mile.

Commissioners may voluntarily waive per diem and/or travel reimbursement.

Questions regarding per diem payment will be addressed to the Board Chairperson. Any decisions may be appealed to the Full Board if desired.



**TRAVEL/MEAL POLICY**  
**Revised 3/12/10**

**1. PURPOSE**

The purpose of this policy is to establish guidelines to reimburse Tuscola County officials and employees for travel expenses incurred as a result of their official duties at rates established by the Board of Commissioners and in accordance with the specific provisions enumerated herein.

The policy shall apply to all officials and employees who by the nature of their assigned responsibilities, or because of special circumstances, are required by the County to use their privately-owned vehicle for travel and/or perform functions at a location other than their normal work location.

**2. POLICY**

2.1 Mileage. Mileage will be paid at the rate established by the Board of Commissioners to those officials and employees required to use their privately owned vehicle in conducting County business. The rate may be updated each year based on the Internal Revenue Service rate. The Board may choose to not increase the rate or fully/partially increase the rate to the IRS rate.

2.1.1 When traveling to out-of-county activities, transportation must be shared whenever possible. Economical use of County funds has priority over personal convenience or preference.

2.1.2 All mileage shall be computed from the normal work location to the destination point and return except in the following situations:

2.1.2.1 Mileage will be computed from residence to destination if actual departure is from the residence and if the distance is less than the distance from work location to destination.

2.1.2.2 If the distance is greater from the residence, the employee may still leave from there, but mileage will be calculated from the work location to destination.

2.1.2.3 Under no circumstances is mileage allowed between residence and normal work location.

2.2 Meals. The standard meal rate (\$31.00 per day as of 3/12/10) will be paid except when traveling to certain metropolitan areas. When traveling to the areas listed in the Domestic Per Diem Rate Schedule (found in

## TRAVEL/MEAL POLICY

IRS Publication 1542), the higher daily meal rate will be allowed as specified in said publication.

- 2.2.1 Official travel, which takes the individual outside the boundaries of Tuscola County during the entire mealtime hours, will render eligibility for a per diem meal allowance, based on when the employee was required to leave and return. Meal allowances are not cumulative from meal to meal or day to day. The Controller's Office shall publish from time to time the approved rates.
- 2.2.2 If all three meals (breakfast, lunch, and dinner) are provided by the conference or training session, then the employee is not eligible for a daily meal reimbursement from the County.
- 2.2.3 Alcoholic beverages are not eligible for reimbursement from the County.
- 2.2.4 Tips are limited to 20% of the total meal cost.

2.3 Accommodations. Reimbursement may be made for actual expenditures for overnight accommodations subject to the following restrictions and limitations:

- 2.3.1 Overnight lodging expenses for County business will only be reimbursed if said event is 60 miles or more from the County complex in Caro.
- 2.3.2 Reimbursement is limited to the cost of a single room at prevailing rates for accommodations normally used in business; however:
  - 2.3.2.1 Double accommodation may be utilized when appropriate.
  - 2.3.2.2 If a "double" is shared with a County Official or Employee, each may claim reimbursement for one-half (1/2) of the rate.
  - 2.3.2.3 If the cost of a "double" is shared with a non-county employee, reimbursement may be claimed for the actual expenditure or an amount equal to the rate for a single occupancy accommodation, whichever is less.

2.4 Budget for Travel Related Expenses. Expenses associated with attendance at meetings, conferences, and seminars shall be requested by the Department Head during the preparation of the annual budget. Routine mileage allowance associated with day-to-day business within the County will

## TRAVEL/MEAL POLICY

be a separate line item.

2.4.1 A written request for all out-of-state travel must be submitted to the Board of Commissioners for review and approval prior to attending.

2.4.2 Travel within the State requiring overnight stay will be allowed subject to approval of the Department Head and to availability of funds within the department budget. No additional funds will be transferred to the travel account after adoption of the budget, unless approved by the County Board of Commissioners.

2.4.3 Travel within the State of Michigan for the purpose of transacting County business, i.e., meeting with State Officials or to discuss common concerns with other governmental officials will be allowed subject to approval of the responsible Department Head or Elected Official and no overnight stay is required.

2.5 Violation of Policy. If there is any infraction of this policy, no reimbursement of expenses will be allowed.

2.6 Preparation of the Travel Expense Voucher. The County Travel Expense Voucher must be completed within 60 days of the event. **Detailed, itemized receipts including a breakdown of all purchases at dining establishments must be supplied in order to receive reimbursement.**