

**INDEX TO RULES OF ORDER OF THE
MARQUETTE COUNTY BOARD OF COMMISSIONERS**

SECTION I - BOARD ORGANIZATION

1. Chair Pro-Tem; January Organizational Meeting; Election of Chair and Vice-Chair.
2. January Organizational Meeting; Review and Revision of Rules; Meeting Schedule.

SECTION II - COMMITTEES

1. Statutory Finance Committee.
2. Special and Select Committees.
3. Committee of the Whole.
4. Structure of Committee of the Whole.
5. Rights and Duties of Committees.
6. Scheduled Committee Meetings.

SECTION III - CHAIR AND VICE-CHAIR

1. Powers and Duties of the Chair.
2. Emergency Meetings.
3. Disorderly Conduct.
4. Authorizing Attendance at other Meetings.
5. Powers and Duties of the Vice-Chair.
6. Temporary Chair.

SECTION IV - MEETINGS; PROCEDURE

1. Quorum.
2. Agenda.
3. Order of Business.
4. Clerk; Minutes.
5. Order of Speaking.
6. Simultaneous Speaking.
7. Right of Speaking.
8. Member Called to Order.
9. Division of Question.
10. Suspension of Rules; Amendments.
11. Robert's Rules of Order.
12. Privileged Comment.
13. Public Comment.
14. Closed Sessions.
15. Special Meetings

SECTION V - MOTIONS

1. Privileged Motions.
2. Motion to Table; Motion to Adjourn.
3. Motion for Reconsideration.
4. Motion to Rescind.
5. Seconds; Written Motions.
6. Withdrawal of Motion.

SECTION VI - DEBATE

1. Debate Procedure
2. Debate.
3. Decorum.

SECTION VII - VOTING

1. Roll Call Vote; Commissioners Present; Excuse.
2. Roll Call Votes.
3. Roll Call Votes; Entry Upon Minutes.
4. Chair Vote.

SECTION VIII - HEARINGS

1. Public Hearings Rules of Procedure.

RULES OF ORDER BOARD OF COMMISSIONERS MARQUETTE COUNTY, MICHIGAN (Amended & Adopted January, 2011)

Adopted pursuant to authority granted by MCLA 46.11(p).

The great purpose of all rules and forms is to subserve the will of the assembly, rather than to restrain it; to facilitate, and not to obstruct, the expression of its deliberate sense.

SECTION I BOARD ORGANIZATION

I-1. CHAIR PRO TEM; JANUARY ORGANIZATIONAL MEETING; ELECTION OF CHAIR AND VICE-CHAIR.

At the last meeting of each year, the Board shall designate by a majority vote a Chair Pro Tem to serve from December 31 to the opening of the organizational meeting if the present chair shall be ineligible to serve on the Board during the next term. In the absence of such ineligibility, the present chair shall serve until the opening of the organizational meeting. At the first meeting of the Board of Commissioners held in January of each year, the Chair Pro Tem shall open the meeting, the County Clerk shall call the roll, and if a quorum is found to be present, the Board shall proceed to nominate and elect one of their number as chair. The commissioner receiving the majority of all votes cast shall be Chair of said Board and immediately assume the duties thereof. The Chair shall first proceed to the election of a Vice-Chair by a roll call vote.

I-2. JANUARY ORGANIZATIONAL MEETING; REVIEW AND REVISION OF RULES; MEETING SCHEDULE.

During the January organizational meeting, the Commission shall review and revise, if deemed necessary, the Rules and Procedure Manual and shall set the schedule for all regular board meetings and standing committee for the year.

SECTION II COMMITTEES

II-1. STATUTORY FINANCE COMMITTEE.

II-1.1 The Chair of the Board shall appoint three commissioners to the Statutory Finance Committee no later than the Monday following the organizational meeting.

II-1.2 The Statutory Finance Committee shall elect a Chair and a Vice-Chair at its first meeting.

II-2. SPECIAL AND SELECT COMMITTEES.

The Chair shall appoint all special and select committees unless otherwise ordered by the Board. The Chair of the Board will be a member of all committees so appointed.

II-3. COMMITTEE OF THE WHOLE.

All members of the Board may meet as a Committee of the Whole when necessary for the informal discussion of matters that may come before the Board of Commissioners or any committee of the Board.

II-4. STRUCTURE OF COMMITTEE OF THE WHOLE.

II-4.1 The Chair of the Board shall be Chair of the Committee of the Whole and shall call the Committee of the Whole to order at the time, place, and date set for its meeting.

II-4.2 The Chair shall conduct the order of the Committee in a reasonable manner so as to permit free and informal discussions of all matters by all members of the Committee. On motions to refer matters to the Board or other committees, the Chair shall state the motion and call for a vote.

II-4.3 When meeting as a Committee of the Whole, the Board is cautioned from taking any formal final action on any business then before the Board of any committee of the Board without the express approval, made in the form of a motion and approved by a majority of the board present

II-4.4 The Committee of the Whole may vote to refer any matter to any other committee of the Board or to the Board of Commissioners for formal or final action. Such reference to a committee of the Board may be accompanied by a recommendation as to policy or disposition.

II-5. RIGHTS AND DUTIES OF COMMITTEES.

Any matter referred to committee remains the property of that committee until reported to the full Board, or another committee, either by a date specified in the motion or at the earliest convenience of said committee. Any matter not reported to the Board within a reasonable length of time may be brought upon the floor for consideration by a majority vote of those present.

II-6. SCHEDULED COMMITTEE MEETINGS.

All committee meetings shall be noticed and posted in accordance with the Open Meetings Act. No scheduled committee meeting shall be changed to another time or date unless all members of the committee are polled and a majority agree to the change.

SECTION III CHAIR AND VICE-CHAIR

III-1. POWERS AND DUTIES OF THE CHAIR.

The Chair shall take the Chair precisely on the day and at the hour to which the Board adjourned at the preceding session. He/she shall immediately call the members to order, and on the appearance of a quorum from a call of the roll, he/she shall cause the minutes of the preceding session to be read unless otherwise ordered by the Board. Authority for the execution of all documents requiring signature as a result of action taken by the Board of Commissioners shall be expressly vested in the Chair or the Vice-Chair in the Chair's absence; said signature shall be affixed in the presence of the Clerk or his/her deputy.

III-2. EMERGENCY MEETINGS.

A previously scheduled regular meeting may be cancelled and rescheduled, or a meeting may be called, by the Chair when in his or her discretion, and emergency exists, provided notice is given to each member and such additional notice is given as required by the Open Meetings Act. An emergency is defined as a sudden and unexpected turn of events requiring immediate action.

III-3. DISORDERLY CONDUCT.

It shall be the duty of the Chair to preserve order, and to call to his/her aid for that purpose the Sheriff of the County or his Deputy. The Chair shall suppress any disorderly conduct and shall strictly enforce the rules and regulations of the Board.

III-4. AUTHORIZING ATTENDANCE AT OTHER MEETINGS.

III-4.1 The Chairperson of the Board is authorized to send to any meeting, or convention or function deemed important to the conduct of County business, those persons deemed necessary in numbers appropriate to the occasion. Said members shall travel by the mode of transportation most suited to the situation, and action taken by the Chair shall be subject to later review by the County Board of Commissioners. It is expected that a written or oral report concerning participation in such activities will be submitted to the full Board by

the designated participating delegate. Failure to report those activities to the County Board will result in loss of the privilege to represent the Board at such functions.

III-4.2 In addition, Board members serving in the capacity as commissioners on other boards and commissions will be expected to periodically report to the County Board on the activities of that board or commission.

III-5. POWERS AND DUTIES OF THE VICE-CHAIR.

When the chair is absent from Board meetings or otherwise incapacitated during the interim, the Vice-Chair shall assume all the duties and obligations of the Chair.

III-6. TEMPORARY CHAIR.

Both the Chair and Vice-Chair, when presiding, shall have the right to name any member of the Board to perform the duties of the Chair temporarily.

SECTION IV MEETINGS; PROCEDURE

IV-1. QUORUM.

A majority of all the Commissioners duly elected and/or qualified shall constitute a quorum for the transaction of business.

IV-2. AGENDA.

The agenda for each regular and committee of the whole meeting and any special or emergency meeting shall be prepared by the Chair or his designee. Prior to the meeting, any items for discussion shall be placed on the agenda at the request of a Commissioner or county official. Such requests shall be made by 5:00 p.m. on the Thursday preceding the meeting. At any meeting when the agenda is being considered for approval, agenda items may be advanced to the Privileged Comment section upon request of a Commissioner or upon request of any person with approval of the Board. Items not appearing on the published agenda may be added at a meeting under Late Additions upon a majority vote of the Board.

IV-3. ORDER OF BUSINESS.

The order of business of the Board of Commissioners shall be as follows:

1. Call to Order – Salute to the Flag – Pledge of Allegiance.
2. Reading of the minutes of preceding regular and special meetings.
3. Proclamations, Presentations, and Awards.
4. Approval of Agenda.
5. Public Comment (time limit 20 minutes total).
6. Review of Claims and Accounts.
7. Public Hearings.

8. Privileged Comment.
9. Informational Items.
10. Action Items.
11. Late Additions.
12. Public Comment.
13. Commissioner Comments, Staff Comments and Announcements.
14. Adjournment.

IV-4. CLERK; MINUTES.

The County Clerk or his/her Deputy shall attend all meetings of the County Board and its various Committees. He/She shall keep correct minutes of the Board's proceedings.

IV-5. ORDER OF SPEAKING.

No member shall speak a second time on a question until all others who wish to, have had an opportunity to speak once.

IV-6. SIMULTANEOUS SPEAKING.

When two or more members address the Chair at the same time, the Chair shall designate the member who is first to speak; but in all other cases the member who shall first address the Chair shall speak first.

IV-7. RIGHT OF SPEAKING.

Only members of the Board of Commissioners shall be given the right to speak during any Board meeting except:

1. Any person with the consent of the majority of the Board members present.
2. Any member of the public speaking under the privilege of Public Comment.
3. Any staff person, when requested by a member of the Board.
4. Any member of the public, speaking during a Public Hearing.

IV-8. MEMBER CALLED TO ORDER.

A member called to order shall immediately relinquish the floor, unless permitted to explain, and the Board, if appealed to, shall decide the case. If an appeal is not made, the decision of the Chair shall stand. On an appeal, no member shall speak more than once without the consent of the Board.

IV-9. DIVISION OF QUESTION.

If a question in debate contains several points, any member may ask for and have the same divided.

IV-10. SUSPENSION OF RULES; AMENDMENTS.

No rule of the Board shall be suspended, altered or amended without the concurrence of two-thirds of the members present at the meeting.

IV-11. ROBERT'S RULES OF ORDER.

The rules of parliamentary practice set forth in Robert's Rules of Order Revised shall govern the Board in all cases to which they are applicable, providing they are not in conflict with the Board's rules or the laws of the State of Michigan.

IV-12. PRIVILEGED COMMENT.

Upon a motion approved by the majority of the Board or Committee, Privileged Comment may be granted to members of the public desiring to address specified agenda items at any regular or special meeting of the Board or Committee of the Whole. These identified agenda items shall then be moved forward to Privileged Comment to allow interested persons to speak to those items without delay and the Board to take whatever action is necessary. The Chair may specify and limit the time allowed for each speaker.

IV-13. PUBLIC COMMENT.

Public Comment is an opportunity for citizens of the County to voice their opinions concerning issues regarding the operation of County government in Marquette County. Individuals will be limited to five minutes per person, with a one minute warning issued by the Chairperson that time is about to expire, not to exceed 20 minutes in total unless waived by the majority of Board present. The County Clerk will be responsible to keep time on individuals and inform the Board Chairperson when time limits have expired. At the close of Public Comment County Board members may address issues raised by citizens during the Public Comment Session.

IV-14. CLOSED SESSIONS

- IV-14.1 When possible, the purpose of a closed session should be clearly stated on the meeting agenda, and stated in the motion to call a closed session.
- IV-14.2 When a closed session is added to the agenda as a late addition, the County Administrator and/or Civil Counsel shall provide the purpose of the closed session in writing so it can be stated as part of the motion to call a closed session.
- IV-14.3 A roll call vote shall be required to call a closed session and the roll call vote and purpose for calling the closed session shall be entered into the minutes as per the Open Meetings Act.

IV-15. SPECIAL MEETINGS

- IV-15.1 Pursuant to MCL 46.10, as amended, a Special Meeting of the Board

shall be held only when requested by at least one-third (1/3) of the members of the Board. Such request shall be in writing, shall be addressed to the County Clerk, and shall specify the time, date, place, and purpose of the meeting.

- IV-15.2 Upon receipt of such a request, the County Clerk shall schedule the requested Special Meeting, and shall prepare a written Notice of the scheduled Special Meeting which shall contain, at a minimum, the time, date, place, and purpose of the scheduled Special Meeting.
- IV-15.3 The Clerk shall thereupon cause Notice of the scheduled Special Meeting to be given to each of the Commissioners not less than twenty-four (24) hours prior to the scheduled Special Meeting, by the following methods:
- a. by causing a copy of the written Notice to be delivered personally or via e-mail to the Commissioners; or,
 - b. by causing a copy of the written Notice to be left at the residence of the Commissioner; or,
 - c. verbally, either in person or by telephone, or cell phone, at which time the written Notice shall be read to the Commissioners verbatim. If this method of notice is used, the verbal notice may be given to a Commissioner personally, or a message left with another person, or on a telephone answering device, will be considered sufficient notice for purposes of this Section. The Clerk shall cause to be made, contemporaneously with the delivery of such Notice, a record indicating the method, location, date and time that such Notice was provided to each Commissioner, and, if by telephone, the number at which such Commissioner was reached.
- IV-15.4 Timely Notice given to any Commissioner by any of the methods above described shall be deemed to be sufficient notice to such Commissioner, whether or not actually received by such Commissioner.
- IV-15.5 Notwithstanding these Notice requirements, a Commissioner may, but is not required to, waive the requirement of timely Notice of a Special Meeting, provided that such waiver is made on the record, at the commencement of the meeting.

SECTION V MOTIONS

V-1. PRIVILEGED MOTIONS.

When a question is under debate, no motion shall be received or entertained but the following:
To adjourn.
To close debate on the pending question.

To lay on the table.

To postpone to a certain day.

To commit, amend or substitute.

-which several motions shall have precedence in the order in which they stand arranged.

V-2. MOTION TO TABLE; MOTION TO ADJOURN.

The motion to adjourn shall always be in order; that and the motion to lay on the table, shall be decided without debate.

V-3. MOTION FOR RECONSIDERATION

A motion for reconsideration of a decision shall be in order when:

1. The motion is made at the same meeting or the following meeting and by one who voted with the prevailing side on the original motion; or,
2. Made by a commissioner who was absent at the time of the vote on the original motion, at the first meeting attended by that commissioner subsequent to the meeting at which the vote on the original motion was taken; or,
3. Made by a new commissioner seated subsequent to the vote on the original motion, within sixty (60) days after the filing of his/her oath of office.

V-4. MOTION TO RESCIND.

A motion to rescind a previous action requires a two-thirds vote, or a majority vote when notice or intent to make the motion, stating the complete substance of the proposed change has been given at the previous meeting or in the call of the present meeting. A motion to rescind a previous action is not in order when:

1. It has been previously moved to reconsider the vote on the original motion; or
2. When something has been done, as a result of the vote on the original motion, that is impossible to undo; or
3. The original motion accepted a resignation or made an appointment, and the other party has already been informed of the action.

V-5. SECONDS; WRITTEN MOTIONS.

No motion or resolution shall be debated or put to the Board unless the same has been seconded and, before voting, stated by the Chair, and any such motion or resolution shall be reduced to writing if the Chair, Clerk, or any member so desires. Any motion or resolution reduced to writing by a member of the Board of Commissioners shall be spread verbatim on the minutes of the meeting.

V-6. WITHDRAWAL OF MOTION.

After a motion shall be stated by the chair, it shall be deemed to be in the possession of the Board, but may be withdrawn at any time before amended or otherwise acted upon.

SECTION VI DEBATE

VI-1. DEBATE PROCEDURE.

In debate, members shall confine their remarks to the merits of the pending questions. Members shall address all remarks through the Chair and not to one another directly. Members shall always be referred to by their official titles.

VI-2. DEBATE

When an agenda item is pending, a member may make a motion to have the clerk read the packet materials concerning that item into the record. Such a motion may also be made after voting on an item.

VI-3. DECORUM.

When a question is pending, a member can condemn the nature or likely consequences of the proposed measure in strong terms, but shall avoid personalities, and under no circumstances, attack or question the motives of another member. The measure, not the person, is the subject of debate.

SECTION VII VOTING

VII-1. ROLL CALL VOTE: COMMISSIONERS PRESENT; EXCUSE.

A roll call vote shall proceed by district from the person making the motion, with the Chair voting last. Every member who shall be present when a question is last stated by the Chair, and no others, shall vote for or against the same, unless the Board shall excuse him/her, or unless he/she be prohibited by law from voting on the question.

VII-2. ROLL CALL VOTES.

A roll call vote shall be taken on any question when called for by any member of the Board, and on any question upon which the vote is not unanimous. Otherwise, all votes shall be by acclamation. The Chair shall determine and announce the outcome of each vote.

VII-3. ROLL CALL VOTES; ENTRY UPON MINUTES.

Upon a roll call vote, the names of those who voted for or against the same shall be entered by district in the minutes, and each member called upon, unless for special reasons he/she shall be excused by unanimous consent of the Board, shall declare openly and without debate his/her assent or dissent to the question.

VII-4. CHAIR VOTE.

The Chair must vote on all roll call questions unless excused by a unanimous vote of the Board. He/she may vote on all questions before the Board, except on appeal from his/her own decisions.

SECTION VIII HEARINGS

VIII. PUBLIC HEARINGS RULES OF PROCEDURE.

- VIII-1.1 Whenever a public hearing on any issue is convened by the Marquette County Board of Commissioners or committee thereof, the Chair shall commence the public hearing by:
 - a. Stating the purpose of the hearing.
 - b. Advising the public in attendance on the rules procedure set forth in this rule.
- VIII-1.2 The Chair shall be responsible for order and procedure at all public hearings, and enforce this rule, as well as the general rules of order of the County Board of Commissioners to the extent applicable.
- VIII-1.3 All persons, organizations, firms, partnerships, corporations, or other such entities shall have the right to address the Board either individually or by agent or representative. Each person addressing the Board must give his name and the name of any organization if he is speaking on behalf of that organization.
- VIII-1.4 All presentations to the Board during a public hearing shall be limited to a reasonable time length.
- VIII-1.5 The Board of Commissioners may specifically limit the length of time for each presentation if necessary.
- VIII-1.6 Those parties addressing the Board may also submit such written materials, documents, petitions, and exhibits to support their presentations.
- VIII-1.7 Following each presentation, each Board member may question the individual making the presentation.