

**BYLAWS
OF THE BOARD OF COMMISSIONERS
OF IONIA COUNTY, MICHIGAN**

1. AUTHORITY

These rules are adopted by the Board of Commissioners of Ionia County, Michigan 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. The county clerk shall first administer the oath of office to any commissioners to whom the oath has not previously been administered.

2.1.1 Election of Chairperson

The clerk shall then proceed to the election of the chairperson of the board. 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 order the roll of commissioners to be called unless by majority vote, the board decides to elect the chairperson by secret ballot. The clerk shall continue to preside until one nominee receives a majority of the votes of the members elected and serving. That nominee shall be declared chairperson.

2.1.2 Election of Vice-Chairperson

The newly elected chairperson shall assume the chair and proceed with the election to the office of vice-chairperson.

2.1.3 Bylaws

The board shall then review, and shall either amend or ratify, the current bylaws of the board of commissioners. Such action shall be by majority vote of the members elected and serving.

2.1.4 Additional Agenda

The board of commissioners may proceed to other agenda matters as they shall decide.

2.2 Regular Meetings

The county board shall meet on the second and fourth Tuesday of each month. If any regularly scheduled meeting falls on one of the legal county holidays (as established by board policy), the board will meet on the next business day that is not a holiday.

2.3 Special Meetings

2.3.1 By Petition of Members

The board of commissioners shall meet in a special session upon the written petition to the county clerk 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.

2.3.2 Called By Chairperson

As an alternate means of calling meetings other than those regularly scheduled meetings, the chairperson of the board of commissioners, with notice as provided in Rule 3.3, may convene a meeting of the board at his/her discretion.

2.4 Emergency Meetings

Emergency meetings of the board of commissioners may be held only with 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.

2.5 Place of Meetings

Meetings of the board of commissioners shall be held in the commissioner's meeting room on the third floor of the county courthouse unless public notice of the meeting states a different location. Whenever the regular meeting place of the board of commissioners 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. The clerk shall also give notice of the change in the meeting place in a newspaper if time permits.

2.6 Time of Regular Meetings

The first regular meeting each month shall begin at 3:30 p.m. and the second regular meeting of each month at 7 p.m. The board shall not begin considering any matter on the agenda not yet under consideration three hours past the beginning of the meeting, except upon the unanimous consent of the members present. 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.

2.7 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 another 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 of commissioners. Such notice shall include, but not necessarily be limited to, the following:

3.1 Regular Meetings

The clerk shall post a notice within 10 days after the first meeting of the county board in each calendar year indicating the date, time, and place of the board's regularly scheduled meeting.

3.2 Schedule Change

Whenever the board shall change its regular schedule of meetings, the clerk shall post a notice of the change within three days following the meeting in which the change was made.

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, the clerk shall post a notice of such meeting immediately and deliver the notice of such meeting to the residence of each commissioner by personal delivery, facsimile transmission, email, registered mail or via personal telephone conversation between the clerk or his/her designee and each commissioner. Whatever method of delivery, the clerk shall verify that each member has received notice of the special meeting. No meeting, except emergency meetings, shall be held until the notice shall have been posted at least 18 hours.

3.4 Notification to the Media and Others

The clerk shall notify, without charge, any newspaper or radio or television station of the board's meeting schedule, schedule changes, or special or emergency meetings whenever such newspaper or radio or television station has filed with the clerk a written request for such notice. The clerk shall also notify other individuals or organizations of regular meeting schedules, changes in the schedule, or special and emergency meetings, but only upon their written request and agreement to pay the county for printing and postage expenses. The clerk shall mail all such notices required by the rule by first class mail.

4. QUORUM, ATTENDANCE

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 from any meeting of the board or any scheduled committee meeting without good cause. A board member who expects to be absent from a board meeting shall promptly notify the chairperson of the board, or for a committee meeting, the chairperson of the committee, of his/her anticipated absence.

5. MEETING AGENDAS

5.1 Agenda for Regular Meetings.

The county administrator, after first reviewing pending matters and requests, shall prepare a draft of the agenda of business for all regularly scheduled commission meetings. The chairperson of the board shall review and add or delete matters or refer matters to a board committee for review and report as he/she considers proper.

5.1.1 Agenda Items.

Any commissioner, chairperson of a committee, board, or other commission of the county, county elected official county department head, or other person, desiring to place a matter on the agenda shall notify the board of such item by providing a written statement of the matter to be considered to the county administrator's office. Supporting data or other information which will assist the board in its consideration of such matter may be included and is encouraged.

5.1.2 Time To Submit Agenda Items.

So that sufficient time will be available for preparation and delivery of the proposed agenda as required herein, agenda item requests must be received by the administrator's office by 5:00 p.m. on the Tuesday preceding the next regular meeting of the board. Items not received by the stated deadline may still be considered by the board if that item is presented to the board at the meeting as an addition to the agenda by the chairperson and consideration thereof is approved by a majority of the members present.

5.2 Agenda for Special Meetings

Whenever the board is called into session pursuant to Rule 2.3.1, the agenda shall be included in the notice of the meeting and no other matter shall be considered except when all members are present and a majority concurs. Agenda for special meetings pursuant to Rule 2.3.2 shall be provided along with the notice of the meeting to commissioners, if time permits. At other times, the chairperson shall declare the agenda upon the approval of a majority of the members present.

5.3 Distribution of Agenda and Materials

Upon the completion of the agenda, the administrator shall immediately distribute copies of the agenda together with copies of reports, explanations, etc., that relate to the matters of business on the agenda. Commissioners shall be entitled to receive such materials not later than the Saturday preceding the next regular meeting.

5.4 Consent Calendar - Defined

The consent calendar shall consist of those matters which the commission has determined to be "routine" and are usually matters about which the board commonly concurs. Among such matters are the approval of minutes, approval of bills for payment, appointment of persons to budgeted and classified positions, and other matters that the board of commissioners is required by statute or board rule to approve.

5.5 Consent Calendar - Procedure

The agenda shall contain as list of consent calendar matters, as defined in rule 5.4, under the heading of "consent calendar" and shall have attached any supportive or informational materials associated with the consent calendar which have been submitted. At a meeting of the commissioners where a consent calendar has been prepared, any commissioner shall have the right to have removed from the consent calendar any items on which such commissioner has questions or wishes to debate. The chairperson shall then direct the clerk to remove such matter(s) and place them in an appropriate place on the meeting's agenda. A vote shall not be required to remove a matter from the consent calendar. The chairperson shall adopt the consent calendar, absent objection by any commissioner.

5.6 Order of Business

The agenda shall be arranged in the following order:

- a. Call to order
- b. Pledge of allegiance
- c. Invocation
- d. Approval of the agenda
- e. Public comment (three minutes per speaker)
- f. Action on consent calendar
- g. Unfinished business
- h. New business
- i. Reports of officers, boards, and standing committees
- j. Reports of special or ad hoc committees
- k. Public comment (three minutes per speaker)
- l. Executive Sessions
- m. Adjournment

6. CONDUCT OF MEETINGS

6.1 Chairperson

The person elected chairperson in the first meeting each year of the board of commissioners 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

Board members wishing to speak shall first be recognized by the chairperson and each person who speaks shall address the chairperson or the board. Other persons at the meeting shall not speak unless recognized by the chairperson.

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, or by speaking vulgarities. Such person shall thereupon 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 removed from the meeting. No person shall be removed from a public meeting except for an actual breach of the peace committed at the meeting. The chairperson shall have the right to immediately declare a recess of the meeting for such time as may be, in the chairperson's discretion, necessary to deal with disruptive or disorderly behavior.

7. RECORD OF MEETINGS

7.1 Minutes and Official Records of the Board

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 with respect to substantive (non-procedural) motions. 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, or other matter.

7.2 Record of Discussion

The clerk shall be responsible for making an electronic recording of each meeting of the board of commissioners. However, the clerk shall not be responsible for maintaining a written record or summary written record of the discussion or comments of the board members nor of the comments made by members of the public. The county administrator's office shall be responsible for making an electronic recording of each committee meeting of the board. Each such recording shall be maintained in the office of the clerk or the office of the county administrator, respectively, for a period of six months following the date of the meeting. Thereafter, the recording may be erased unless the recording shall be pertinent to any legal proceeding then underway, pending, or reasonably anticipated.

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. Such comments to be included in the record shall be provided in writing by the member or transcribed exactly by the clerk from the electronic tape recording.

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. 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 clerk shall also promptly mail copies of minutes to persons who have subscribed and paid the fee therefore as determined by the board of commissioners.

7.5 Publication of Minutes

Publication of the minutes or other report of the proceedings of the board shall be done as may be required by statute.

7.6 Minutes and Records of Committee Meetings

Each committee, with the assistance of the county administrator's office, shall maintain written minutes of its meetings and shall deliver such minutes to the clerk. The clerk shall maintain a separate file for each committee. The minutes of each committee meeting shall include at least the following: the date and place of the meeting, members attending, and all of the actions, decisions and recommendations of the committee with respect to all matters referred to such committee for review and report to the board. Such minutes shall constitute a public record in the meaning of the freedom of information act, and shall be made available to any person as required by law.

8. COMMITTEES

8.1 Appointment

Each year, following the election of the board chairperson, the chairperson shall appoint commissioners to the standing committees listed under Rule 8.3, unless otherwise provided.

8.2 Committee Chairperson

The person first listed on the roster of each committee shall be the committee chairperson. In the absence of the committee chairperson, the person next listed shall assume the chair.

8.3 Standing Committees

Standing committees of the board shall meet at least once each month at such time and place as a majority of the committee members shall agree. The committee chairperson may call such additional meetings as may be necessary to properly discharge the business of the committee. The standing committees are:

Financial Review

All matters which have not been referred to a standing committee shall be either placed on the agenda of a regular board meeting or referred to the committee of the whole pursuant to section 5.1.

8.3.1 Grievance Hearing Committee

The Grievance Hearing Committee is a standing committee organized for the purpose of hearing union employee grievances in accordance with provisions of specific union contracts, or complaints from non-union employees in accordance with the Personnel Policies. Members of the Grievance Hearing Committee shall consist of the Board Chair, Vice-Chair, and the Representative appointed by the Board to serve on the Union Negotiations Bargaining Team.

8.4 Special Committees

The board chairperson shall also have the right to appoint special committees for specific purposes, with the consent of a majority of the members elected or appointed, but such committees' functions shall not be permanent, and their authority shall cease when their work has been accomplished and their reports submitted to the full Board.

8.5 Chairperson As Member

The board chairperson, or the vice-chairperson in the absence of and by designation of the chairperson, shall be an ex-officio member without vote on all standing and special committees.

8.6 Responsibilities.

Each committee shall thoroughly investigate any matter referred to it by the board or board chairperson and shall report in writing its findings to the board without undue delay. The responsibility of each committee is to make recommendations to the board of commissioners and to report matters considered and rejected as well as those considered and recommended. Upon the motion of any board member, and approval by a majority of the board, the board may discharge a committee from further consideration of any matter.

8.7 Committee Meetings

A majority of the members of a committee shall constitute a quorum. Any committee consisting of a majority of the board shall comply with the provisions of the open meetings act.

8.8 Committee of the Whole

Whenever the board shall meet in "working meetings" the board shall meet as a committee of the whole and the chairperson, vice-chairperson, or another member shall preside.

8.8.1 Meetings

The board shall meet as a committee of the whole on the third Tuesday of each month at 3:30 p.m., provided, however, that the chairperson of the board may cancel any monthly meeting if he or she determines that the business to be brought before the board can otherwise be handled by the board at its regular meetings in that month. The chairperson shall cause each commissioner to be notified of the cancellation of that meeting and the posting of notice of such cancellation as is required by these rules for changes in location or times of regular meetings.

8.8.2 Open Meetings Act Requirements

Meetings of the committee of the whole shall conform to the requirements of the open meetings act with respect to public notice except when the board shall devolve into a committee of the whole at one of its regular meetings.

8.8.3 Applicable Rules

The rules of the board of commissioners shall be observed in meetings of the committee of the whole as far as they are applicable, except with respect to limiting debate, moving to vote immediately, and taking a roll call vote.

8.8.4 Procedure

The business of the Committee of the Whole shall consist of the following: (1) Reports of department heads and other county officials; (2) Discussions of relevant issues that relate to the responsibilities of the Board of Commissioners; and (3) Presentations by other government officials and private citizens to educate the Board of Commissioners about issues related to Ionia County and its government operations. Discussions may follow a problem-solving format and general agreement and/or consensus can be used to arrive at solutions to county governmental issues. However, no motions or resolutions may be offered, seconded, or approved for recommendation to the Board of Commissioners. All official action on motions or resolutions of the Board of Commissioners must be undertaken at the regularly scheduled and special board meetings.

9. EXECUTIVE MEETINGS

The vote to hold an executive meeting shall be recorded in the minutes of the meeting at which the decision was made.

9.1 Two-thirds Vote

The board of commissioners may meet in executive 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:

- To consider the purchase or lease of real property, until an option to purchase or lease that property is obtained.
- 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.
- To meet with an attorney to consider the attorney's written opinion.
- To review the specific contents of an application for employment to a county position and the applicant requests that the application remain confidential. Whenever the board meets to interview an applicant, it shall be in open session.

9.2 Other Reasons

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

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

9.3 Minutes, Executive Meetings

For each executive meeting, the clerk shall make a separate record of the topics discussed. This record shall not be disclosed to the public except upon the order of a court. 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 executive meeting.

10. MOTIONS AND RESOLUTIONS

10.1 Statement by Chairperson, Motions, and Resolutions

No motion or resolution shall be adopted until the motion is stated by the presiding officer. 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

The order of precedence of motions shall be:

Privileged Motions

- Fix the time to which to adjourn (or set the time for next meeting)
- Adjourn
- Recess
- Raise a question of privilege
- Call for orders of the day

Subsidiary Motions

- Lay on the table
- Call the previous question (immediately to close debate and making of subsidiary motions except lay on the table)
- Limit or extend the limits of debate
- Postpone to a certain time (postpone definitely)
- Refer to a committee
- Amend the main motion

- Postpone indefinitely
- Clear the floor of all motions

Main Motion

10.3 Nondebatable 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 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 and in the next regular meeting following. 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

This motion may be made by the chairperson or a member at any time 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?"

10.5 Amendment of Bylaws

These bylaws shall not be changed or amended during the two year term of the board of commissioners except upon the vote of two-thirds of the elected and serving members. This section shall not apply to the board's consideration of the bylaws at its organizational meeting pursuant to section 2.1.3.

11. VOTING

11.1 Abstaining from voting

Whenever a question is put by the chairperson, every commissioner present shall vote on the question. No member present shall abstain from voting “yes” or “no” unless excused by a majority of those present.

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 any of the commissioners, a roll call vote shall be taken on other motions and actions.

11.3 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, however, shall be required for final passage or adoption of a measure, resolution, or the allowance of a claim.

11.4 Vote By Board Chairperson

The chairperson of the board shall have the right to vote on all matters brought before the board.

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.

Adopted by the Ionia County Board of Commissioners on January 11, 2011