

2009
RULES



SAGINAW COUNTY
BOARD OF
COMMISSIONERS

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PREAMBLE

We, the members of the Board of Commissioners mindful of the obligations and trust placed in us by the people of Saginaw County and desirous of managing the affairs of the County to the best of our abilities, do hereby establish these Rules.

**ARTICLE I
Organization**

- Section 1.1 On the first business day in January each year, the election of Permanent Chair and Vice Chair for a one year term shall be the first order of business.
- Section 1.2 At the organizational meeting, the County Clerk, or a designated representative, shall be Acting Chair and preside until a member of the Board is elected Temporary Chair. The Temporary Chair shall preside until the Permanent Chair is elected.
- Section 1.3 The election of Chair and/or Vice Chair shall be by voice vote (1905 LA 653).
- Section 1.4 The Chair and Vice Chair of the Board shall assume office immediately after being elected and shall hold such office until the annual Board term has expired.

**ARTICLE II
Meetings and Sessions of the Board**

- Section 2.1 The organizational meeting of the Board of Commissioners shall be held on the first business day of January each year.
- Section 2.2 All meetings of the Board of Commissioners shall be called in accordance with State Statute and Rules of this Board. (MSA 5.321 – MSA 5.359 (16) [MCL 46.1 – 46.416])
- Section 2.3 The annual meeting of the Board of Commissioners shall be held each year after September 14, but before October 16. (MCL 46.1)
- Section 2.4 All regular meetings of the Board of Commissioners shall take place at the Courthouse in Saginaw County, Michigan or at such other place as may be designated by the Board.
- Section 2.5 The meeting time of the Board of Commissioners shall be at 5:00 p.m. on Tuesdays of each month in Room 200 of the Saginaw County Courthouse, on the schedule set forth in Section 2.6. There will be no meeting in July and the annual meeting will be held in accordance with State Statute.
- Section 2.6 Meeting Schedule – 2009
- | | |
|----------------------|----|
| January (Fri) | 2 |
| January | 6 |
| January | 20 |
| February | 17 |
| March | 24 |
| April | 21 |
| May | 19 |
| June | 23 |
| (No Session in July) | |

August	25
September	22 (Statutory)
October	20
November	17
December	15

Changes to the Schedule will be posted by the Clerk

- Section 2.7 Petitioners requesting an audience before the Board shall be required to submit a request to the Board no later than noon of the meeting day so audiences can be listed on the Addendum. The presenter shall be limited up to three minutes in length for oral remarks, with the summation details to be filed in writing with the Board for referral to the appropriate committee, if required.
- Section 2.8 If a situation arises where an individual addressing the Board or attending the Session is discourteous or disorderly, the Chair shall take appropriate action by warning, requesting to leave, or having the individual escorted from the meeting.
- Section 2.9 Special meetings of the Board shall be held only when authorized during regular sessions or by petition of at least one-third (1/3rd) of the members of the Board, (MCLA 46.10) and shall be at a time to allow maximum attendance.
- Section 2.10 The business which a county board of commissioners may perform shall be conducted at a public meeting of the board held in compliance with Act No. 267 (Open Meetings Act) of Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws.

ARTICLE III Order of Business

- Section 3.1 The order of business of the Board shall be as follows:
- 1) Call to order by the Chair
 - 2) Roll call by the Clerk of the Board
 - 3) Invocation by a Board member or her/his guest
 - 4) Pledge of Allegiance to the flag
 - 5) Correcting and approving the Minutes of a preceding day's meeting except that on the last day of any meeting, the Minutes of that day shall stand approved subject to proofreading by the Clerk
 - 6) Audience for petitioners; laudatories (resolutions of appreciation)
 - 7) Petitions and communications

- 8) Commissioners' Initiatory Motions shall require two-thirds (2/3rds) majority vote of the members present for adoption. All initiatory motions shall be put in writing and distributed to commissioners before the motion is considered. (Section 7.4)
- 9) Recess for Appropriations
- 10) Reports of Appropriations, (presented with minutes to be voted on as a whole but allowing division by commissioner request)
- 11) Reports of Regular Committees
- 12) Reports of Special Committees
- 13) Resolutions
- 14) Unfinished business
- 15) Announcements by Chair
- 16) Commissioners' audiences
- 17) Adjournment

ARTICLE IV

Voting

- Section 4.1 A quorum shall consist of a majority of the members serving on the Board of Commissioners. (MCL 46.3)
- Section 4.2 All voting shall be by voice vote, hand vote, or roll call vote as determined by the Chair. Minutes shall state results of vote as called by the Chair.
- Section 4.3 A member by privilege may have her/his name entered into the Minutes demonstrating said vote.
- Section 4.4 A member may, by privilege, order a roll call vote on any question submitted for final passage to the Board and it shall be recorded in the Minutes as taken by the Clerk.
- Section 4.5 The following procedure shall be utilized for roll call voting:
- 1) When a roll call vote is taken, the roll shall be called by the members' names in numerical progression by districts, provided that the lead district is in continuous rotation, and provided, however, the Chair shall always vote last.

- 2) During a roll call vote, a member shall vote when requested by the Clerk, and each member shall be recorded in the Minutes as voting aye or nay; provided, however, any member who after three requests by the Chair to report her/his vote to the Clerk, fails to report her/his vote to the Clerk, shall be passed and the Chair shall instruct the Clerk to record the member's vote as "present and not voting", and the Minutes shall reflect the action taken by the Chair.

Section 4.6 The vote of a member shall be recorded only when a member is present and seated at the time the vote is called.

Section 4.7 Questions which arise at meetings of the Board of Commissioners shall be determined by the votes of a majority of the members present, except as otherwise provided by law or the Rules of this Board.

Section 4.8 A majority vote of the members elected and serving shall be necessary for the final passage or adoption of a measure or resolution, or the allowance of a claim against the County. A two-thirds (2/3rds) majority of the members elected to the Board is required for passage of certain measures pursuant to State law.

Section 4.9 Any non-agenda matter, including committee reports and initiatory motions, placed before the Board for final passage shall require two-thirds (2/3rds) majority vote of the members present for adoption. (Section 7.4)

Section 4.10 The Board of Commissioners may, by a majority vote of the members elected and serving, pass regulations and ordinances relating to county affairs which the Board considers proper, but which shall not contravene the general law of the state or interfere with local affairs of a township, city or village within the limits of the county.

ARTICLE V

Conduct of Members

Section 5.1 A member desiring to speak to the question shall, after being recognized, assume the floor and address only the Chair.

Section 5.2 When two or more members address the Chair at the same time, it shall be the duty of the Chair to name the member entitled to the floor.

Section 5.3 A member shall not assume the floor more than once unless every other member desiring to speak on the same question shall first have an opportunity to do so.

Section 5.4 A member shall keep debate on any issue on a reasonable plane and to a reasonable amount of time; both subject to the rule of the Chair.

Section 5.5 A member shall be allowed the floor under agenda section "Commissioners Audiences" for a time period not to exceed ten minutes, and shall be allowed the floor only once during this agenda section.

- Section 5.6 A member shall not question a petitioner on her/his presentation.
- Section 5.7 A member entering or leaving the Board chamber shall be recorded in the proceedings and notify the Chair by quiet signal.
- Section 5.8 A member shall not in any manner cause any distraction from the business of the Board or while the Chair, the Clerk, or any member is speaking.
- Section 5.9 A member who has a direct or indirect pecuniary interest in a specific business transaction or contract with the County, must make the Board cognizant of said interest and it shall be recorded in the Minutes; and further, the business transaction or contract shall not be allowed until approved by two-thirds (2/3rds) (10) of the full membership without the vote of the public servant making the disclosure. (Contracts of Public Servants Public Entities Act, P.A. 1 of 1984, MCL 15.321 et seq.)

ARTICLE VI Procedure

- Section 6.1 The business of the Board shall be conducted in accordance with Robert's Rules of Order, revised, insofar as such rules are not in conflict with these Rules and the Statutes of the State of Michigan. The Chair shall appoint a Parliamentarian and Deputy Parliamentarian to ensure adherence to the rules under which the Board conducts its business.
- Section 6.2 A member shall have the privilege to request that a question before the Board be postponed to the next scheduled meeting; except when there is reasonable indication that postponement would result in the denial of the motion. Such deferred question shall be taken up at the next scheduled meeting under the order of unfinished business. Once an item has been commissioner privileged, it may not be commissioner privileged again. This section shall not apply to appointment by majority vote of this Board (elections).
- Section 6.3 A member shall have the right to move reconsideration of any question on which the member voted with the prevailing side. A question may be reconsidered at the same or succeeding day's meeting but shall not be reconsidered more than twice.
- Section 6.4 A motion made and seconded shall be restated by the Chair or if in writing, read aloud by the Clerk before being debated.
- Section 6.5 A member shall reduce a motion to writing at the request of the Chair.
- Section 6.6 A member may move for the division of a question or the Chair may order same.
- Section 6.7 These Rules may be temporarily suspended for the consideration of a specific question at any regular or special meeting by a two-thirds (2/3rds) vote of the members present.

- Section 6.8 Committee reports and resolutions will be introduced to the Board by the Chair of each committee, who may yield the floor for presentation to a member of the committee. Committee reports will be grouped together and numbered accordingly.
- Section 6.9 A member is encouraged to summarize committee reports since it is not mandatory they be read in their entirety.
- Section 6.10 At the request of any member and with the concurrence of the Board, comments by and questions of staff persons or others with information vital to a question before the Board shall be allowed.
- Section 6.11 A memo from the Board Chair will accompany the Rules to provide clarity in matters relating to conduct and procedure at Official Board Sessions, and any other matters which may be appropriate.

ARTICLE VII

Officers

- Section 7.1 The Chair shall be the presiding officer of the Board and her/his duties shall be:
- 1) To preserve order and decide questions of order subject to appeal by the Board;
 - 2) To make the appointment of members of all regular committees and special committees, boards, and commissions unless otherwise directed by the Board or State Statute; provided, however, that members shall be notified in the Board Agenda of pending elections and appointments; the Chair's appointments will be listed in the Addendum prepared on the day of the Session;
 - 3) To call all adjourned meetings of the Board;
 - 4) To be a voting member of all standing service committees;
 - 5) To refer all petitions and communications that come before the Board to the proper committee for consideration unless otherwise directed by the Board;
 - 6) To direct the County Emergency Preparedness Coordinator in accordance with established Board policy; and in the event of disaster within the County jurisdiction shall request a declaration of disaster from the Governor.

Section 7.2 The Vice Chair shall preside at all meetings in the temporary or permanent absence, incapacity, or death of the Chair and shall assume all responsibilities of Chair while serving as Chair and execute necessary documents on behalf of the County. In the temporary or permanent absence, incapacity, or death of the Vice Chair, the Chair of Appropriations shall assume all responsibilities.

Section 7.3 In order to provide for the orderly conduct of county government in the event of an emergency, i.e., flood, tornados, etc. the line of succession to the position of Chair of the Board of Commissioners shall be as follows:

- 1) Vice Chair
- 2) Chair of Courts & Public Safety Committee
- 3) Chair of Human Services Committee
- 4) Chair of County Services Committee
- 5) Chair of Appropriations

Section 7.4 The agenda shall be closed at 5:00 p.m. the Thursday prior to the scheduled Tuesday Board Session. Only emergency matters requiring Board action will be allowed to bypass the scheduled deadline as approved by the Chair. Those matters will be assigned to the appropriate committee which will act on them prior to the Session and any recommendations subject to the two-thirds (2/3rds) rule. (Section 4.9)

Section 7.5 The agenda packet prepared for the Board will be numbered to designate the various sections and fastened together as one unit. The Addendum prepared on the day of the Session shall be numbered consistent with the numbering of the Agenda. Communications will be summarized in the packet and kept on file in their entirety in the Board Office. Communications and supporting material will be distributed to the appropriate committee members, as requested by the committee. At the end of each meeting, Board material may be removed by the commissioner or left on her/his desk for redistribution. All confidential and privileged material shall be personally returned to the Board Secretary or signed out at the end of the Session.

ARTICLE VIII

Clerk

Section 8.1 The Clerk of the Board shall be the County Clerk as provided for by Statute.

Section 8.2 The Clerk, or a designated representative, shall duly record all proceedings of the Board as provided for by Statute, notify all petitioners of action taken by the Board and perform such other duties as the Board may direct.

ARTICLE IX Committees

Section 9.1 The following shall be the regular Standing Service Committees of the Board:

- 1) Courts and Public Safety - five members
- 2) Human Services - four members
- 3) County Services - five members

Section 9.2 A quorum for Standing Service Committees shall be three members.

Section 9.3 Each Board member shall serve on only one Standing Service Committee. Commissioners attending committee meetings who are not members of the committee shall be treated the same as the general public.

Section 9.4 There shall be an Appropriations Committee, consisting of all fifteen (15) members of the Board.

- 1) The Appropriations Committee shall be responsible for recommendations to alter the approved Annual Budget; for recommendations to alter County Personnel Policies; for providing input and direction in labor negotiations; for recommendations concerning state and federal legislative issues; and, for recommendations concerning cooperative efforts between Local units and County government.
- 2) The Appropriations Committee shall have four standing subcommittees and shall include the Chair of the Board, and Chair of Appropriations. A quorum shall consist of a majority of the members serving on the subcommittee. The Vice Chair of the Board of Commissioners shall assume chairmanship of said committee in the absence of its chair and vice chair.
 - a. Budget/Audit Subcommittee shall review the cash position of the County with the Treasurer and Controller as compared to budget categories in both revenues and expenses, and shall report to Appropriations Committee on a timely basis.
 - b. Labor Relations Subcommittee shall review all personnel matters as they relate to County policy and negotiations with Controller and appropriate personnel officer and report to Appropriations Committee on a timely basis. Labor Relations Subcommittee shall also serve as the Factoring Subcommittee. These responsibilities may be delegated by the Labor Relations Subcommittee but they shall remain responsible for the final decision to be reported to the Board.

- c. Legislative Subcommittee shall address state and federal legislative issues affecting the County, have regular contact with legislators, departments and organizations, and shall report to the Appropriations Committee on a timely basis. Any member of the Board of Commissioners who is serving as a director of MAC or NACo shall be a member.
- d. Local Government Liaison Subcommittee shall review the provision of governmental services and areas where cooperative efforts could be developed or expanded, and shall report to the Appropriations Committee on a timely basis.

Section 9.5 There shall be a Committee of the Whole, consisting of all fifteen (15) members of the Board. The Committee shall consider all petitions, communications, and any other matters deemed appropriate as directed by the Board or the Chair of the Board with the actions or motions recorded in the Minutes of the Committee. The Vice Chair shall assume Chairmanship of said Committee. In the absence of the Vice Chair, the line of succession shall be as listed in Section 7.2. The Committee shall be subject to Robert's Rules of Order, as revised. Upon completion of discussion, only motions to refer to an organized committee or to postpone indefinitely shall be allowed.

Section 9.6 There shall be an Executive Committee, consisting of the Chair of the Board, Vice Chair, the Chair of each of the Standing Service Committees, and the Chair of the Appropriations Committee.

- 1) When there is no member of the minority party serving on the Executive Committee, the minority party shall recommend one of their members to serve on the Committee to the Chairman of the Board, who shall have the authority to make the final appointment.
- 2) The Executive Committee shall serve as an Advisory Committee to the Chair of the Board. Recommendations from said Committee should first be placed before the appropriate Standing Service Committee. The Executive Committee shall retain the option to refer matters directly to the Board.

Section 9.7 Additional committees may be constituted for special activities beyond the scope of the Standing Service Committees upon motion of any member of the Board or the Chair of the Board.

Section 9.8 The Chair of the Board shall appoint, in January, members to all committees and subcommittees in this section, except as otherwise noted.

Section 9.9 The first named member of each committee shall act as chair of that committee and the second named member shall act as vice chair of that committee.

Section 9.10 All committee recommendations to the Board shall be reduced to writing.

Section 9.11 All committees shall be subject to the call of the Chair of the Board or the Committee Chair, at a time convenient for all members of the committee except in emergency situations.

Section 9.12 Committee members shall be entitled to per diem for committee assignments during the recess of the Board when said work has been previously ordered by the Board Chair or its Committee Chair.

Section 9.13 Conduct of committees shall be subject to State Statutes and Rules of the Board of Commissioners, wherever applicable.

ARTICLE X Amendments

Section 10.1 These Rules may be revised or amended by a two-thirds (2/3rds) vote of the members of the Board at any meeting of the Board, provided, however, that the proposed amendments must have been submitted to the Board in writing at a previous meeting.

ARTICLE XI Repeal

Section 11.1 All previously adopted rules or policies inconsistent with the Rules herein provided are declared to be null and void.

**TO: MEMBERS OF THE SAGINAW COUNTY
BOARD OF COMMISSIONERS**

Honorable Commissioners:

In accordance with Article VI, Section 6.11 this memo is included with the 2009 Rules to provide clarity relating to conduct and procedure at Official Board Sessions, and any other matters which may be appropriate.

One of the duties as Board Chair is to preserve order. The Board Rules assist the Chair with this in the sections pertaining to reporting, questioning and voting on committee recommendations. The Rules provide that committee reports be introduced by the Committee Chair who is encouraged to summarize the reports. Members with questions are recognized by the Board Chair and the questions are addressed through the Board Chair. Members are encouraged to keep debate on a reasonable plane; questions and/or debate on the Board Floor should stay within the parameters of the motion consistent with the Rules adopted by the Board.

There are guidelines on the number of times and length of time a member may speak on an issue. Voting is open and members have the option of voice vote, hand vote or roll call. Members are allowed by privilege to request that a question be postponed. In addition, there is opportunity to speak under commissioners' initiatory motions and commissioners' audiences.

When a member requires more extensive information, it is recommended that he/she contact the Board Chair, Committee Chair or Staff Person prior to the Board Session, when possible. Commissioners are welcome to attend Standing Service Committee meetings for a better understanding of the issues.

To avoid disruptions and out of courtesy, please have all cell phones and pagers turned off or on vibrate while the Board is in session.

Following these procedures maintains the dignity in which the Board has successfully conducted its business throughout the years, and allows us to be more efficient, effective and organized.

Respectfully,

Bregitte K. Braddock, Board Chair