

**ISABELLA COUNTY BOARD OF COMMISSIONERS
BY-LAWS AND RULES OF PROCEDURE
2021**

**ARTICLE I
MEETINGS**

- 1.1 **Regular Schedule:** Regular meetings of the Board of Commissioners are held on the first and third Tuesday of each month. The Annual Meeting, a statutory meeting (Rule 1.2), shall take the place of a Regular Board meeting unless otherwise determined by the Board.

Any regular or adjourned meeting of the Board which falls upon a County holiday (New Year's Day, Martin Luther King Day, Presidents Day, Good Friday Afternoon, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, Day after Thanksgiving Day, Christmas Eve, Christmas Day and New Year's Eve) may be re-scheduled upon approval of the Board of Commissioners.

- 1.2 **Annual Meeting:** The annual meeting of the Board of Commissioners shall be held each year after September 14, but before October 16.

- 1.3 **Special Meetings:** A special meeting of the Isabella County Board of Commissioners may be called and requires a public notice stating the time date and place of the meeting at least eighteen hours before the meeting following the usual and customary posting requirements. The Isabella Board of Commissioners shall adhere to MCL 46.10 when calling for a special board meeting. A special meeting shall be held only when a request from the Chair or at least one third of the members of the County Board of Commissioners is provided to the County Clerk. The written request of the special meeting must specify the time, date, place, and purpose of the special meeting. Upon receipt of the request, the Clerk shall give notice to each of the commissioners within eighteen hours in one of the manners provided as follows:

- a. Via electronic mail (email);
- b. Via personal delivery of the notice of the special meeting to the commissioners.
- c. Leaving the notice of the special meeting at the residences of the commissioners.

- 1.4 **Work Sessions:** Work Sessions of the Board of Commissioners are held on the first and third Tuesday of each month, unless canceled by the Board Chair. Formal action may not be taken at a Work Session.

- 1.5 **Time:** Work Sessions of the Board of Commissioners will be held on both the Tuesday meeting dates, unless cancelled by the Board Chair. Work Sessions will begin at 4:00 p.m. followed by the Regular Meetings at 7:00 p.m.

1.51 Permanent Order of Report for Work Sessions

- A. Finance and Administration
- B. Criminal Justice and County Affairs
- C. Human Resources and Public Works
- D. Inter-Governmental Affairs**

Permanent Order of Report for Regular Meeting

- A. Finance and Administration
- B. Criminal Justice and County Affairs
- C. Human Resources and Public Works
- D. Inter-Governmental Affairs**

** If Applicable

1.6 Place: The Board will meet in Room 225 of the County Building, 200 N. Main Street, Mount Pleasant, MI 48858, or as allowable per the Open Meetings Act.

1.7 Public Notice of Meeting: The Clerk of the Board of Commissioners each year shall, within ten (10) days after the first meeting of the Board of Commissioners each calendar year, give public notice of the schedule of time and place of scheduled Board meetings by posting the schedule in the County Clerk's Office in the County Building and in any other conspicuous place in the County Building that the County Clerk shall designate as appropriate and on the County's website.

1.71 Change in Schedule: If there is a change in the schedule of regular meetings or work sessions of the Board of Commissioners, there shall be posted within three (3) days after the meeting at which the change is made, a public notice stating the new dates, times, and places of Board meetings.

1.72 Rescheduled Regular, Work Session, or Special Meeting: For rescheduled regular, work session, or special meetings of the Board of Commissioners, public notice designating the date, time, and place of the meeting shall be posted at least eighteen (18) hours before the meeting. The requirement of eighteen (18) hours notice shall not apply to special meetings of sub-committees.

1.73 Reconvening of Recessed Meeting: A meeting of the Board of Commissioners, which has recessed for more than thirty-six (36) hours, shall be reconvened only after public notice, which is equivalent to that required for rescheduled or special meetings as set forth above.

1.74 Procedure for Meeting Notices: Per the Open Meetings Act, the Isabella Board of Commissioners will post its annual meeting schedule for the calendar year. The notice will include the dates, times, and location of the regular meetings and shall

be posted at the principal office of the Board of Commissioners, at the office of the County Clerk, and on the Isabella County website.

- 1.8 Use of cellular phones: Use of cellular phones, pages, and other communication devices shall be prohibited during a BOC meeting except for emergency communication. This notice shall be posted in Room #225 and then noted on the agenda for the work session as well as the Regular meeting.
- 1.9 Public Meeting: Meetings of the Board of County Commissioners shall be open to the public in accordance with the Open Meetings Act. MCL 15.261 et seq.

ARTICLE II **QUORUM**

- 2.1 QUORUM: A majority of Commissioners of Isabella County shall constitute a quorum for the transaction of ordinary business of the County.
- 2.2 Absence of Quorum: Upon the absence of a quorum, the members present may adjourn to a time certain. Public Notice is not required if the time set for reconvening is less than thirty-six (36) hours.

ARTICLE III **VOTING**

- 3.1 Majority Vote: All questions which shall 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 claim against the County, which matters shall be determined by a majority of all the members elected and serving, and (2) upon the final adoption of any matters which by statute require a greater majority and as specified in 3.11.
- 3.11 A two-thirds vote shall be required on the following procedural motions:
To suspend the rules or order of business
To limit or extend debate
To object to consideration
To move previous question
To hold a closed session pursuant to Open Meetings Act.
- 3.2 Roll Call Vote: The names and votes of members shall be recorded on an action which is taken by the Board of County Commissioners if the action is on taxes, a bond, an ordinance, Budget or Budget Amendment, resolution, apportionment, election of any officer, approval of contracts and expenditures. Upon the demand of any member present, a roll call vote shall be ordered and recorded by the Board Clerk.
- 3.3 Secret Ballot Voting: No vote may be taken by secret ballot except as authorized by law.

- 3.4 Mandatory Voting: Each member present shall be required to vote on every question unless they deem themselves to be in conflict of interest in which case the member may abstain.
- 3.5 Reconsideration of Vote: When a question has been put and decided by a roll call of the members, any member who voted on the prevailing side may move for a reconsideration thereof; on all voice votes, any member may move for a reconsideration. No matter may be reconsidered more than once. A motion to reconsider must be made at the same meeting at which the original motion was voted on.
- 3.6 Rescind Previous Action: The Board of Commissioners may rescind a section, or all, of a previous motion, resolution, rule, directive, by-law, or paragraph that has been adopted at a previous time, provided that none of the action involved has been carried out in a way which is too late to undo.

ARTICLE IV **PARLIAMENTARY AUTHORITY AND PROCEDURE**

- 4.1 Authority: “Roberts Rules of Order, revised” shall govern all questions of procedures which are not otherwise provided by these rules or State law.
- 4.2 Procedure:
- 4.21 Motions, Resolutions, Committee Reports. No motion shall be debated or voted upon unless seconded. Any motion with the permission of the person, who moved and seconded it, may be withdrawn at any time before it has been adopted. Prior to a vote, the chair will ask if the Body would like the motion repeated. At the request of any member of the Board, a motion shall be presented in writing.
- 4.22 Motion to Clear the Floor. If in the judgment of the Chairperson, procedural matters have been 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.

ARTICLE V **ORGANIZATION**

- 5.1 Chairperson:
- 5.11 Election: During the first meeting in each calendar year, the Board of Commissioners shall select, by majority vote of all the members, one of its members to serve as Chairperson of the Board. Said Chairperson shall take office and assume the duties immediately upon election and shall serve until January 1st of the following year or until the election of new officers. If a vacancy occurs in

the office of Chairperson, then the Vice-Chairperson shall assume the office of Chairperson.

5.12 Duties:

- 5.121 The Chairperson, if present, shall preside at all meetings of the Board of Commissioners, preserve order, and decide questions of order subject to appeal to the Board.
- 5.122 The Chairperson shall be the agent for the Board in the signing of contracts, orders, resolution, determinations, and minutes of the Board in the certification of the tax roll.
- 5.123 The Chairperson shall serve in such capacities and make appointments as the law or these by-laws shall require.
- 5.124 The Chairperson shall serve as a member at large on all Board Committees. The Chairperson shall have a right to vote in committees.
- 5.125 The Chairperson, for purpose of representing the County in various functional or ceremonial capacities, shall be considered as the Chief Elected Official of the County Board of Commissioners.
- 5.126 Upon his/her election, the Chairperson shall proceed to appoint all standing and special committees and shall designate the Chairperson of each standing committee. Unless a Board member voices an objection to the Chairperson's appointment(s), approval will be presumed. The Chairperson may designate Chairperson of special committees or leave that determination to the individually appointed special committees. The Chairperson's decisions can be overturned by a two-thirds vote of the Board.
- 5.127 The Chairperson of the Board shall have the power to administer an oath to any person concerning any matter submitted to the Board of Commissioners or any matter connected with the discharge of their duties, to issue subpoenas for witnesses and to compel their attendance as permitted by law and in the same manner as courts of law.
- 5.128 The Chairperson of the Board, when appropriate, shall refer matters coming before the Board to one of the standing or special committees of the Board. The Chairperson shall arbitrate all jurisdictional disputes between committees. Any decision of the Chairperson is subject to appeal to the Board.

5.2 Vice-Chairperson:

5.21 Election: During the first meeting in each calendar year, the Board of Commissioners shall select, by majority vote of all the members, one of its members to serve as Vice-Chairperson of the Board. Upon being elected, said Vice-Chairperson shall immediately take office and assume all duties of the office. If a vacancy occurs in the office of Vice-Chairperson, then the Board of Commissioners shall select, by majority vote of all the members, one of its members to serve as Vice-Chairperson of the Board.

5.22 Duties:

5.221 The Vice-Chairperson shall preside over meetings of the Board if the Chairperson is absent.

5.222 The Vice-Chairperson shall serve on the Intra-County Drainage Board when the County Commissioner member of the Drainage Board is disqualified.

5.3 Clerk: Duties:

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

5.32 To record all the proceedings of the Board in a book provided for that purpose.

5.33 To make regular entries of all the Board's resolutions and decisions upon all questions.

5.34 To record the vote of each Commissioner on any question submitted to the Board, if required, in accordance with Rule 3.2.

5.35 To preserve and file all accounts acted upon by the Board and for no reason allow such accounts to be taken from the office, unless otherwise designated by the Board of Commissioners.

5.36 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 such board or any member thereof.

5.37 The Clerk, upon resolution of the Board, shall perform other duties appropriate to the Office of County Clerk.

5.38 In the event the clerk or duly appointed deputy is absent from a meeting of the Board, the Clerk shall appoint another person to act as temporary Clerk until the Clerk or duly appointed deputy arrives.

5.4 Parliamentarian: The Board Chair shall appoint a parliamentarian who shall advise the Chairperson and the Board of Commissioners regarding questions of parliamentary procedures.

5.5 Standing Committees: The Board of Commissioners shall have the following standing committees with the following number of members. Each standing committee shall report to the Board on all matters referred to the Committee by the Chairperson or by Board action.

FINANCE AND ADMINISTRATION	TWO MEMBERS
CRIMINAL JUSTICE AND COUNTY AFFAIRS	TWO MEMBERS
HUMAN RESOURCES AND PUBLIC WORKS	TWO MEMBERS
INTER-GOVERNMENTAL AFFAIRS	TWO MEMBERS

5.51 Finance and Administration

5.511 General Duties - The Finance and Administration Committee is responsible for reviewing and recommending to the Board a budget for County operating expenses, and appropriations for County and general purposes; studying and advising the Board with respect to all matters pertaining to insurance and bonds, tax levies, and with the assistance of the Equalization Department, equalization of evaluation assessments among the various townships and cities in the County; recommending action on all claims submitted to the County for payment, and to ensure adequate implementation and administration of standing Board policy affecting the various County departments. This Committee serves as liaison to a limited number of County departments, officers, or agencies, and objectively studies and advises the Board of the financial ramifications of any proposed action involving the appropriation or transfer of County funds.

5.512 Jurisdiction
Administrator Controller's Office
Appropriation Requests
Budgeting
Building Authority
Capital Improvement Fund
Delinquent Tax Revolving Fund
Equalization Department
Information Technology
Insurance and Bonds
Invoice Lists

Livestock Claims
Road Commission
Salaries
Supplementary Appropriations
Tax Reversion Fund
Taxation
Transportation Commission
Treasurer's Office

5.52 Criminal Justice and County Affairs

5.521 General Duties - The Criminal Justice and County Affairs Committee is responsible for ensuring adequate implementation and administration of standing Board policy affecting the various County departments, County judicial departments, offices and agencies with which it serves as liaison; studying and advising the Board with respect to all matters pertaining to the various County departments, the law enforcement and judicial systems in the County and, in particular, those departments, offices and agencies which the Committee serves as liaison; recommending action on any complaints or request of such departments, offices or agencies pursuant to Board direction.

5.522 Jurisdiction

Animal Control Department
Central Dispatch/Emergency Management Department
County Clerk's Office
Family Counseling Fund
Isabella County Trial Court
Jury Board
Law Library
Medical Examiner
Prosecuting Attorney's Office
Public Defenders Department
Register of Deeds' Office
Sheriff's Office

5.53 Human Resource and Public Works Committee

5.531 General Duties - The Human Resources and Public Works Committee is responsible for coordinating human services and public works in the County and to ensure adequate implementation and administration of Board policy affecting the various County Human Resources and Public Works departments, offices and agencies with which the Committee serves as liaison. The Committee members may also be appointed to function in a liaison capacity with other boards, commissions, and agencies in the County providing human services and public works;

recommending action on any complaints or request of such departments, offices or agencies pursuant to Board direction.

5.532 Jurisdiction

Area Agency on Aging
Board of Public Works
Boundary Commission
Central MI District Health Department
Central MI Community Mental Health
Chamber of Commerce/Convention & Visitors Bureau
County Library Board
Commission on Aging
Community Development Department
Construction Board of Appeals
County Drain At Large
Department of Health and Human Services
Drain Commissioner's Office
East Central Michigan Council of Governments
Eight-Cap, Inc.
Emergency Med Services Commission (EMS)
Facilities Department
Fair Board
Gypsy Moth Program
Human Rights Committee
Material Recovery Facility (Recycling)
Medical Care Facility
Michigan State University Extension
Middle MI Development Corporation
Northern Michigan Substance Abuse Service
Parks and Recreation Department
Plat Board
Solid Waste
Veterans Affairs Department

5.54 Intergovernmental Affairs Committee

5.541 General Duties - The Inter-Governmental Affairs Committee is responsible for acting as a liaison between County government and any other unit of government whenever concerted action between governmental units is needed to solve common problems or achieve common goals concerning the residents of Isabella County.

5.55 Committee Procedures and Meetings

5.551 Each standing committee shall report to the Board on all matters referred to the Committee by the Chairperson, by Board action or by the Administrator

5.552 All matters to be presented to a standing committee of the Board shall be presented first to the Administrator, who shall then present the same to the appropriate standing committee.

5.553 Each standing committee shall have and perform such other duties as the Board may direct.

5.554 Meetings: Standing Committees: Meetings of standing Committees may be convened by its Chairperson at any time upon reasonable notice to its members and to the Chairperson of the Board of Commissioners provided the notice complies with the requirements of the *Open Meetings Act*, 1976 PA 267.

5.5541 Any changes regarding the time, date and place of all committee meetings shall be announced at the regular board meeting immediately preceding the committee's meeting.

5.5542 The County Clerk shall notify the news media of the time, date and place of all committee meetings that shall take place in addition to regular and special meetings of the Board of Commissioners.

5.6 Special Committees: Subject to the approval of a two- thirds majority of the Board of Commissioners, the Chairperson of the Board may establish special committees and designate Commissioners to serve thereon. Unless a Board member objects to the Chairperson's designation, approval will be presumed. The membership of special committee shall automatically terminate upon the succession to office of a new Chairperson of the Board, unless reappointed by the new Chairperson of the Board.

5.7 Discharge of Committee: The Board can take the question or subject out of a committee's hands after referring it to the committee and before the committee has made a final report on it, and the Board itself can consider it. This is applicable to both standing and special committees.

5.8 Administrator Controller:

5.81 An Administrator Controller will be hired by the Board of Commissioners to perform duties assigned to that individual by the Board.

- 5.82 A job description for the Administrator Controller will be developed by the Board of Commissioners with related performance goals and will be reviewed periodically but not less than once a year.
- 5.83 A contract shall exist between the Board of Commissioners and the Administrator Controller. A formal evaluation of the Administrator Controller shall be conducted annually.

ARTICLE VI

CONDUCTING OF MEETINGS

6.1 Order of Business for Regular Meetings:

1. Call to Order-Pledge of Allegiance
2. Roll Call
3. Approval of Agenda
4. General Public Comment
5. Public Hearing
6. Appointments to Boards and Commissions
7. Consent Agenda
 - a. Minutes
 - b. Other
8. Committee Reports
9. Administrator/Controller
10. Old Business
11. New Business
12. Public Comments
13. Announcements
14. Adjournment and/or Recess to a date and time certain or at the call of the Chairperson.

6.2 Agenda:

- 6.21 All information to be placed on the agenda must be received by the Administrator Controller's Office from Elected Officials, Department Heads, County agencies, Board of Commission members, or Administrator Controller no later than 12:00 p.m. on the first Wednesday before scheduled standing committee meetings for the next regular or adjourned regular meeting.
- 6.22 The Chairperson of the Board and the Administrator Controller shall then prepare the agenda. On the Friday before each regular meeting, the Administrator Controller's Office shall post the agenda on the County website. Contained therewith shall be a brief description of all matters to be considered and a copy of all committee reports; recommendations of the Administrator Controller to be acted upon at said meeting shall be attached thereto.

6.23 Only with one hundred (100%) percent consent of the present members of the County Board may any Committee resolution or recommendation of the Administrator Controller be acted upon by the Board of Commissioners at any regular meeting or adjourned regular meeting unless a copy thereof has been delivered to each County Commissioner either with the agenda or separately not later than twenty-four (24) hours prior to the Board Meeting.

6.3 Adjournment:

A motion to adjourn will mean adjournment to the next regular meeting or call of the Chair.

ARTICLE VII
RIGHTS AND DUTIES OF COMMISSION MEMBERS

7.1 Speaking Priorities and Limits:

7.11 Every member desiring to speak shall address the Chair and, upon recognition by the presiding officer, shall confine himself/herself to the question under debate, avoiding all personalities and indecorous language.

7.12 A member, once recognized, shall not be interrupted when speaking unless for purposes of calling the member to order, or as herein otherwise provided. If a member while speaking be called to order, he/she shall cease speaking until the question of order to be determined and, if in order, he/she shall be permitted to proceed.

7.13 A Commissioner may request, through the Chairperson, the privilege of having an abstract of his/her statement on any subject under consideration by the Commission entered in the minutes. Such statement shall be entered in the minutes.

7.14 The sponsor of any properly moved and seconded motion, resolution, ordinance or report, not appearing on the agenda for the meeting, shall have the right to speak for a time not longer than three (3) minutes after the formal introduction but prior to any discussion of the matter on the floor. When a measure has more than one sponsor, the Chairperson of the Board shall determine which person shall first speak under this rule.

7.15 No member shall speak more than once on any subject being debated until every member who chooses to speak shall have spoken unless permission is given by the Board. Permission shall be assumed given unless a Board Member raises an objection.

ARTICLE VIII
NON-MEMBER ADDRESSES TO COMMISSION

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

8.1 Any County Official who:

a. Wishes to address the Board during the discussion on an item affecting his/her department may do so, upon recognition of the Board Chair.

b. Limits his/her comments to the agenda item.

8.2 The parliamentarian when called upon to advise on procedure or when recognized by the Chair.

8.3 Any person who is listed on the agenda or who has been requested by the Chair to comment upon a matter before the Board. The Chair shall honor the request of any Commissioner to permit a non-member to address the Board.

8.4 Any member of the public speaking under the privilege of “Limited Public Comment,” or “General Public Comment.”

8.5 Limited Time:

8.51 The maximum time for public discussion by way of addressing the Board on only one (1) topic shall be three (3) minutes per speaker, with a fifteen (15) minute maximum on any one topic. If there are more than five (5) persons who wish to individually speak on one (1) topic, then the fifteen (15) minutes time limit shall be equally divided among the total number of persons wishing to address the Board.

This limitation of time on addressing the Board may be extended by a majority vote of the Commissioners present at the Board meeting. MCLA 15.263(5).

8.6 Public Comment: There shall be a sign in sheet located at the guest table prior to the commencement of each meeting. Each person desiring to address the Commissioners shall complete the following:

1. Name
2. Address

8.61 When deemed necessary, at the discretion of the board chair, the Board may make cards available for the members of the public wishing to address the board that will state their name and address.

ARTICLE IX
PROCEDURE FOR FILLING VACANCIES ON BOARDS AND COMMISSIONS

- 9.1 Public notice must be given whenever a vacancy occurs on one of the Boards or Commissions which the Board of Commissioners is responsible for filling, provided that such vacancy is one which must be filled by a member of the general public; such public notice shall describe the nature of the Board or Commission, the duties of the members and the terms of office. The public notice should also indicate where applications can be obtained and the deadline for filing such applications.
- 9.2 Public notice of vacancies on Boards or Commissions shall take the form of a press release prepared by the Administrator Controller and made available to the Morning Sun, and posted on the County website: www.isabellacounty.org.
- 9.3 Public notice must be given at least three (3) weeks prior to the regular board meeting at which consideration of the appointments will occur.
- 9.4 Applications for Boards and Commissions must be received before 4:30 p.m. on the day of the published deadline for applying for that vacancy. Applications must be filed with the County Administrator Controller's Office and stamped with a date and time of filing.
- 9.5 Late applications will not be considered unless no other applications are received for a particular vacancy. In that event, the late applications will be held over until the vacancy has been re-advertised.
- 9.6 When nominations are closed (a two-thirds vote required), appointments will be made by a majority vote of the Board members present.
- 9.7 Upon Appointment the Administrator Controller shall notify the appointee and the Board or Commission.

ARTICLE X
BOARD VACANCIES

- 10.1 When a vacancy occurs in the office of Commissioner by death, resignation, relocation of residence from the district, or removal from office, the vacancy shall be filled by appointment within thirty (30) days by the County Board of Commissioners of a resident and registered voter of that district. The person appointed to fill a vacancy which occurred in an odd numbered year shall serve until the vacancy is filled with a special election. That special election shall be called by the County Board of Commissioners. The person appointed to fill a vacancy which occurs in a year which is an election year for the office of County Commissioner shall serve for the remainder of the unexpired

term. If the County Board of Commissioners does not fill the vacancy by appointment within thirty (30) days, the vacancy shall be filled by a special election regardless of whether the year is an election year or an odd year.

ARTICLE XI
PUBLICATION OF PROCEEDINGS

- 11.1 The Clerk of the Board shall keep minutes of each meeting showing the date, time, place, members present, members absent, any decision made at a meeting open to the public, and the purpose or purposes for which a closed session is held. The minutes shall include all roll call votes taken at the meeting.
- 11.2 The minutes taken at a Board meeting shall be public records open to public inspection and copies of the same shall be available to the public at the County Clerk's Office for the reasonable estimated cost for printing and copying.
- 11.3 Draft minutes of the Board meeting to which they refer shall be available to the public for inspection not more than eight (8) business days after the Board meeting. Approved minutes shall be available for public inspection at the County Clerk's Office not later than five (5) business days after the meeting at which the minutes are approved by the Board of Commissioners. MCL 15.269.

ARTICLE XII
ADOPTION AND AMENDMENT OF RULES

- 12.1 These by-laws having been adopted by not less than a two-thirds (2/3) vote of all the members of the Board, may be amended or rescinded by a two-thirds vote of all the members of the Board. They shall remain in effect until amended or rescinded and must be reaffirmed at the annual organizational meeting.
- 12.2 Any proposed amendment to the by-laws shall be introduced in written form at a regular meeting of the Board of Commissioners and cannot be acted upon until the next regular meeting.