



***RULES OF THE
OTTAWA COUNTY
BOARD OF COMMISSIONERS
2012***

RULE I
**ORGANIZATIONAL MATTERS, CHAIRPERSON,
VICE-CHAIRPERSON, AND CLERK OF THE BOARD OF COMMISSIONERS**

Section 1.0 - Organizational Meeting; Chairperson of the Board of Commissioners

The organizational meeting of the Ottawa County Board of Commissioners shall be held on the first business day after January 1 of each year. The purpose of the meeting shall be to elect from its own membership a Chairperson and Vice-Chairperson who shall hold office for the ensuing year, and to organize any Committees of the Board of Commissioners under the direction of the Chairperson. The vote for the office of Chairperson may be by secret ballot, as provided for by MCL 46.3a.

It shall be the duty of the Chairperson to preside at all meetings of the Board of Commissioners, to preserve order, and to decide all questions of order, subject to appeal to the Board of Commissioners. It shall be the duty of the Chairperson to appoint any Committees of the Board of Commissioners and the Chairpersons thereof, subject to the approval of the Board of Commissioners. The Chairperson shall be a member ex-officio of all Committees but shall not have the power to vote on such Committees except to break a tie vote or create a quorum, nor shall the Chairperson vote or participate in the deliberations of a Committee when to do so would violate the provisions of the Open Meetings Act, MCL 30.401 et seq.

Section 1.1 - Vice-Chairperson of the Board of Commissioners

The Vice-Chairperson shall perform the duties of the Chairperson, including conducting meetings of the Board of Commissioners, and affixing his or her signature to all contracts, bonds and other documents, when the Chairperson is unable to do so because of illness, absence from the County, or any other exigency which prevents the Chairperson from performing such functions of his or her office.

Section 1.2 - Clerk of the Board of Commissioners

The duly-elected Clerk of Ottawa County or the Deputy Clerk shall be ex-officio Clerk of the Board of Commissioners. He or she shall perform the duties ordinarily pertaining to such office.

RULE II
THE BOARD OF COMMISSIONERS

Section 2.0 - Meetings of the Board of Commissioners

The Board of Commissioners shall meet on the second and fourth Tuesdays of each month at 1:30 p.m., except when otherwise set by adjournment or by law, or as otherwise set by the Board. The October meeting shall be held on the second Tuesday, and in any event before October 16, as required by MCL 46.1. Special meetings of the Board of Commissioners shall be called at the request of at least one-third (1/3) of all the Commissioners elected and serving, which request must be filed with the County Clerk so that at least ten (10) days notice may be given of such meeting. The Chairperson may also call special meetings in the case of emergency, disaster, or enemy attack, in compliance with the provisions of the Emergency Management Act, MCL 30.401 et seq., and may call emergency or special meetings in compliance with the provisions of the Open Meetings Act, MCL 15.261 et seq.

Meetings of the Board of Commissioners are open to the public, except as otherwise provided by law. Any person may address the Board of Commissioners, in accordance with the Policy of the Ottawa County Board of Commissioners on the Conduct of Public Meetings.

Section 2.1 - Agenda

As a general rule, all substantive Agenda items shall be on the Agenda and considered at a Committee meeting or Work Session prior to consideration at a meeting of the Board of Commissioners. All matters heard by a Committee of the Board of Commissioners that are within its exclusive jurisdiction, or heard at a Work Session and which are forwarded to the Board of Commissioners for consideration, shall be placed on the Agenda and heard at the next scheduled meeting of the Board of Commissioners, or at the following meeting, as may be determined by the Chairperson. Prior to publication and distribution by the County Clerk, the tentative Agenda shall be prepared by the County Administrator's Office and approved by the Chairperson. A two-thirds (2/3) vote of the members elected and serving shall be required to add an unscheduled item to the Board Agenda.

Section 2.2 - Quorum

A majority of the Commissioners elected and serving shall constitute a quorum for the transaction of business, but a smaller number may adjourn from day to day.

Section 2.3 - Order of Business

1. Call to Order by Chairperson
2. Invocation
3. Pledge of Allegiance to the Flag
4. Roll Call
5. Presentation of Petitions and Communications - copies of all correspondence to the Board of Commissioners shall be submitted by the County Clerk to all County Commissioners. Correspondence shall not be read into the record at the meeting unless a public reading is expressly requested in the correspondence.
6. Public Comments and Communications from County Staff
7. Approval of Agenda
8. Actions and Reports
 - A. Consent Resolutions
The purpose of the Consent Resolution is to expedite business by grouping non-controversial items together to be dealt with by one Commission motion. Any member of the Commission may ask that any item on the Consent Resolution be removed there from and placed elsewhere on the agenda for full discussion. Such requests will be automatically respected. If any item is not removed from the Consent Resolution the action noted on the agenda is approved by a single Commission action adopting the Consent Resolution.
 - B. Public Hearings
As may be required by law or provided for by Board policy.
 - C. Action Items
 - D. Discussion Items
 - E. Report of the County Administrator
 - F. General Information, Comments and Meetings Attended
9. Public Comments
10. Adjournment

Section 2.4 - Minutes

Minutes must be kept for all meetings of the Board of Commissioners in compliance with the requirements of the Open Meetings Act, MCL 15.269, and are required to contain:

1. A statement of the date, scheduled time and place of the meeting and its actual starting time and ending time;
2. The members present as well as absent;
3. A record of any decisions made at the meeting and a record of all roll-call votes; and,
4. An explanation of the purpose(s) if the meeting is a Closed Session.
Except for minutes taken during a Closed Session, all minutes are considered public records, open for public inspection, and must be available for review as well as copying at the Office of the Ottawa County Clerk. Proposed minutes shall be available for public inspection within eight (8) business days after the meeting to which the minutes refer. Approved minutes must be available within five (5) business days after the meeting at which they were approved.

RULE III
RIGHTS AND DUTIES OF MEMBERS; APPOINTMENTS

Section 3.0 - Manner of Address

When a member wishes to speak, he or she shall be recognized and address themselves to the Chairperson.

Section 3.1 - Order of Address

When two (2) or more members wish to speak at the same time, the Chairperson shall decide who is to speak first.

Section 3.2 - Decorum

When a member is speaking on any question before the Board of Commissioners, he or she shall not be interrupted except to be called to order.

Section 3.3 - Disputed Questions

When a member is called to order, he or she shall immediately come to order. The Board of Commissioners, if appealed to, shall decide the case. If there is no appeal, the ruling of the Chairperson shall be final.

Section 3.4 - Chairperson's Vote; Voting

The Chairperson shall vote on all questions decided by yea and nay, except on an appeal from his or her own decision. When a yea or nay vote is taken, every member present shall vote except in matters in which the member has a conflict of interest, in which case the member shall identify the conflict and abstain from voting.

Section 3.5 - Appointments

- a. Appointments to all boards and commissions caused by expiration of a term of office, resignation, or otherwise, shall be made in accordance with the Appointment Policy adopted by the Board of Commissioners.
- b. *The appointment of a member of the Board of Commissioners to any board of directors, committee, or other public body shall automatically terminate when the appointee is no longer a member of the Board of Commissioners.*

RULE IV
STANDING COMMITTEES AND REPORTS

There shall be the following Standing Committees which shall consist of the number of members hereinafter mentioned, in addition to the Chairperson of the Board of Commissioners, who shall be an ex-officio member of all Standing and Special Committees. Appointments shall be for a one (1) year term. Each Standing Committee shall, by vote of its membership, select a Vice-Chairperson, who shall perform the duties of the Committee Chairperson in his or her absence. An anticipated annual schedule of meeting dates and times for each Standing Committee shall be established by the Standing Committee at the Standing Committee's first meeting in January. To facilitate the orderly transaction of Board business, the first meeting in January of each Standing Committee shall be held on the same day and at the same time as scheduled for the past year of that Standing Committee's operations.

Section 4.0 - Finance and Administration Committee

Five (5) members shall have original jurisdiction over matters of County business in the areas listed as follows:

- a. Purchasing - shall serve as the auditing committee over purchasing.
- b. Financial Control - shall prepare the annual budget, examine County records, make allocations of funds, including personnel costs as recommended by the County Administrator, and recommend to the Board of Commissioners use of all funds allocated.
- c. Insurance - shall receive reports from the Ottawa County, Michigan Insurance Authority, and act as committee of record for insurance matters.
- d. Audit of Claims - shall audit all claims for unpaid bills presented for County payment such as loss of livestock, animal damage, and ambulance charges, etc.
- e. Auditing - shall audit and investigate bills, and present such bills to the Board of Commissioners with recommendations.
- f. Per Diem and Mileage - shall audit and approve per diem and mileage vouchers of members of the Board of Commissioners.
- g. Equalization and Apportionment - shall receive reports from the County Equalization Department and make recommendations as to the equalizing of assessment rolls. Shall make recommendations as to the apportionment of County, Township, School, and Special Assessment taxes in the several districts, and shall receive reports from the County Tax Allocation Board and make recommendations to the Board of Commissioners.
- h. Bonding - shall receive and review all bonding proposals.
- i. Additional Duties of Finance Committee Chairperson - the Finance Committee Chairperson shall serve on such boards and commissions as state statutes require.
- j. Law Enforcement - shall receive reports from the Office of Prosecutor, the Sheriff's Department, and the Animal Control Program, and shall make recommendations to the Board of Commissioners on matters pertaining to law enforcement.
- k. Courts - shall receive reports from the Circuit Court, Family Court,

Probate Court, Juvenile Detention Facility, District Courts and the County Clerk in matters pertaining to court functions.

- l. Community Corrections Department - shall receive reports from the Community Corrections Department and make recommendations to the Board of Commissioners regarding those functions.
- m. Contract Review - shall review and receive reports regarding contracts, other than collective bargaining agreements, and make recommendations to the Board of Commissioners concerning relevant contracts.
- n. County Directory - shall work with the County Clerk to modify, update, revise and assure the distribution of the County Directory.
- o. Policy Matters - shall develop and draft policies for consideration by the Board of Commissioners for all matters within its jurisdiction.
- p. Other Matters - such other, similar matters as may be assigned to their jurisdiction by the Chairperson.

Section 4.1 - Planning and Policy Committee

Five (5) members shall have original jurisdiction over matters of County business in the areas listed below:

- a. Buildings and Maintenance - shall receive reports from the Ottawa County Building Authority, and shall oversee all buildings and grounds owned or leased by the County, including all equipment.
- b. County Strategic Planning - shall be responsible for County strategic planning and goal setting sessions, and shall monitor compliance with the County strategic plan.
- c. Public Works - Water, Sanitation - shall review reports from the Ottawa County Road Commission regarding public works, water, and sanitation projects.
- d. Land Use and Infrastructure Needs - shall initiate and facilitate policy discussions regarding land use and infrastructure needs within Ottawa County.
- e. Planning - shall, through the County Planning and Performance Improvement Department, receive reports from the Ottawa County Planning Commission and the West Michigan Regional Planning Commission (Region 8), the Macatawa Area Coordinating Council, (MACC) and the Grand Valley Metropolitan Council (Metro Council) and shall review and make recommendations to the Board of Commissioners regarding County planning activities.
- f. Agriculture and Conservation - shall receive reports from the County Cooperative Extension Service and handle matters pertaining to agriculture and conservation.
- g. Drains - shall receive reports from the County Drain Commissioner, and review all contracts for drains by the Commissioner.
- h. Parks - shall, through the Parks and Recreation Department, receive reports from the County Parks and Recreation Commission and review the acquisition, development, and operations of the County Park and open-space land system.

Rule IV, Section 4.1 Continued

- i. Legal Review - Litigation and Resolutions - shall oversee County procedures for the legal work in non-criminal matters, receive reports regarding legal opinions and litigation involving the County, authorize and recommend various ordinances and resolutions to the Board of Commissioners.
- j. Rules and Regulations - shall draft, develop, and receive reports regarding County Rules and Regulations and make recommendations therefore to the Board of Commissioners.
- k. Public Relations - shall develop plans and methodologies to improve relations with the public, and to educate and inform the press and public about County programs and the operations of County government.
- l. Policy Matters - shall develop and draft policies for consideration by the review policies prepared by other Committees as to form and final language before they are submitted to the Board of Commissioners.
- m. Transportation and Planning - shall initiate and facilitate policy discussions regarding future transportation in Ottawa County.
- n. Roads and Bridges - shall receive reports from the Ottawa County Road Commission, the Macatawa Area Coordinating Council (MACC), the Grand Valley Metro Council (Metro Council) and the Michigan Department of Transportation, (MDOT) regarding road, bridges, and transportation planning issues.
- o. Legislature - shall receive reports from state and federal legislative representatives, County lobbyist and the Michigan Association of Counties (MAC) concerning pending and proposed legislation and shall review and report on legislation to the Board of Commissioners.
- p. Other Matters - such other, similar matters as may be assigned to their jurisdiction by the Chairperson.

Section 4.2 - Health and Human Services Committee

Five (5) members shall have original jurisdiction over matters pertaining to County business in the areas listed below:

- a. Mental Health - shall receive reports from the Ottawa County Community Mental Health Board and the Ottawa County Community Mental Health Agency.
- b. Public Health - shall receive reports from the Ottawa County Health Department.
- c. Senior Citizens - shall, through the Community Action Agency, receive reports from the Region 14 Council on Aging, and from other agencies regarding Senior Citizens' services.
- d. Department of Human Services - shall receive reports from the Director and Board of Directors of the Ottawa County Department of Human Services.
- e. Substance Abuse - shall receive reports, through the Public Health Department, from the Lakeshore Coordinating Council.
- f. Veterans - shall deal with matters concerning veterans, shall oversee matters under the direction of the Veterans' Affairs Committee, and shall make recommendations concerning County veterans.

- g. Community Action Agency and Department of Employment and Training - shall receive reports from the Community Action Agency (CAA) and the Department of Employment and Training.
- h. Solid Waste - shall, through the Public Health Department, receive reports regarding solid waste matters within the County.
- i. Policy Matters - shall develop and draft policies for consideration by the Board of Commissioners for all matters within its jurisdiction.
- j. Other Matters - such other, similar matters as may be assigned to their jurisdiction by the Chairperson.

Section 4.3 – Human Resources Committee

Five (5) members shall have original jurisdiction over matters of County business in the areas listed below:

- a. Human Resources - shall receive reports from the Human Resources Department and make recommendations to the Board of Commissioners on matters pertaining to employees.
- b. Collective Bargaining - shall review and receive reports regarding collective bargaining agreements and make recommendations to the Board of Commissioners concerning contract matters.
- c. Employee Relations - shall review practices and policies and make recommendations to the Board of Commissioners on issues related to County employees.
- d. Appointments - shall interview candidates for appointment to County boards and commissions, and make recommendations therefore to the Board of Commissioners.
- e. Policy Matters - shall develop and draft policies for consideration by the Board for all matters within its jurisdiction.
- f. Other Matters - such other, similar matters as may be assigned to their jurisdiction by the Chairperson.

Section 4.4 - Work Sessions

The Board of Commissioners may meet in a Work Session on any designated day, as determined by the Chairperson, for the purpose of coordinating the activities of the Standing Committees, informing the Board of Commissioners on the progress of Committee work, and for the purpose of promoting a better understanding of County business, thereby expediting the regular meetings of the Board.

Section 4.5 - Special Committees; and Per Diem For Special Committees; Attendance of Board Chairperson; Termination of Special Committees; Special Committee Agendas

- a. Special Committees may be established by the Board of Commissioners and the members thereof appointed by the Chairperson upon approval of the Board of Commissioners. The purpose for which the Special Committee is established, its jurisdiction, and the composition (number and type) of the Special Committee, shall be set forth by the Board of Commissioners. A Special Committee may have members who are not members of the Board of Commissioners, so that the

Board of Commissioners may draw upon the expertise of County officials, County staff members, and the general public. The Chairperson of a Special Committee shall be a member of the Board of Commissioners.

- b. The members of all Special Committees who are members of the Board of Commissioners shall be paid for work done by authority of the Board of Commissioners at the same rate of pay allowed Commissioners for meetings of the Board of Commissioners, together with the necessary mileage allowance as provided by law, in accordance with the provisions of the Ottawa County Per Diem Policy.
- c. The Chairperson of the Board of Commissioners shall be an ex-officio member of all Special Committees. He or she, when requested by the Chairperson of a Special Committee, shall attempt to attend the meeting of the Special Committee, and his or her attendance may be counted to create a quorum. He or she shall have no vote except in the case of a tie vote.
- d. Unless it is renewed, ***or a Term of Service of another duration is specifically approved by the Board of Commissioners***, the existence of any Special Committee which is appointed shall expire the earlier of either when its task is completed or December 31st of each year.
- e. The Agenda of each Special Committee shall be prepared by the County Administrator's Office or by whom the County Administrator designates and shall be approved by the Chairperson of the Special Committee, and shall be published and distributed by the Administrator's Office.

Section 4.6 - Annual Reports From Departments of County Government

It is the policy of the Board of Commissioners to receive Annual written and oral Reports from all Departments of County government. Written reports shall be in a form approved by the County Administrator and shall, in the ordinary course, be submitted directly to the Board of Commissioners through the County Administrator's Office. Sufficient copies of the written reports shall be submitted to the County Administrator's Office on Monday the week prior to the Board of Commissioners meeting or at least eight (8) days in advance of the meeting at which the oral report is to be given so that the matter can be placed on the Agenda and the written report distributed with the Agenda to the members of the Board of Commissioners.

It is the policy of the Board of Commissioners, *Administrative Policy – Use of the County Logo*, that all Annual Reports identify the members of the Ottawa County Board of Commissioners ("the Board of Commissioners") by name and indicate, in the same area as the names of the Board of Commissioners, "The activities and programs of this department are brought to you by the members of the Ottawa County Board of Commissioners."

Unless another date is approved by the County Administrator, Departments of County government shall make their Annual Reports in accordance with the following schedule:

FIRST BOARD OF COMMISSIONERS MEETING IN:

Equalization Department/Property Description & Mapping	<u>February</u>
Register of Deeds	<u>February</u>
Corporation Counsel	<u>March</u>
Employment & Training/Community Action Agency	<u>March</u>
Health Department	<u>March</u>
Treasurer	<u>March</u>
County Clerk	<u>April</u>
Drain Commission	<u>April</u>
Prosecuting Attorney	<u>April</u>
Sheriff's Department/Office of Emergency Management	<u>April</u>
Department of Human Services	<u>May</u>
Human Resources	<u>May</u>
Michigan State University Co-operative Extension Services	<u>May</u>
Parks and Recreation	<u>May</u>
West Michigan Enforcement Team (W.E.M.E.T.)	<u>May</u>
Mental Health	<u>July</u>
Information Technology/GIS Department	<u>July</u>
Planning and Performance Improvement	<u>July</u>

The Board of Commissioners requests Annual written and oral Reports from the Circuit, District, and Probate Courts and related departments serving Ottawa County. Unless another date is deemed advisable, the Courts are requested to make their Annual Reports in accordance with the following schedule:

FIRST BOARD OF COMMISSIONERS MEETING IN:

58 th District Court	<u>June</u>
58 th District Court - Community Corrections	<u>June</u>
20 th Circuit and Probate Courts	<u>April</u>
20 th Circuit Court – Probation	<u>June</u>

Section 4.7 - Statutory Laws and Other Provisions

The Board of Commissioners shall comply with the Open Meetings Act, MCL 15.261 et seq., as amended, and with all other statutes pertaining to the Ottawa County Board of Commissioners.

RULE V
MOTIONS, RESOLUTIONS, AND ORDINANCES

Section 5.0 - Motions, Resolutions, and Ordinances

No motions shall be made or debated unless seconded. The motion may then be stated by the Chairperson before the debate. Any motion shall be put in writing at the request of any member. Any motion may, with the permission of the Board of Commissioners, be withdrawn at any time before the same has been adopted. All motions, resolutions, amendments or substitutes thereto shall be entered at large upon the journal unless withdrawn. The reading of all resolutions and ordinances shall be waived unless requested by a majority vote of those members elected and serving.

Section 5.1 - Privileged Motions, Order of Precedence

When a question is under debate, no motion shall be received except the following: to adjourn; for the previous question; to lay on the table; to postpone indefinitely; to postpone to a certain day; to refer; to amend. These motions shall have precedence in order as above named.

Section 5.2 - Motion to Adjourn

A motion to adjourn shall always be in order, except when a vote is being taken on any question before the Board of Commissioners, or when a member has the floor, provided that there shall be some intervening business proposed and determined between two (2) motions to adjourn.

Section 5.3 - Motion to Reconsider

A motion for reconsideration shall be in order on the same day, or at the succeeding action meeting day following that on which the decision proposed to be reconsidered took place. Only a member of the side which prevailed may move such reconsideration and such motion shall take precedence over all other questions, except a motion to adjourn. A motion for reconsideration shall be decided by majority vote of those members elected and serving.

Section 5.4 - Question of Appeal

When an appeal is taken from a decision of the Chairperson, the member taking the appeal shall be allowed to state his or her reason for so doing. The question shall then be immediately put in the following form: "Shall the ruling of the Chairperson be sustained?" The question shall be determined by a majority vote of the members present except that the Chairperson shall not vote. In case of a tie vote, the Chairperson shall be sustained.

Section 5.5 - Division of Question

Upon the request of any member, a division of any question shall be made when the question will admit of a division so distinct that one part being taken away, the other will remain as an entire question for decision.

Section 5.6 - Resolutions and Ordinances

Resolutions and Ordinances shall be taken up in the order in which they are presented unless otherwise ordered by the Board. All proposed Resolutions and Ordinances shall be presented to the Board of Commissioners in writing, and shall be acted upon by the Board of Commissioners.

Section 5.7 - Questions of Procedure not Covered by Standing Rules

Robert's Rules of Order shall govern in all questions of procedure which are not provided for by the Rules of the Ottawa County Board of Commissioners.

Section 5.8 - Privilege Motions

When a question of privilege is under debate, no motion shall be in order, except the following which shall have precedence in the order named:

1. To fix a time to adjourn;
2. To adjourn;
3. To recess;
4. To raise question of privilege;
5. To call for the Orders of the Day.

Section 5.9 - Subsidiary Motions

When a question is under debate, no subsidiary motion shall be in order except the following which shall have precedence in the order named:

1. To lay on the table;
2. To call the previous question;
3. To limit or extend debate;
4. To postpone to a certain time;
5. To comment or refer;
6. To amend;
7. To postpone indefinitely.

Section 5.10 - Miscellaneous

- a. When the reading of a paper is called for, and the same is objected to by any member, it shall be determined by a majority vote of the members present.
- b. No resolution or petition shall be inserted in full in the journal without being read or distributed and adopted by the Board of Commissioners.
- c. Any subject matter may be made the Special Order for a particular day or hour.
- d. No rule of the Board of Commissioners or part thereof shall be suspended, altered, or amended without the concurrence of two-thirds (2/3) of the members elected and serving.