

2020
STANDING RULES AND COMMITTEE ORGANIZATION
BRANCH COUNTY BOARD OF COMMISSIONERS

Date Presented: January 2, 2020
Date Adopted: January 2, 2020
Date Amended: _____, 2020

PART A – ORGANIZATION OF THE BOARD

RULE I
THE CHAIRPERSON

- A. At the first meeting in January, the Board shall elect from its own membership a Chairperson to serve for one year. This election may be by secret ballot if the majority of the members vote to have the election in this manner. A concurrence of the majority of all members of the Board shall be necessary for the election. The Chairperson shall hold office for a term of one (1) year, or until a successor is duly elected and qualified as provided in these rules.
- B. It shall be the duty of the Chairperson to preside at all meetings of the Board, to preserve order, to decide all questions of order, subject to the Board.
- C. The Chairperson with the assistance of all board members shall appoint all standing committees and liaison assignments for the ensuing year.

RULE II
THE VICE-CHAIRPERSON

- A. At the first meeting in January, a Vice-Chairperson shall be elected from the membership of the Board. The Vice-Chairperson shall hold office for a term of one (1) year, or until a successor is duly elected and qualified as provided in these rules.
- B. It shall be the duty of the Vice-Chairperson to assume all duties of the Chairperson if he/she is not available or is unable to assume his/her duties.

RULE III
THE CLERK

- A. The duly elected Clerk of Branch County shall be ex-officio Clerk of the Board of Commissioners. In the absence of the County Clerk, a Deputy Clerk may serve as Clerk of the Board.

- B. The County Clerk shall be responsible for performing all posting functions as required by the Open Meetings Act, being 1976 PA 267, as amended, for full Board meetings.
- C. He/she shall perform the duties ordinarily pertaining to such office.

RULE IV STANDING RULES

The current Standing Rules shall be in effect until such time that the Standing Board Rules are adopted at one of the first regular meetings of the new calendar year.

RULE V STANDING RESPONSIBILITIES

Each Commissioner shall be assigned as a chair of an area of responsibility and as a vice-chair for an area of responsibility (AOR). The Commissioner will report on that area of responsibility at the work meetings and the board meetings. If a Commissioner is absent at either or both of the meetings it is his/her responsibility to coordinate with the AOR vice-chair to report in his/her place. The County Administrator/Controller will communicate to the respective AOR Commissioner and Board Chair any proposed change or request for information that is made from someone outside of their AOR. Follow-on for this change or request for information will be made to all members, as necessary.

Area of Responsibility I – **FINANCE**

Duties:

1. Protect the interest of the citizens of Branch County in all matters pertaining to County finance.
2. Approve or disapprove all bills to be paid by Branch County.
3. Bring before the Board of Commissioners any bill which may be questionable.
 - a. The County Administrator/Controller's office shall prepare a list of accounts payable including prepaid accounts which will be presented to the County Board for their acceptance and approval at the next regular Board meeting. To satisfy the intent of the publishing aspect of the State Statute, a list of accounts paid will be filed in the County Clerk's office for public inspection.

4. Work with the County Equalization Director in affecting fairness and evaluations among the several assessing districts of the County.
5. Prepare the annual Equalization Report to the Board of Commissioners for the consideration of approval at the April session.
6. Examine the spread of taxes of the tax office upon the various townships and cities within Branch County for approval and presentation to the Board of Commissioners during the October session.
7. Obtain budget requests from each County department and prepare a total County budget for recommendation to the Board of Commissioners.
8. Make a quarterly report to the Board of Commissioners showing a summary of expenditures of each department as they compare with the approved budget to date.

Area of Responsibility II – **PERSONNEL, PLANS & POLICY**

Duties:

1. Protect the interest of the citizens of Branch County in matters pertaining to the salaries and benefits of all County officials and other employees and overall County operational policies.
2. Serve as negotiation liaison to the Board of Commissioners.
3. Present to the Board of Commissioners all new or updated County policies and procedures for consideration.

Area of Responsibility III – **SHERIFF AND PUBLIC SAFETY**

Duties:

1. Act as liaison between Circuit Court, District Court, Probate Court, Prosecuting Attorney, Friend of the Court, Medical Examiner, County Safety Committee, Community Corrections, and all other public safety related operational matters and the Board of Commissioners.
2. Act as liaison between Sheriff's Department, Jail Operations, Animal Control Officer, and Marine Patrol related operational matters and the Board of Commissioners.

Area of Responsibility IV – **HOUSE**

Duties:

1. Oversee all County-owned properties that are under the direct control and responsibility of the Board of Commissioners.
2. Review all capital expenditure requests for equipment and building improvements affecting the County departments and properties and if found to warrant Board action, refer to the Finance AOR for financial review and recommendation.

Area of Responsibility V – **LEGISLATIVE** – (Normally the Board Chairperson or Vice Chairperson is responsible for this area).

Duties:

1. Act as liaison between Board of Commissioners and the state legislature.
2. Keep the local community informed regarding local and state government issues.

RULE VI INDIVIDUAL LIAISON ASSIGNMENTS

Each Commissioner shall be assigned to certain liaison responsibilities by the Chairperson/Vice Chairperson with the assistance of one (1) additional Commissioner selected by the Chairperson. He/she shall confer with any officials, attend any committee, board or commission meetings, require any report, and conduct any studies that he/she deems necessary to properly inform and advise the Board of Commissioners relative to his/her assigned responsibilities.

RULE VII WORK MEETINGS

- A. Any special meeting may be convened by the Chairperson thereof or by the majority of the board members at any time between meetings of the Board provided that reasonable notice is given to all members of the board. The notice shall comply with the requirements of the Open Meetings Act, 1976 PA 267, as amended. The County Administrator shall be responsible for performing all posting functions as required by the Open Meetings Act, being 1976 PA 267, as amended, for meetings.

- B. A quorum shall consist of a majority of the board members. All meetings shall be open, except that a board or workgroup may vote to go into closed session as provided by the Open Meetings Act, 1976 PA 276, as amended. Each meeting shall have a prepared agenda prior to the meeting. The Administrator's Office shall prepare an agenda. Agenda items must be presented to the Administrator no later than forty-eight (48) hours prior to the committee meeting. The agenda items must be presented to the Administrator using the required form. The workgroup shall keep minutes of their meetings as required by the Open Meetings Act, 1976 PA 267, as amended, and said minutes shall be permanently kept on file with the County Clerk's Office and the Administrator's Office.
- C. The workgroup shall provide an opportunity for members of the public to be heard at the beginning of the agenda. Members of the public may address the committee or subcommittee for up to five (5) minutes. Members of the public desiring to speak shall be required to identify themselves.
- D. The meetings will be conducted in a business-like manner and respect is expected among the board members and the public. The public will not be allowed to engage in obscene speech or profanity, this includes board members.
- E. Members of the public are expected to remain seated or stand in the gallery of the meeting room. The gallery is recognized as the area east of the media desks and the podium. Members of the public are not allowed to approach the board, either individually or collectively, without the express permission of the board chair. Any individual or group that does so will be gaveled out of order. The board area is recognized as the area west of the media desk and podium.
- F. Working Meetings and Regular Board Meetings are the Commissioners' business meetings to address the County's business activities. Members of the public are welcome to observe but they are not part of the legislative body conducting the business meeting. In order to conduct effective business meetings it is essential that Board of Commissioner members are not distracted by the public. If individuals or groups attending the meeting are disruptive, e.g., making physical gestures, talking, having side conversations or otherwise disrupting the meeting, they will be asked to terminate the disruptive conduct or leave the meeting room. This includes County Officials or County employees who use worktime or paid leave time to attend the meetings. Security will escort members of the public or Officials and/or employees who engage in disruptive conduct from the meeting room.
- G. Commission members may participate in working and board meetings by teleconference consistent with the Open Meetings Act (1976 PA 267, as amended, MCL 15.261. et seq). Upon approval of the Chairperson, Commission members may appear at a meeting via electronic device, including speaker phone or interactive media, provided that a quorum of Members of the Board of

Commissioners elected and serving is present at the meeting site and all individuals attending the meeting can hear the Commissioner(s) participating in the meeting via electronic device. A Commissioner may not participate in more than 25% of the year's total meetings via electronic device unless:

1. The Commissioner is in the active military service and has been ordered to serve out of the State of Michigan.
2. The Commissioner is sick or injured for an extended period of time.

A Commissioner participating via electronic means shall not be entitled to a per diem payment for participation in that meeting. Members participating via teleconference shall be permitted to participate in Board deliberations and vote on matters before the Board provided that there is a quorum physically present at the meeting.

RULE VIII REPORTS OF COMMITTEES AND INDIVIDUAL LIAISON ASSIGNMENTS

All reports of the workgroup and individuals to the Board of Commissioners shall be in writing except as provided in Part C., Rule VI, paragraph 7.

RULE IX REMUNERATION FOR COMMITTEE AND INDIVIDUAL LIAISON ASSIGNMENTS

Except as provided in Part A, Rule XI, Workgroup members and individual Commissioners assigned to duties in Part C, Rule VI, paragraph 6 shall receive the same per diem and mileage allowance as set for Commissioners in regular session of the Board, and give a brief oral or written report on such assignments as required by these rules.

RULE X SALARIES OF ELECTED COUNTY OFFICIALS EXCEPT COMMISSIONERS

The salary of each elected County official shall be set at the October session preceding the commencement of the term of office and shall not be changed except by action of the Board.

RULE XI COMPENSATION OF COMMISSIONERS

County Board members shall receive compensation for their services as follows:

First: A base pay covering good and valuable services of \$6000.00 per year shall be paid each member in twelve monthly payments.

Second: A per diem rate of \$50.00 shall be paid for attendance at all regular and/or special Board meetings. This same per diem rate shall be paid for attendance at all regular and/or special work meetings to which a commissioner is assigned. Except as noted above, this same per diem rate shall apply when board members attend conferences, meetings, liaison assignment meetings, schools or instruction or business functions where their attendance is requested and/or required to further the interest of the County. Per diem will not be paid for meetings or events that are political or ceremonial. Per diem will not be paid for attendance at City, Village, or Township meetings.

Third: A per day maximum of \$100.00 shall be paid to members exceeding two meetings a day or one meeting exceeding four (4) hours in one day.

Fourth: The duly elected Chairperson of this Board shall be paid \$7,000.00 per year as well as per diem pay for all other meetings or functions set out in the second part listed above.

All members of this County Board shall be paid board mandated travel expenses not to exceed that rate paid to other County Officials and employees as set from time to time by this Board for all meetings they attend as members of this Board and all other affairs they attend officially as such members. Mileage to and from the Courthouse is taxable.

PART B – MEETINGS

RULE I

DATES OF MEETINGS OF WORKGROUPS AND BOARD OF COMMISSIONERS

A. REGULAR AND ADJOURNED REGULAR MEETINGS. The Board shall convene for the purpose of holding meetings in the Branch County Courthouse in the City of Coldwater or elsewhere at the discretion of the Chairperson, provided proper notice is give to the public pursuant to the Open Meetings Act, 1976 PA 267, as amended, on the following days, which meetings shall convene at 9:00 o'clock in the morning for the organizational meeting and work meetings and 4:00 o'clock in the afternoon for board meetings, except as otherwise provided in these Rules.

1. Tuesday, January 2, 2020, this being the organization meeting.
2. The first Thursday of the month of January for a work meeting (January 9, 2020).
3. The second Tuesday of each January for a board meeting (January 14, 2020).

4. The fourth Thursday of each January for a work meeting (January 23, 2020) at 11:00 AM.
5. The fourth Tuesday of each January for a board meeting (January 28, 2020).
6. The first Thursday of each February for a work meeting (February 6, 2020).
7. The second Tuesday of each February for a board meeting (February 11, 2020).
8. The third Thursday of each February for a work meeting (February 20, 2020).
9. The fourth Tuesday of each February for a board meeting (February 25, 2020).
10. The first Thursday of each March for a work meeting (March 5, 2020).
11. The second Tuesday of each March for a board meeting (March 10, 2020).
12. The third Thursday of each March for a work meeting (March 19, 2020).
13. The fourth Tuesday of each March for a board meeting (March 24, 2020).
14. The first Thursday of each April for a work meeting (April 2, 2020).
15. The second Tuesday of each April for a board meeting (April 14, 2020).
16. The fourth Thursday of each April for a work meeting (April 23, 2020) at 11:00 AM.
17. The fourth Tuesday of each April for a board meeting (April 28, 2020).
18. The first Thursday of each May for a work meeting (May 7, 2020).
19. The second Tuesday of each May for a board meeting (May 12, 2020).
20. The third Thursday of each May for a work meeting (May 21, 2020).
21. The fourth Tuesday of each May for a board meeting (May 26, 2020).
22. The first Thursday of each June for a work meeting (June 4, 2020).
23. The second Tuesday of each June for a board meeting (June 9, 2020).

24. The third Thursday of each June for a work meeting (June 18, 2020).
25. The fourth Tuesday of each June for a board meeting (June 23, 2020).
26. The second Thursday of each July for a work meeting (July 9, 2020).
27. The second Tuesday of each July for a board meeting (July 14, 2020).
28. The fourth Thursday of each July for a work meeting (July 23, 2020) at 1:00 PM.
29. The fourth Tuesday of each July for a board meeting (July 28, 2020).
30. The first Tuesday of each August for a work meeting (August 4, 2020).
31. The second Tuesday of each August for a board meeting (August 11, 2020).
32. The second Friday of each August for a work meeting (August 14, 2020) at 11:00 AM.
33. The fourth Tuesday of each August for a board meeting (August 25, 2020).
34. The first Thursday of each September for a work meeting (September 3, 2020).
35. The second Tuesday of each September for a board meeting (September 8, 2020).
36. The third Thursday of each September for a work meeting (September 17, 2020).
37. The fourth Tuesday of each September for a board meeting (September 22, 2020).
38. The second Thursday of each October for a work meeting (October 8, 2020).
39. The second Tuesday of each October for a board meeting (October 13, 2020). This is designated the annual meeting.
40. The fourth Thursday of each October for a work meeting (October 27, 2020) at 11:00 AM.
41. The fourth Tuesday of each October for a board meeting (October 22, 2020).
42. The first Thursday of each November for a work meeting (November 5, 2020).

43. The second Tuesday of each November for a board meeting (November 10, 2020).
 44. The third Thursday of each November for a work meeting (November 19, 2020).
 45. The fourth Tuesday of each November for a board meeting (November 24, 2020).
 46. The first Thursday of each December for a work meeting (December 3, 2020).
 47. The second Tuesday of each December for a board meeting (December 8, 2020).
 48. The third Thursday of each December for a work meeting (December 17, 2020) at 2:00 PM.
 49. The fourth Thursday of each December for a board meeting (December 22, 2020).
- B. MEETINGS ON LEGAL HOLIDAYS. Any regular or adjourned meetings of the Board, which fall upon a legal County holiday, shall be set at the discretion of the Board.
- C. Adjourned and special meetings may be held as the business of the County may require, provided that special sessions of the Board shall be called by the County Clerk only upon petition in writing signed by not less than one-third of the Commissioners.
- D. Notice of special meetings shall be provided in accordance with the Open Meetings Act, being 1976 PA 267, as amended, and shall be posted on the Courthouse hall bulletin board at least 24 hours prior to the hour of the special meetings. Notice for a meeting shall be sent via e-mail or per MCL 46.10.
- E. The Commissioners shall be entitled to be notified of special meetings, in writing, if at all possible at least 24 hours prior to the hour of the special meeting.
- F. Correspondence regarding the Board of Commissioners' meetings will be provided to the Board members approximately 24 hours prior to the Board meeting.

**RULE II
TIME OF MEETINGS**

The work meetings shall begin at 9:00 a.m. unless altered by the Chairperson of the Board or as listed in Part B-A. The meetings of the Board shall begin at 4:00 p.m. unless altered by the Chairperson of the Board or as listed in Part B-A.

**RULE III
OPEN MEETINGS ACT**

All meetings will be in conformance with Michigan Open Meetings Act, 1976 PA 267, as amended.

PART C – RULES OF PROCEDURE

**RULE I
QUORUM**

A majority of the Commissioners shall constitute a quorum for the transaction of business.

**RULE II
ORDER OF BUSINESS**

The following shall be the Order of Business for work meetings.

1. Call to order.
2. Approval of the Agenda.
3. Public Comment.
4. Reports.
5. Public Comment.
6. Executive Session.
7. Adjournment.

The following shall be the Order of Business for all meetings of the Board.

1. Call to order
2. Roll call
3. Pledge of Allegiance
4. Approval of the Agenda
5. Approval of the Board Minutes
6. Public Comment
7. Reports
8. Resolutions for consideration
9. Nominations
10. Public Comment

11. Commissioner Liaison Reports & Comments
12. Chairman's Remarks
13. Executive Session
14. Adjournment

All matters shall be placed upon the agenda of the Board within a specific section, as listed immediately above. At the first meeting of a newly elected Board, the first order of business shall be the administration of the constitutional oath of office by the County Clerk to the members elect, if this has not previously been accomplished. The County Clerk shall then call the meeting to order and the first order of business will be the election of the Chairperson and Vice-Chairperson of the Board.

RULE III MEASURES REQUIRING TWO-THIRDS VOTE OF MEMBERS

The following actions of the Board shall require a two-thirds vote of members:

- A. Motion to suspend, alter or amend rules of the Board.
- B. Motion for prior consideration of a measure or resolution placed on special order for a certain time.
- C. Motion for a second reconsideration of any question, or a motion to reconsider, when such motion to reconsider is made later than the meeting of the Board next succeeding that one which the original motion was passed or defeated.

RULE IV

Parliamentary (e.g., motion to adjourn, table, etc.) measures will require a majority vote of elected members present. Final passage or adoption of a measure or resolution or the allowance of a claim against the County shall be determined by a majority of the members elected and serving (not necessarily present).

RULE V METHOD OF VOTING

- A. Election of the Chairperson of the Board of Commissioners may be by secret ballot if the majority of the members vote to have the election in this manner.
- B. The following measures shall be voted upon by roll call:
 1. Motion to submit a proposition to the vote of the people except as otherwise provided by statute.
 2. By request of a Commissioner.

3. Adoption of annual budget.
 4. Any other measure when a roll call shall be required by statute.
 5. Appropriations of funds.
- C. All other measures shall be voted by voice vote.

RULE VI
RIGHT AND DUTIES OF MEMBERS

- A. When a member wishes to speak, he/she shall address him/herself to the Chair and await recognition.
- B. No member shall speak more than twice on the same question, nor more than five minutes at one time without permission of the Board.
- C. When two or more members address the Chair at the same time, the Chairperson shall designate who is to speak first.
- D. When a member is speaking on any question before the Board, he/she shall not be interrupted except to be called to order.
- E. When a member is called to order, he/she shall immediately stop speaking. The Board, if appealed to, shall decide the case. If there is no appeal, the ruling of the Chair shall be final.
- F. When a member is fulfilling their liaison responsibilities, he/she shall confer with any officials, attend any committee, board or commission meetings, require any report, and conduct any studies that he/she deems necessary to properly inform and advise the Board of Commissioners relative to his/her assigned responsibility.
- G. When a Member's term of office expires, so shall his/her appointment to all other boards to which he/she was appointed by the Board of Commissioners. At the termination of said appointment to other boards, the Board of Commissioners shall appoint another Commissioner or citizen to complete the unexpired term.
- H. Each Member shall each month give a brief ORAL OR WRITTEN report of other appointed board meetings attended and/or liaison assignment meetings attended and topics of business discussed that affect County business.
- I. While the Member is putting any question or while the roll is being called by the County Clerk, no member shall leave his/her seat or entertain private discourse. When a member is speaking, he/she shall not be unduly interrupted.

- J. No Member shall leave a meeting prior to adjournment, unless first excused by the Chairperson. The County Clerk shall record in the official journal the time and point in the proceedings at which a member enters and leaves the meeting while the Board is in session.
- K. The Chairperson shall at all times preserve order and decorum pursuant to these Rules.

RULE VII RIGHTS OF CITIZENS

- A. Any citizen desiring to have a matter considered by the Board shall present the matter, in writing, to the Commissioner of his/her district, a minimum of five (5) days before the meeting at which it is to be considered. The Commissioner will then present the matter in writing a minimum of 24 hours prior to the designated meeting.
- B. Citizens are welcome to attend Board and work meetings and may, at the discretion of the Chairperson, be given the privilege to comment on the matter under consideration. Comments should be limited to five (5) minutes unless granted additional time by the Chairperson.
- C. The meetings will be conducted in a business-like manner and respect is expected among the board members and the public. The public will not be allowed to engage in obscene speech or profanity, this includes board members.
- D. Members of the public are expected to remain seated or stand in the gallery of the meeting room. The gallery is recognized as the area east of the media desks and the podium. Members of the public are not allowed to approach the board, either individually or collectively, without the express permission of the board chair. Any individual or group that does so will be gavelled out of order. The board area is recognized as the area west of the media desk and podium.

RULE VIII INTRODUCTION OF ORDINANCES

- A. Any proposed resolution, ordinances or major change in policy of operation may be read before the Board before it may be acted upon. A copy of same must be available to each Commissioner at least 24 hours previous to the first reading. A second and separate reading of any proposed Commissioner resolution, ordinance, or major change in policy of operation may be requested by majority vote of members present.

- B. Each recommended ordinance introduced and referred to committee, postponed, or tabled before its substance is voted upon shall be printed in the minutes by title only, unless otherwise ordered by a majority of the members.

RULE IX MOTIONS, RESOLUTIONS, ORDINANCES

No motion shall be put or debated unless seconded. It shall then be put in writing by the County Clerk and then restated by the County Clerk or by the Chairperson before debate. Any motion shall be put in writing at the request of any member. All motions may, with the permission of the Board, be withdrawn at any time before the same has been adopted. All motions, resolutions and amendments or substitutes thereto shall be entered at large upon the journal unless withdrawn.

RULE X PRIVILEGED MOTIONS, ORDER OF PRECEDENCE

When a question is under debate, no motion shall be received except the following: to adjourn; recess; raise questions of privilege; to lay on table; previous questions; postpone; commit or refer; to amend. These motions shall be precedence in the order as above named.

RULE XI MOTION TO RECONSIDER

A motion for reconsideration of any question shall not be in order unless made on the same day or at the meeting of the Board next succeeding that on which the decision proposed to be reconsidered was made; or unless a member who voted with the side which prevailed shall move such reconsideration and at a time when there are as many members present as when the original vote was taken. But a second reconsideration of any question or reconsideration at a later date may be had with consent of two-thirds of the members.

RULE XII QUESTION OF APPEAL

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

RULE XIII 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.

RULE XIV AGENDA

A member of the Board desiring to bring a matter before the Board for consideration will request the Chairperson or County Clerk of the Board or the County Administrator to place the item on the agenda for a following meeting. Items for the agenda should be in the hands of the County Clerk or County Administrator by Thursday morning preceding the Board Meeting on a Tuesday. Supporting resolutions, committee studies and background material on agenda items should be given to the County Clerk or County Administrator for reproduction at the same time.

No action will be taken on subject matters not included as an item on the agenda. Board matters not on the agenda may be discussed by the Board, but no formal action will be taken.

If an urgent County problem requires immediate action by the Board and time did not permit the matter being included on the agenda, the Board may suspend these rules or procedure by a simple majority vote of the members and take appropriate action.

Items on the agenda will be considered by the Board in the order listed. Items may be considered out of order on the agenda providing a majority of the members approved.

RULE XV APPOINTMENT TO BOARDS

All positions for board appointment shall be posted at least 30 days prior to submission to the full board for nomination. All requests for appointments to various County boards will be submitted to the Board of Commissioners in writing, accompanied with a resume of the candidate or candidates. Copies of the request and resumes will be submitted to each Commissioner and County Clerk by or during a regular meeting and voted upon.

RULE XVI REFERRAL TO WORK MEETING

It shall be the duty of the Chairperson to refer all petitions, communications, resolutions, motions and other business that may come before the Board to the workgroup and the chair of the area of responsibility unless objection be made by some members, in which

event, a motion made and adopted with reference to the subject shall preclude the Chairperson's action.

A. All referrals to the workgroup shall be in one of the following forms:

1. General Referral: Any referral which must be referred back to the Board after the workgroup has reviewed or studied the matter shall be referred to as a general referral.
2. Referral for Information. Any referral which need not be reported back to the Board to which it is referred shall be called a referral for information.
3. It is the responsibility of the chair of the area of responsibility to report any findings to the board.

RULE XVII MOTION TO CLEAR THE FLOOR

If, in the judgment of the Chairperson, there is a confusion of parliamentary procedure existing, the Chair shall have the right to request a "motion to clear the floor," which motion, if made and seconded, shall be undebatable, shall take precedence over all other motions, shall be forthwith put by the Chair, and, if carried, shall clear the floor completely and with the same effect as if all matters on the floor were withdrawn. The motion to clear the floor shall not be reconsidered; but its passage shall not limit the right of any member to move the reconsideration of any other matter in the same manner as, but for the passage of the motion to clear the floor, would be in accordance with these Rules.

RULE XVIII COMMENTS FROM THE FLOOR

Only members of the Branch County Board of Commissioners shall be given the floor to speak during Board meetings except:

- A. Anyone who desires to speak under Part C, Rule II, subsections 6 and 10; and
- B. Anyone who desires to speak during a noticed public hearing; and
- C. County officials and/or personnel may speak with the consent of the Chairperson; and
- D. Any person, with the consent of the Chairperson of the Board and/or a majority of the Board; and

- E. Public comment shall be limited to no more than five (5) minutes per individual and at the times designated as stated above, except where extended privileges are granted by the Chairperson; and
- F. Members of the public desiring to address the Board shall be required to identify themselves.

RULE XIX

Roberts Rules of Order Newly Revised shall prevail in all matters not covered by these rules of procedure or by statute.

PART D – ADMINISTRATION

RULE I SIGNING OF DOCUMENTS

The Chairperson shall be the signatory of all contracts, bonds, and other documents which require the signature of the Board of Commissioners. In the event the Chairperson is unable to perform such function, then the Vice-Chairperson shall act in his/her stead. The County Administrator may be designated by the full Board to act in this capacity.

UNIT II NOTICE OF BOARD ACTION

When the Board has acted upon a written request or demand for action presented to the Board from other than among its membership, the County Administrator shall promptly notify the person or agency making the request or demand on the Board's action thereon.

UNIT III MINUTES OF BOARD MEETINGS

A copy of the minutes of each Board meeting shall be prepared and placed in each Commissioner's dropbox and posted to the Branch County Website as soon as possible immediately after each meeting of the Board. The County Clerk or his/her designee shall prepare minutes as required by the Open Meetings Act, 1976 PA 267, as amended.

UNIT IV MINUTES OF BOARD EXECUTIVE SESSIONS

- A. The County Clerk shall attend closed meetings for the purpose of recording the minutes of the closed meeting.
- B. The County Clerk, prior to adjourning the closed meeting, shall read aloud the draft minutes.

- C. The members present shall vote to approve the draft minutes as the official record of the meeting prior to the Board's adjournment.
- D. The County Clerk shall seal the minutes of the closed meeting and place the "one year and one day" date on the envelope.
- E. The County Clerk shall file the envelope and minutes in the vault.
- F. The County Clerk shall destroy the envelope and minutes on the expiration date unless the matters discussed in the meeting are, or could be, important in pending litigation.
- G. Upon written request of any sitting Commissioner, the Commissioner may view the original closed session minutes in the presence of the County Clerk.
- H. The County Clerk shall not copy or disclose the minutes to any person except upon the order of the court.

UNIT V RESOLUTIONS

All resolutions finally adopted by the Board in each calendar year shall be consecutively numbered in the order of their adoption.

PART E – GENERAL

UNIT I MEMBER CONDUCT

- A. A member shall not, directly or indirectly, solicit or accept a gift.
- B. A member shall not use his/her official position to unreasonably secure, request or grant, any privileges, exemptions, advantages, contracts, or preferential treatment for himself/herself or others.
- C. A member shall not direct out-sourced agencies, e.g. legal and auditor, without first informing the board at their next scheduled meeting.

UNIT II MEMBER VACANCY

- A. When a vacancy occurs in the office of the commissioner by death, resignation, removal from the district, or removal from office, the vacancy shall be filled by

appointment within 30 days by the Board of Commissioners of a resident and registered voter of that district, as required by MCLA 46.412.

- B. A person appointed to fill a vacancy shall serve for the remainder of the unexpired term per Public Act 84 of 2013.
- C. Failure by the Board of Commissioners to fill a vacancy by appointment within 30 days, that vacancy shall be filled by a special election regardless of whether the year is an election year or an odd year, as required by MCLA 46.412.
- D. A resignation by a member shall be in writing and addressed to the County Clerk, specifying the effective date of the resignation, with copies of the written resignation to the Chairperson and the County Administrator.
- E. Upon receipt of a copy of a written resignation the Chairperson shall request a special meeting of the Personnel & Policy Committee to supervise the process to fill a member vacancy.
- F. The Personnel Committee shall post a notice of vacancy in at least one local daily newspaper, local radio station, and at the County Courthouse. The notice shall specify the length of appointment as well as the timelines and procedures associated with the appointment.
- G. All interested persons shall be required to submit a completed Board Appointment Nominee Resume to the County Clerk within the specified timeline.
- H. Persons submitting a Board Appointment Nominee Resume to the County Clerk within the specified timeline shall be granted an opportunity to present themselves for interview before a special meeting of the Board of Commissioners.
- I. The interview of a person to fill a vacancy shall be conducted in public and the selection by roll call vote of the Board of Commissioners.

UNIT III TITLES AND SUBTITLES

The titles and subtitles of these Rules, and the citations appended thereto, are for convenience only and shall not be considered as part of these Rules.

UNIT IV
AMENDMENT TO AND EFFECTIVE DATE OF THESE RULES

- A. These Rules may be amended, suspended, or rescinded only by a two-thirds vote of all of the Commissioners. They shall remain in effect until rescinded, amended, or suspended.
- B. Any amendment to these Rules, properly presented to the Board of Commissioners and adopted, shall take immediate effect unless otherwise stated by the Board at the time of adoption.

UNIT V
CONCLUSION

To the extent that any of the Rules herein are contrary to statutory requirements, they shall be of no force and effect.