

**COUNTY OF GRATIOT
STATE OF MICHIGAN**

**RULES OF
ORGANIZATION OF THE
GRATIOT COUNTY BOARD OF
COMMISSIONERS**



Approved as amended January 3, 2023

AUTHORITY: the Gratiot County Board of Commissioners establishes these rules and procedures in reference to the management of the interest and business concerns of Gratiot County. They are in reference to the mode of proceedings before such Board, as they shall deem necessary and proper in all matters not specifically provided for in any act or law of the State of Michigan. These rules are adopted by the Board of Commissioners of Gratiot County pursuant to Section 46.11, Michigan Compiled Laws, as amended, and shall be re-adopted at the first organizational meeting of each new Board.

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APPLICATION, SUSPENSION, AND AMENDMENT OF BOARD RULES

These Rules shall guide and direct the Gratiot County Board of Commissioner's operations. Any situation, which may arise and is not covered by these rules, shall be determined on the basis of Robert's Rules of Order Newly Revised, 11th Edition or the Michigan Open Meetings Act at MCL 15.261 et. seq as amended. When the rules contained herein conflict with State of Michigan Statutes, the statutes shall prevail.

No rule of the Board of Commissioners shall be suspended or amended without concurrence of a majority of all County Commissioners elected or appointed and serving. Except during the organizational meeting, any proposed amendment(s) to these rules shall be first referred to a Commission meeting for discussion only, with subsequent consideration given for action no later than one month thereafter.

ARTICLE I: BOARD ORGANIZATION

1.1 AUTHORITY

These rules are adopted by the Board of Commissioners of Gratiot County pursuant to Section 46.11, Compiled Laws of Michigan, as amended.

1.2 BOARD MEMBERSHIP

The Board of Commissioners shall consist of five (5) members elected from single member districts apportioned on the basis of population as provided by law.

1.3 VACANCIES IN OFFICE

Vacancies caused by death, resignation, removal from the district or removal from office shall be filled as specified at 46.412, as may be amended from time to time.

1.4 COMPENSATION

Compensation for the Board of Commissioners shall be set by resolution in even numbered years prior to the candidate filing deadline. Changes in compensation shall become effective only at the beginning of a new term commencing on January 1 of the odd year.

Compensation shall be comprised of salary only. No separate per diem shall be provided, although mileage shall be reimbursed.

1.5 POWER AND DUTIES

The Board shall have such powers and duties as shall from time to time be provided by law.

1.6 INSURANCE

The County Board members shall be covered by liability insurance carried by the County for itself and its officers and employees covering to the same extent as other elected County officers and appointed County department heads. This coverage may be met through a self-insurance pool or fund and is currently carried through the Michigan Municipal Risk Management Authority.

1.7 COMMITTEES:

There shall be, in addition to the standing committees, such other special committees as the Chairperson, from time to time, may appoint and establish subject to approval by the Board. The membership of all such special committees shall automatically be vacated upon the succession of office of a new Chairperson to the Board.

- a) Each committee shall have a chairperson and vice-chairperson.
- b) Each committee chairperson shall be responsible for keeping a written record of committee proceedings.
- c) If commissioners serve on committees under this rule, the number of members shall not exceed one (1) less than a majority number of those elected and serving on the full Board of Commissioners (N=2).

ARTICLE II OFFICERS AND EMPLOYEES

2.1 CHAIRPERSON

The Board Chairperson and Vice-Chairperson shall be elected as provided in MCL 46.3(4). The duties and powers of the Chairperson shall include but not be limited to the following:

2.1.1 Statutory Powers and Duties (MCL 46.3)

- (1) Presides at all Board of Commissioner meetings.
- (2) Administers oaths and issues subpoenas. (MCL 46.3(5)).
- (3) Signs contracts (MCL 46.3(5)) and Board-approved minutes (MCL 46.29) and certifies the equalized tax rolls. (MCL 211.34(2)).
- (4) With the advice and consent of the Board of Commissioners, appoints members of the board of directors of an Economic Development Corporation (MCL 125.1604(3)).
- (5) Serves on Intra-County Drainage Boards (MCL 280.464(1)).
- (6) Receives, with other officials, notice of the Sheriff's determination of jail overcrowding. (MCL 801.52).
- (7) Carries out Emergency Management and Preparedness responsibilities in accordance with 1976 Public Act 390 (MCL 30.401 et seq) and appoints a member of the Board of Commissioners to act in place of the Chairperson in his/her absence.
- (8) Ethical Obligations Reference: Ethics Opinion R-15 July 24, 1992.
 - a) A lawyer, who serves as chairperson of the county board of

commissioners which decides judicial salary supplements, fringe benefits, and the annual operating budget of the circuit, district and probate courts, is not per se prohibited from appearing as an advocate before those courts. A lawyer/commissioner:

- 1) may not undertake representation in any matter adverse to the county or county commission;
- 2) may not represent a client in a matter in which the lawyer participated personally and substantially as commissioner;
- 3) may not participate as commissioner in any matter in which the lawyer participated personally and substantially while in private practice; and
- 4) may not represent a client if the representation will be materially limited by duties as commissioner, unless a disinterested lawyer would reasonably believe the representation will not be adversely affected and the client consents.

2.1.2 Other Duties

- (1) Serves ex-officio on all committees provided, however, the Chairperson will not participate in any Committee meeting in this ex-officio role if it would not be consistent with 1.7(c) of these Rules.
- (2) Appoints Board of Commissioner committees.
- (3) Makes other county appointments subject to Board of Commissioner's approval.
- (4) Preserves order and decides questions of order subject to approval of the Board of Commissioners.
- (5) Votes on all questions taken by roll call vote, except on Commissioners' appeals regarding a decision of the Chairperson.
- (6) Serves as spokesperson for Board of Commissioner action or designates a spokesperson in writing.
- (7) Attends regular meetings with the County Administrator for the purpose of providing assistance and planning in Board of Commissioner related matters.
- (8) Duties of the Chairperson may be expanded by the Board of Commissioners for purposes and durations deemed appropriate and necessary.

2.2 VICE CHAIRPERSON

The duties and powers of the Vice-Chairperson shall include but not be limited to the following:

1. The Vice-Chairperson shall preside in the absence of the Chairperson.
2. The Vice-Chairperson shall sign all contracts, bonds, and other documents requiring the signature of the Chairperson when the Chairperson is unable to do so because of illness or any other emergency which, in the opinion of the Board or County

Administrator, prevents the Chairperson from performing such functions of his or her office.

3. The Vice-Chairperson shall perform such other duties as may be from time to time assigned by the Chairperson or by the Board.
4. In the absence of the Chairperson, the Vice-Chairperson shall assume the duties and responsibilities of the Chairperson.

2.3 CLERK

The County Clerk, or Deputy of the Clerk, shall be the Clerk of the Board and shall perform such duties as required by law. (MCL 46.4(4), 46.5(5))

2.4 COUNTY ADMINISTRATOR (CAO)

The Board of Commissioners employs a County Administrative Officer who is recognized as the Chief Administrative/Executive Officer of the County. (MCL 46.11 (o)). The authorities and duties of the County Administrator are as provided by statute. A position description is available in the Human Resources office.

**ARTICLE III
APPOINTMENTS TO BOARDS AND COMMISSIONS**

3.1 OTHER BOARDS, COMMISSIONS, and COMMITTEES

Due to statutory requirements, by invitation, or through the exercise of its discretion, the Board of Commissioners appoints or elects members, member-alternates, and other persons to boards, commissions, and committees which exist internally and externally to the Gratiot County government organization. Appointments as of January 3, 2023 appear in Attachment "A."

Any Board of Commissioner member so appointed or elected shall make available the minutes or other information of record of those same boards, commissions or committees to the Board upon its request in time sufficient for the Board's consideration and in the manner herein directed.

ARTICLE IV: MEETINGS

4.1 OPEN MEETINGS

All scheduling, notices and attendance of any meeting of the full Board of Commissioners shall comply in all respects to the Michigan Open Meetings Act at MCL 15.261 et seq and as may be amended from time to time.

4.2 ORGANIZATIONAL MEETINGS

The Board of Commissioners shall convene for its first meeting in January. This meeting shall be known as the Organizational Meeting and the Board shall transact such business at said meeting, or at the adjourned date of such meeting, as shall be provided by these rules or by law, including the election of a Chairperson (if is an odd year or if a vacancy must otherwise be filled) and the Vice Chairperson, as provided in MCL 46.3(4) and Article II, Section 2.1 of these Rules. The County Clerk shall preside over the organizational meeting until a Chairperson of the Board has been duly elected by a majority vote of the members elect.

- 1) As the first item of business, the County Clerk shall administer the oath of office to the Commissioners if the oath has not previously been administered within 20 days of receiving the certificate of election. (MCL 45.318)
- 2) The second item of business shall be the election of Chairperson of the Board then the Vice- Chairperson. The Clerk shall call for nominations for the office of the Chairperson and when nominations are closed by majority vote or no other nominations are forthcoming, the Clerk shall order the roll of the commissioners to be called. Upon the adoption of a motion, the election of the Chairperson may be conducted by secret ballot. (MCL 46.3a.)

- 3) When one nominee receives a majority of the votes of the members elected and serving, the nominee shall be declared the Chairperson.
- 4) If the commissioners present shall not cast a majority for one nominee, the County Clerk shall continue to preside until a majority of commissioners elects one of its members to be Chairperson.
- 5) The newly elected Chairperson shall assume the Chair and proceed with the election to the office of Vice-Chairperson.
- 6) The Board of Commissioners shall select by majority vote of all the members, one of its members to serve as Vice-Chairperson. The term of the Vice-Chairperson shall begin upon his or her election. (MCL 46.3(4))
- 7) The Board of Commissioners shall select by majority vote of all the members, one of its members to serve as Finance Committee Chair. The term of the Finance Committee Chair shall begin upon his or her election and extend for one year or until replaced by a majority of the Board of Commissioners, whichever occurs first.
- 8) The Board of Commissioners may proceed onto other agenda matters, as they shall decide.

4.3 REGULAR MEETINGS

The schedule for regular meetings shall be set at the first meeting in January of each year (Organizational Meeting). The Board shall meet in regular session according to the adopted meeting schedule as advertised except when otherwise set by adjournment or by law. Any meeting which is not on the schedule established at the Organizational Meeting shall be a special meeting or adjourned session of a regular meeting, depending on the means and methods used in calling said meeting.

- 1) Unless the Board otherwise provides, the motion to adjourn any meeting of the Board, whether special or regular, means to adjourn to the next succeeding meeting on the established schedule.
- 2) If any regularly scheduled meeting falls on one of the legal holidays, the Board shall meet on the next secular day that is not a meeting, unless the Board, in session, determines otherwise.
- 3) Adequate and proper notice of all public meetings is required by the Open Meetings Act at MCL 15.263, as amended from time to time.

4.4 STATUTORY MEETING

The statutory meetings of the Board of Commissioners are held on the second Tuesday after the first Monday in April to equalize the assessment roll (MCL 209.5 and MCL 211.34) and after September 14, but before October 16 of each year, commonly known as the annual meeting, to complete tasks required by law.

4.5 SPECIAL MEETINGS

The Board of Commissioners shall convene for the purpose of holding special meetings upon the written request of at least one-third (1/3) of the Commissioners, to the County Clerk, specifying the time, date, place and purpose of such meetings. In the alternative, a special meeting may be convened if approved at a regular meeting of the Commissioners and is set for a date and time at which a quorum will be present. When a special meeting is called as provided above, the County Clerk shall give notice to each of the Commissioners within forty-eight (48) hours by a method reasonably calculated by the County Clerk to accomplish actual notice. Such methods may include, but are not limited to:

- 1) personal delivery of the notice of the special meeting to the Commissioner;
- 2) leaving the notice of the special meeting at the residence of the Commissioner;
- 3) an email to the address previously supplied for such purpose by the Commissioner;
- 4) an email to the Commissioner's County e-mail address; or
- 5) by scheduling at a regular meeting at which Commissioners are in attendance, and with any Commissioner not in attendance being notified by another of the above- listed methods..

The Clerk shall post at least 18 hours before the meeting a Public Notice as required by the Open Meetings Act.

4.6 CLOSED SESSION

Upon a two-thirds (2/3) roll call vote of the Board of Commissioners elected or appointed and serving, the Board may meet in closed session for any of the reasons specified in 15.268 (d), (e), (f), and (h); and upon a majority roll call vote of the Board of Commissioners elected or appointed and serving, for any of the reasons specified in MCL 15.268(a), (c) and (l).

4.7 EMERGENCY MEETINGS

A public body may meet in emergency session in the event of a severe and imminent threat to the health, safety, or welfare of the public when 2/3 of the members serving on the body decide that delay would be detrimental to efforts to lessen or respond to the threat. MCL 15.265(5). Public notice of the time, date, and place of an emergency meeting shall be given in the manner required by the Open Meetings Act (MCL 15.265(5)).

4.8 PLACE OF MEETINGS

Meetings of the Board of Commissioners shall be held in the chambers of the Board of Commissioners in the county courthouse, at Ithaca, Michigan, unless lawful public notice of the meeting states a different location.

4.9 TIME OF REGULAR MEETINGS

The first and second regular meetings each month shall be held on a schedule adopted by the Board of Commissioners at the Organizational Meeting in January of each year. Meetings shall presumptively be held on the first and third Tuesdays of each month, beginning at 4:30 pm. Regular meetings for 2023 appear in Attachment "B."

4.10 CHANGES IN SCHEDULE

Changes in the meeting schedule, including time and place, additional meetings, and meetings adjourned or recessed to a specific time and place, may be made by majority vote of the members of the Board of Commissioners present. Such change is to be recorded in the minutes of the meeting in which the change is made. A public notice shall be given in accordance with the Michigan Open Meetings Act. If there is a change in schedule, the County Clerk shall post a notice within three (3) days after the meeting, stating the new day, time and place.

ARTICLE V MEETING PROCEDURES

5.0 PUBLIC NOTICE OF MEETINGS

The County Clerk shall provide the notice for all meetings of the Board of Commissioners, in compliance with the Open Meetings Act at MCL 15.263a - 15.265.

5.1 QUORUM, ATTENDANCE

- 1) The majority of Commissioners of the Board, elected/appointed and serving, shall constitute a quorum for the transaction of ordinary business of the Board. Upon the absence of a quorum, no business shall be considered; the members present may adjourn or recess. Public notice is not required if the time set for reconvening is less than 36 hours.
- 2) Commissioners shall attend all meetings unless excused by the Chairperson.

5.2 ORDER OF BUSINESS

The business of all regular meetings of the Board of Commissioners shall be considered and transacted in substantially the following order based on the information provided unless altered by a majority vote of the Commissioners:

- a) Call To Order
- b) Roll Call of Commissioners
- c) Invocation
- d) Pledge Of Allegiance
- e) Additions/Deletions to Agenda
- f) Approval of the Agenda
- g) Brief Public Comments
- h) Action on Consent Calendar
- i) Administrator's Report
- j) Commissioners' Committee/Board/Agency Reports
- k) Consideration of New Business
- l) Consideration of Unfinished Business
- m) Discussion and Report of Finance and Budget Matters (second meeting of each month only)
- n) Additional Public Comment and Board Comment
- o) Adjournment

5.3 AGENDA

The agenda for regular Board meetings shall be prepared by the County Clerk or County Administrator, or his or her designee. The County Clerk shall make every effort to ensure that the agendas and related information be delivered to all Commissioners at least three (3) business days prior to a scheduled Board meeting. The packet shall include at a minimum:

- a) the agenda;
- b) minutes of the previous meeting;

- c) correspondence to be received at the meeting;
- d) committee reports, if written; and
- e) all other reports or documents to be presented, discussed, or acted upon at the meeting.

5.4 AGENDA FOR SPECIAL MEETINGS

When the Board is called into a Special Meeting, 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. Agendas for special meetings shall be provided along with the notice of the meetings to Commissioners, if time permits. At other times, the Chairperson shall declare the agenda upon the approval of a majority of the members present.

5.5 DISTRIBUTION OF AGENDA AND MATERIALS

Meeting materials will be distributed in electronic format and posted on the Gratiot County website. Individuals requiring materials in hard copy format must make the request to the County Clerk.

5.6 CONSENT CALENDAR

The consent calendar shall consist of those matters that the Board of Commissioners has determined to be "routine" and those matters about which the Board commonly concurs. Among such matters are the approval of minutes and other matters that the Board of Commissioners is required by statute or board rule to approve.

The meeting agenda shall list those matters under the heading of "Consent Calendar" and include the associated materials with those distributed to the members in accordance with Articles 5.3 and 5.4 of these Rules. At a meeting of the Commissioners where a Consent Calendar has been prepared, the Board, upon the motion of a Commissioner, shall vote on the approval of the matters included under the consent calendar. Before putting the question to the Commissioners, the Chairperson shall permit the Commissioners to remove from the consent calendar those items on which they have questions or wish to debate. The Chairperson shall then direct the County Clerk to remove such matters and place them in their usual place on the meeting's agenda. A vote shall not be required to remove a matter from the Consent Calendar.

5.7 PUBLIC PARTICIPATION

- 1) The Board of Commissioners shall not place any conditions on the attendance of members of the public at an open meeting and no person shall be excluded from a meeting except for a breach of peace committed at that meeting. However, members of the public who wish to attend the open meeting in groups of 10 persons or more shall notify the County Clerk of their intention in order that the Board may make all efforts to secure adequate accommodations.

2) Members of the public are encouraged to attend all open public meetings and to address the public body at that meeting, when appropriate. (MCL 15.263)

2) To protect the rights of all people attending such meetings, and to maintain reasonable order, the following rules are established:

a) Speakers wishing to address the Board shall first seek to be recognized by the Chairperson and, upon recognition, declare name, address and the topic the speaker wishes to address.

b) A maximum of three (3) minutes shall be granted to each person desiring to make a public comment; however, that time may be modified at the discretion of the Chairperson.

3) In the event that a person desires to address the Board in an extensive manner, that person shall be placed on the agenda for a reasonable period of time by contacting the County Clerk or Chairperson no less than seven (7) days prior to the scheduled meeting.

4) The Chairperson shall call to order any person who is behaving in a disorderly manner by speaking or otherwise disrupting the proceedings by failing to be germane, by speaking longer than the allotted time of three minutes, or by speaking vulgarities. No person shall be removed from a public meeting except for an actual breach of peace committed at the meeting. A recess may be called to quiet the matter by the Chair or by a Commissioner. In such situation, the Clerk shall carefully record the actions and who said what.

5) Any exception to the rules of public participation shall be at the discretion of the Chairperson.

ATTACHMENT A

**COMMISSIONER AND STAFF ASSIGNMENTS TO COMMISSIONS,
BOARDS, AUTHORITIES AND COMMITTEES**

ORGANIZATION	APPOINTEE	TERM, EXPIRES
Airport Authority	Smith	4 year term: 2/1/26
Brownfield Redevelopment	Bailey, Gay	6 year term: 12/31/28
Great Lakes Bay Michigan Works	Bunting Alternate: Gay	2 year term: 12/31/24
Commission on Aging	Bailey	3 year term: 12/31/25
Mental Health	Bailey	3 year term: 3/31/ 25
Economic Development	Bailey, Gay	6 year term: 12/31/28
EightCAP	Gay, Bunting (through delegates)	2 year term: 12/31/24
Greater Gratiot	Owens, County Administrator	1 year term: 12/31/23
Northern Michigan Counties Association	Owens	2 year term: 12/31/24
Health Department	Gay, Bailey	2 year term: 12/31/24
MSUE	Bunting	1 year term: 12/31/23
Mobile Medical Response (MMR)	Bunting Alternate: Owens	Unknown
Parks & Recreation	Smith	3 year term: 12/31/25
Saginaw Bay	Owens	Unknown

Attachment B



**GRATIOT COUNTY
BOARD OF COMMISSIONERS**

Regular Board Meetings at 4:30 p.m.
On Tuesdays – Unless Noted
Commissioners Room, Gratiot County Courthouse
214 E. Center Street, Ithaca, MI 48847
(989) 875-5215

MEETING DATE 2023

MEETING DATE 2023

January 3, 2023
January 17, 2023

**July 5, 2023
July 18, 2023

February 7, 2023
February 21, 2023

August 1, 2023
August 15, 2023

March 7, 2023
March 21, 2023

September 5, 2023
September 19, 2023 Annual
Meeting

April 4, 2023

October 3, 2023

April 18, 2023

October 17, 2023

May 2, 2023
May 16, 2023

November 7, 2023
November 21, 2023

June 6, 2023
June 20, 2023

December 5, 2023
December 19, 2023

** Meeting is moved to the first Wednesday of the month due to the holiday.
The Finance Committee will convene at the second meeting of each month.

Agenda/Full Packets/Minutes Available at www.gratiotmi.com
Board of Commissioners Section

Posted Pursuant to PA267 of 1976, Section 4(a-d), Angie Thompson, Gratiot County Clerk
All Meetings Are Open to the Public

