



HURON COUNTY BOARD OF COMMISSIONERS RULES

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HURON COUNTY BOARD OF COMMISSIONERS RULES

1. AUTHORITY

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

History: 2012, Resolution No. 12-57C, Eff. May 8, 2012.

2. MEETINGS

A. *Organizational Meeting* – The first meeting in each calendar year shall be the organizational meeting. At each such meeting, the County Clerk shall preside. The order of business shall be as follows.

1. Oath of Office. If it is the first year of a term of office, the County Clerk shall administer the oath of office to the Commissioners if the oath has not previously been administered.
2. Appointment of a Temporary Chair. The Clerk may, at his/her discretion, opt to appoint a temporary chairman to facilitate the meeting until a Board Chair has been elected.
3. Election of Board Chair. The Clerk or Temporary Chair shall call for nominations for the office of Chair; and when nominations are closed by a majority vote or no other nominations are forthcoming, the Clerk or Temporary Chair shall order the roll of Commissioners to be called. When one nominee receives a majority of the votes of the members elected and serving, that nominee shall be declared Chair. (The election of the Board Chair may be by secret ballot with the approval of a majority of Commissioners present.)

The newly elected Chairman shall assume the chair and proceed with the election of the Vice Chair.

If the Commissioners present shall not cast a majority for one nominee, the County Clerk or Temporary Chair shall continue to preside until a majority of Commissioners elects one of its members to be Chair. The Board of Commissioners may proceed onto other agenda matters as they shall decide.

As adopted by Resolution No. 01-24 on January 23, 2001, the Huron County Board of Commissioners shall annually elect a County Board Chairperson for a one-year term. This annual election shall take place during the annual organizational meeting in January of each year.

4. Election of Board Vice Chair.
5. Establish Board Committees. See Rule 8 – Committees.
6. Establish Board of Commissioners annual Schedule of Regular Meetings.
7. Review Board of Commissioners Rules.

Commentary: *State law provides for the election of the chairperson and the vice chairperson at the first meeting in each calendar year. And, although experts disagree on the question of whether the board may elect the chairperson by secret ballot, the foregoing proposes rule calls for the election to be conducted with an open roll call of the members. Should a commission prefer to have a secret ballot, the rules of order should provide an additional rule under this category stating that the election of the chairperson may be conducted by secret ballot upon the motion of a commissioner and approval by a majority of those present. (MCLA 46.3a; MSA 5.323[1])*

- B. *Regular Meetings* – The Huron County Board of Commissioners shall meet on the second and fourth Tuesday of each month. If any regularly scheduled meeting falls on one of the legal holidays (New Year’s Day, Martin Luther King Birthday, Presidents Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Christmas Eve, Christmas Day, or New Year’s Eve), the Board will set an alternative date for that meeting.

Commentary: *State law prescribes the days of a few meetings each year – the Tuesday following the second Monday in April – to equalize the assessment rolls (Equalization Session) [MCLA 209.5, MSA 7.605] and the second Tuesday in October, sometimes called the “annual meeting” (Apportionment Session). Counties with populations over 70,000 may hold the annual meeting in September if they wish (MCLA 46.1, MSA 5.321). These statutory schedules are a little outmoded now since most boards meet on at least a monthly basis. Thus a board may wish to specify regular meeting dates in the rules as they are adopted anew each year.*

Note also that if Tuesday is selected as the regular meeting day, all the holidays need not be listed since some of those holidays never fall on Tuesday. But the rule provides a list of standard holidays.

C. *Special Meetings* –

1. The Board of Commissioners shall meet in special session only upon a written petition to the County Clerk signed by one-third or more of the members of the Board of Commissioners. The petition for a special meeting must specify the time, date, place, and purpose of the meeting. Upon receipt of the request, the County Clerk shall give notice to each of the commissioners within 3 hours, in one of the manners provided as follows:
 - ⇒ Via personal delivery of the notice of the special meeting to each commissioner; or
 - ⇒ Leaving the notice of the special meeting at the residence of each commissioner.
 - ⇒ Email the notice of the special meeting to each commissioner.
 - ⇒ Text a notice of the special meeting to each commissioner.

History: 2020, Resolution No. 20-14C, Eff. February 11, 2020.

2. As an alternate means of calling meetings other than those regularly scheduled meetings, the Chair of the Board of Commissioners, with notice as provided in Rule 3C, may convene a meeting of the Board upon his/her discretion. Upon calling a special meeting pursuant to this Rule (Rule 2C(2)), the Chairman shall submit a written petition to the County Clerk containing the Chairman’s signature.

Commentary: *Rule 2C(1) regarding the calling of special meetings is statutory (MCLA 46.10, MSA 5.330). It will probably be used very little, but should be included in the rules. It is also worth noting that this statute as amended in 1996 requires 10 days advance notice of a special meeting unless the rules of order provide otherwise. This language was adopted per Resolution No. 03-80, dated June 10, 2003.*

Rule 2C(2) will be the more likely means of reconvening the board at other than scheduled meetings. The authority for this rule comes from the statutory provisions permitting the board to “adjourn from time to time” and to “hold special meetings when necessary” (MCLA 46.1, MSA 5.321). A “special” meeting under Rule 2C(2) is

probably a “regular” meeting and not subject to the requirements of Rule 2C(1). (See *Kalamazoo Township v. Stamm* 339 Mich 619, 1954.)

- D. *Emergency Meetings* – Emergency meetings of the Board of Commissioners may be held only with the 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 3C, can be given.
- E. *Place of Meetings* – Meetings of the Board of Commissioners shall be held in the chambers of the Board of Commissioners in 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 Chair 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 a newspaper if time permits.

Commentary: *The open meetings act, of course, presumes the right of the public to attend county board meetings. The attorney general interpreted the obligations of public bodies to arrange meetings so that the facilities will accommodate reasonably anticipated attendance. It is suggested here that the board chair be given the authority to change the place of the meeting if he/she has information about need for additional public seating space.*

- F. *Time of Regular Meetings* – The regular meetings shall begin at 9:00 a.m. Matters on the agenda but 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. Whenever the Board adjourns its meetings, the adjournment shall be at the call of the Chair.
- G. *Change in Schedule* – Changes 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.

History: 2012, Resolution No. 12-57C, Eff. May 8, 2012.

3. PUBLIC NOTICE OF MEETINGS

The County Clerk shall be responsible for providing the proper notice for all meetings of the Board of Commissioners. Such notice shall include, but not necessarily be limited to, the following:

- A. *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 meetings.
- B. *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.
- C. *Special and Emergency Meetings* – If the Board shall schedule a special meeting under Rule 2C or an emergency meeting under Rule 2D, the Clerk shall post a notice of such

meeting immediately; and no meeting, except emergency meetings, shall be held until the notice shall have been posted at least 18 hours.

- D. *Notification to 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 the regular meeting schedule, changes in the schedule, or special or emergency meetings, but only upon their written request. The Clerk shall convey all such notices required by this rule by first class mail, fax, or email.

History: 2012, Resolution No. 12-57C, Eff. May 8, 2012.

Commentary: *These meeting notice requirements are stated essentially as is required by the open meetings act in Sections 5 and 6 (MCLA 15.265, 15.266; MSA 4.1800f [15], 4.1800f [16]). The law also requires the public notice of a meeting to contain the name of the county board, its principal address, and telephone number. A 1996 change in the statute (MCLA 46.10) requires at least a 10-day advance notice to hold a special meeting if a commissioner’s by-laws do not provide otherwise.*

4. QUORUM, ATTENDANCE, CALL OF THE COUNTY BOARD

- A. *Quorum* – A majority of Commissioners of the Board shall constitute a quorum for the transaction of ordinary business of the Board.

- B. *Call of the Board* – The County Board by majority vote may order a call of the Board.

History: 2012, Resolution No. 12-57C, Eff. May 8, 2012.

Commentary: *State law specifies that a majority is a quorum. It is improper for a board to establish a different requirement. Also note that state law does not specifically permit a county board of commissioners to compel its members to attend meetings, although the authority can be implied in MCLA 46.11(q), MSA 5.331(q). Nonetheless, the rule, as stated above, only suggests that the sergeant-at-arms may direct a commissioner to attend rather than to compel, physically, the person to do so.*

5. AGENDA AND RESOLUTIONS FOR REGULAR MEETINGS

The Secretary to the Board, along with the Chairman of the Board, after first reviewing pending matters and requests, shall prepare the agenda of business for all regularly scheduled Commission meetings. Any Commissioner, or Chair of a Committee, Board, or other Commission of the County desiring to place a matter on the agenda shall notify the Secretary to the Board of such item by noon on the Thursday preceding the next regular meeting of the Board. Resolutions must be submitted, preferably by email, by noon on the Thursday preceding the next regular meeting of the Board. If unable to submit resolutions by email, then they should be submitted via an external data storage device; if unable to submit via an external data storage device, then by paper copy. A request for a citizen to be placed on the agenda shall be controlled pursuant to these Huron County Board of Commissioners Rules, as set forth in Rule 6C(5). Upon receipt of proposed agenda items, the Secretary to the Board shall forward said items to the appropriate Committee Chairman for review. If the Committee Chairman does not indicate otherwise, his/her items shall be placed on the agenda. Items not received by the Secretary to the Board by the stated deadline shall not be considered by the Board except upon the unanimous consent of the members present.

History: 2021, Resolution No. 21-10C, Eff. Jan. 26, 2021. 2020, Resolution No. 20-14C, Eff. Feb. 11, 2020.

- A. *Agenda for Special Meetings* – Whenever the Board shall be called into session pursuant to Rule 2C(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 2C(2) shall be provided along with the notice of the meeting to Commissioners, if time permits. At other times, the Chair shall declare the agenda upon the approval of a majority of the members present.
- B. *Distribution of Agenda and Materials* – Upon the completion of the agenda, the Secretary to the Board 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’ packets shall be available in the Board of Commissioners Office not later than the Saturday preceding the next regular meeting. Packets may be mailed upon request.
1. Communications to be pre-assigned to Board committees as determined by the Board Chair and/or his designee.
- C. *Consent Actions (Defined)* – Consent Actions shall consist of those resolutions that the commission has determined to be “routine” and pertain to matters about which the Board commonly concurs.
- D. *Consent Actions (Procedure)* – The Secretary to the Board, in preparing the meeting agenda, shall list those resolutions that are designated as consent actions under the heading of “consent actions” and include the associated materials with those distributed to the members. Before the “Approval of the Agenda”, the Chair shall permit the Commissioners to remove from the Consent Actions segment of the agenda those resolutions on which they have questions or wish to debate. The Chair shall then direct the Secretary 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 actions segment. Once the agenda has been approved, a motion may not be made to remove a resolution from the consent actions. At a meeting of the Commissioners where a consent actions segment has been prepared and placed on the agenda, the Board, upon the motion of a Commissioner, shall vote on the approval of the matters included under the consent actions.

Commentary: *The board should make sure that someone is assigned to coordinate the agenda and that the materials are distributed to commissioners well in advance of the board meeting. Having a clearly established time when materials must be ready for distribution will encourage others to schedule their work accordingly.*

- E. *Order of Business* – The agenda shall be arranged in the following order:
1. Call To Order
 2. Prayer & Pledge
 3. Roll Call (Confirmation of Attendance)
 4. Declaration of Amendments to the Agenda
 5. Approval of the Agenda
 6. Approval of Minutes
 7. Communications
 8. Announcements

9. Public Comment (Open Meetings Act) related to agenda items only – Limit of 3 minutes per person
10. Pending Business
 - a. Reports from department heads
 - b. Report from legal counsel docket
11. Consent Actions
12. Deferred Business
13. New Business
 - a. Introduction of Resolutions/Ordinances
 - b. Appointments/Elections
 - c. Motions
 - d. Reports (Written)
14. Approval of Bills
15. Final Public Comment – Limit of 3 minutes per person
16. Final Board Comment
17. Adjournment

History: 2012, Resolution No. 12-57C, Eff. May 8, 2012.

Commentary: *Each board will have its own preference for the order of business. But two points bear special comment. First, corrections of the minutes must be made in the next meeting following the meeting for which the minutes were prepared. In addition, the corrected minutes must be available at the next meeting following the meeting at which the corrections were made. Corrections must show the original statement as well as the revision (MCLA 15.269, MSA 4.1800[19]).*

Commissioners' reports are to be written and turned in to the County Clerk for publication in the minutes and posted on the County website.

History: 2020, Resolution No. 20-14C, Eff. Feb. 11, 2020.

6. CONDUCT OF MEETINGS

- A. *Chair* – The person elected Chair in the first meeting each year of the Board of Commissioners shall preside at all meetings of the Board. In the absence of the Chair, the person elected Vice Chair shall preside. If neither the Chair nor the Vice Chair is present, the Clerk shall preside until the Commissioners present elect a person to preside.

Commentary: *The chair of the board of commissioners is elected at the first meeting in each calendar year and by statute presides at all meetings of the board.*

- B. *Form of Address* – Board members wishing to speak shall first obtain the approval of the Chair and each person who speaks shall address the Chair. Other persons at the meeting shall not speak unless recognized by the Chair.

C. *Open Meetings Act* –

1. A person must identify himself when he wishes to address the Board. Op. Atty. Gen. 1977, No. 5183.
2. A person addressing the Board may not make a personal attack on another individual or group of individuals. Op. Atty. Gen. 1978, No. 5332.
3. Regular, Special, or Emergency Meetings. Persons have the right to address the Board after identifying themselves. They must not engage in disorderly conduct.

Address to the Board will be limited to three (3) minutes. Persons shall not donate any portion of their three (3) minutes to another person requesting to address the Board. Persons addressing the Board shall do so from their location in the audience or from the foot of the board table. Persons addressing the board shall not walk around the board table.

4. Public Hearings. Persons have the right to address the Board after identifying themselves. They must not engage in disorderly conduct. Address to the Board will be limited to three (3) minutes. Persons shall not donate any portion of their three (3) minutes to another person requesting to address the Board. Persons addressing the Board shall do so from their location in the audience or from the foot of the board table. Persons addressing the board shall not walk around the board table. Public Hearings are designed for the Board to receive input from citizens (not an opportunity for the public to ask questions of the Board).
5. Citizen Request to be Placed on Agenda. A citizen requesting to be placed on the agenda shall provide a written summary of the matter they wish the Board to consider and the action they wish the Board to take. The written request shall identify the requestor and be signed by the requestor. The written summary and request for action will be presented pursuant to the protocol outlined in Rule 5 – Agenda and Resolutions for Regular Meetings. The citizen’s request will be placed just prior to the first Public Comment section of the Agenda and will be limited to 10 minutes. This is intended to be a presentation by the citizen and not a question and answer session with the Board. A commissioner may, however, request that the matter be placed elsewhere on the Agenda by requesting an amendment to the Agenda.

History: 2021, Resolution No. 21-10C, Eff. Jan. 26, 2021.

Commentary: *A public body may limit the time that a person may address the public body, it must, however, be reasonable, flexible, and apply in a manner which will encourage greater public participation. Op. Atty. Gen. 1977, No. 5183.*

D. *Disorderly Conduct* – The Chair may 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 Chair shall have determined whether the person is in order. If a person so engaged in presentation shall be called 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 Chair may order the sergeant-at-arms to remove the person from the meeting. No person shall be removed from a public meeting except for an actual breach of the peace committed at the meeting.

History: 2012, Resolution No. 12-57C, Eff. May 8, 2012.

Commentary: *Disorderly conduct at a public meeting is a difficult matter to deal with. A great deal of patience and delicate handling is recommended because the law does grant the public the right to attend and to address the board within the rules of the board. Physical removal of a person from a meeting constitutes an arrest. Thus it is important that this step be taken only as a last resort. If an episode of disorderly conduct does arise, a wise chair may seek to quiet the matter by declaring a brief recess. Or, if the idea of a recess does not occur to the chair, one of the commissioners may take the initiative and make a motion to recess. It is also important in such situations that the clerk carefully record the actions and who said what. Such a record will be very useful in the event of any subsequent legal proceedings.*

7. RECORD OF MEETINGS

- A. *Minutes and Official Records* – 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 Board. If the vote is not unanimous, the vote shall be by roll call, and the record shall show how each member voted or abstained from voting.

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.

Commentary: *The first requirement is statutory (MCLA 46.4, MSA 5.324) and constitutes the minimum that meeting minutes must include. Some boards may prefer to have the clerk also record summaries of the discussion and if so, may direct the clerk to do so. Our general preference, however, is to have only the direct board actions recorded.*

Recording of roll call votes is also statutory (MCLA 15.269, MSA 4.1800[1]). Retention of ordinances, resolutions, and other written material is statutory (MCLA 46.4, MSA 5.324). Some may prefer to include these items as part of the minutes rather than to handle them by reference. The latter approach, it seems, avoids unnecessary reproduction of these items. Note, however, that any identifying number and descriptive title should be reserved exclusively for a particular item.

- B. *Request for Remarks to Be Included* – Any Commissioner may have his or her comments printed as part of the record. Such comments to be included in the record shall be provided in writing by the member.

Commentary: *Most county boards probably do not often face the situation where members ask to have their remarks included in the meeting record. Still it is a practice that can be quickly abused and so should be controlled by the board. Requiring members to supply a copy of the remarks to be printed, or having the clerk make an exact transcript of what was said, will have the effect of discouraging abuse of this privilege.*

- C. *Public Access to Meetings 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 in the County Clerk’s office not more than eight business days following the meeting. Unapproved minutes shall not be published on the Huron County website. 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 or email copies of minutes to persons who have subscribed. Board minutes approved by the Board shall be published on the Huron County website within two business days of the meeting at which they were approved.

History: 2020, Resolution No. 20-14C, Eff. Feb. 11, 2020. 2012, Resolution No. 12-57C, Eff. May 8, 2012.

Commentary: *These provisions are statutory. The reference for the Freedom of Information Act and Open Meetings Act is MCLA 15.231-15.244, MSA 4.1801(1)-4.1801(14). Making minutes available according to this schedule is consistent with the provisions of the Open Meetings Act (MCLA 15.269[3], MSA 4.1800[19]). The reference for subscription is MCLA 15.233, MSA 4.1801(3). Also see MCLA 46.5, MSA 5.325.*

8. COMMITTEES

- A. *Appointment* – Each year, following the election of the Board Chair, the Chair and Vice Chair shall appoint Commissioners to standing committees listed under Rule 8C.

Commentary: *This rule gives committee appointment responsibility to the board chair and vice chair. Some boards prefer a different procedure – a committee on committees, election by the entire board, or chair appointment with board confirmation. Any of these is generally acceptable. Even though the actual practice is to have committee assignments run for the term of office, committee members should be reappointed following the election of the chair each year.*

- B. *Committee* – The Chair, Vice Chair, and Member(s) of each committee shall be plainly listed. In the absence of the Committee Chair, the Vice Chair shall assume the Chair.

C. *Standing Committees and Responsibilities* –

- **Agencies** – Agricultural Services, Recreation, Transportation, Senior Citizens, Veterans, Solid Waste
- **Finance** – Budget, Audit, Purchasing, Fees
- **Legislative** – Planning, Zoning, Historical, Fire/Property/Liability Insurance, Legal
- **Personnel** – Employment, Labor Issues, Labor Contracts, Benefits, Contracts
- **Properties** – Vehicles, Buildings & Maintenance, County Property, Airport, Roads, Parks, County Drains
- **Safety** – Law Enforcement, Public Health/Safety, Emergency Services, Animal Control, Medical Examiners, Huron Behavioral Health, Medical Care Facility, Department of Health and Human Services

Committees of the Board (Agencies, Finance, Legislative, Properties, Personnel, and Safety) are established for the purpose of gathering information and assisting the Board of Commissioners in decision making. Each committee shall thoroughly investigate any matter referred to it by the Board or Board Chair and shall report its findings to the Board without undue delay. Committees serve by first researching an issue then presenting a recommendation to the Board for discussion and action by the Board as a whole. Neither an individual committee, nor an individual commissioner has power to resolve issues or to bind the County in any manner. Upon the motion by any Board member, and approval by a majority of the Board, the Board may discharge a committee from further consideration of any matter and bring this matter before the Board.

History: 2020, Resolution No. 20-14C, Eff. Feb. 11, 2020.

Commentary: *Discharging a committee from further consideration will probably be a little-used procedure. Nevertheless, the rule should be stated to keep a committee from bottling up an issue against the wishes of the majority.*

- D. *Committee Meetings* – A majority of the members of a committee shall constitute a quorum. As a general rule, each committee, whether it consists of a majority of the county board or not, shall consider its meetings as being subject to the Open Meetings Act when it exercises a governmental or proprietary authority or performs a

governmental or proprietary function, and deliberates toward or rendering a decision on public policy.

1. “Governmental authority” means the authority of the county that have reference to some part or element of the state’s sovereignty granted to the county to be exercised for the health, safety, and welfare of the public, such as raising taxes, building infrastructure, enacting ordinances, etc.
2. “Governmental function” means the functions of a county which are essential to its existence, in sense of serving the public at large; functions that are the essence of government.
3. “Proprietary authority” means the authority of a county to perform functions which are not strictly governmental.
4. “Proprietary function” means functions which the county, in its discretion, may perform when considered to be for the best interests of its citizens, i.e., operating an ice rink, operating a senior citizen’s center, having and maintaining the expo center, etc.

Each committee shall maintain a written record of its meetings and shall deliver such record to the clerk or secretary to the board. The clerk or board secretary shall maintain a separate file for each committee. The record of each committee meeting shall include at least the following: the date and place of the meeting, members attending, and the vote of each on any action relating to an ordinance, resolution, appointment or election of an officer that the committee has approved. Committee votes on other matters must be included as part of the meeting record upon the demand of one-third of the committee members. The record shall also include matters that were considered and rejected, as well as those matters that were considered and recommended.

Such a meeting record 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.

History: 2020, Resolution No. 20-14C, Eff. Feb. 11, 2020.

- E. *Exercise of Governmental or Proprietary Function* – A committee shall not exercise a governmental or proprietary function as defined by the Open Meetings Act in a meeting not open to the public unless the Open Meetings Act permits the action to be considered in a Closed Session, closed to the public. The report to the Board of Commissioners shall include all matters considered and rejected, as well as matters considered and recommended.

History: 2020, Resolution No. 20-14C, Eff. Feb. 11, 2020. 2017, Resolution No. 17-20C, Eff. February 28, 2017

Commentary: *This rule is intended to reflect supreme court rulings in cases involving the selection of university presidents, especially Booth Newspapers v. University of Michigan (507 N.W.2d 422) where the court modified the interpretation of the exemption of committees from the open meetings act. The court held that a committee exercises a governmental function when it removes names from a list of nominees. Hence, the rule suggests that if a committee wishes to exempt itself from the requirements of the open meetings act, it should take extreme care in its report to the board to report on all matters considered and not recommended as well as those considered and recommended.*

F. *Investigating Matters or Gathering Facts* – When a committee meets to fully investigate or gather facts pertaining to a matter, the Open Meetings Act is not necessarily implicated. In those situations the Act’s notice requirements would not be necessary. Like other committee meetings, however, a record of all facts considered and rejected, as well as all facts considered and reported to the Board should be kept.

History: 2020, Resolution No. 20-14C, Eff. Feb. 11, 2020.

Commentary: *The 2020 version of the Board Rules includes this modification of Section 8, Committees, and the interplay that the committees have with the Open Meetings Act. As a general rule, if a committee is making a recommendation to the Board of Commissioners to take some action (e.g., to adopt a resolution or adopt a motion, etc.) the Open Meetings Act is implicated. That does not, however, pertain to the perfunctory resolutions that are recommended by a committee in name only and are placed on the consent agenda; for example, a hiring resolution which resulted from a department head’s recommendation and only identified the Personnel Committee as the appropriate committee to funnel the resolution through.*

The modifications do recognize a committee’s ability to perform fact finding and investigative functions without implicating the Open Meetings Act. For instance, a committee could meet without notice if it is investigating a matter and reporting the findings to the Board, without any recommendation for action. Best practices would dictate, however, that the committee report the facts that were considered and rejected, as well as the facts that were reported.

The following materials were reviewed for making the revisions: The Open Meetings Act, MCL 15.261, et seq; the Guide to Michigan County Government, Fourth and Fifth Edition; MI Op. Atty. Gen., 1977-1978, No. 5183; MI Op. Atty. Gen., 1997-1998, No. 7000; MI Op. Atty. Gen., No. 7235; Booth Newspapers v. University of Mich. Bd. Of Regents, 444 Mich. 211, (1993).

G. *Committee of the Whole* – Whenever the Board shall meet in “working meetings”, the Board shall meet as a Committee of the Whole and the Chair, Vice Chair, or another member shall preside.

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.

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.

History: 2012, Resolution No. 12-57C, Eff. May 8, 2012.

Commentary: *The committee of the whole provides a mechanism for the board to conduct its working sessions in a somewhat less formal atmosphere. At the same time these rules provide a set of procedures for the board to conduct its working sessions with enough structure and decorum to accomplish its work.*

9. CLOSED MEETINGS

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

A. *Two-thirds Vote* – The Board of Commissioners may meet in closed 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, up to the time 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.

B. *Other Reasons* – The Board may also meet in closed 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 an open public meeting.
- To consider strategy connected with the negotiation of a collective bargaining agreement.

C. *Minutes* – At each closed meeting, the Clerk shall keep a separate record. This record shall not be disclosed to the public except upon court order. The Clerk may destroy the minutes after one year and one day have passed following the approval of the minutes of the meeting at which the Board approved the closed meeting.

History: 2017, Resolution No. 17-20C, Eff. February 28, 2017. 2012, Resolution No. 12-57C, Eff. May 8, 2012.

Commentary: *The foregoing rules comply with the provisions of the open meetings act (MCLA 15.267, MSA 4.1800[17]) and are applicable whether included in the board rules or not. Including them in the rules makes the provisions more readily available. The ruling in Booth Newspapers v. City of Wyoming (425 NW2d 695) constitutes the basis for the rule that permits an attorney to meet with the board to consider the attorney's **written** opinion.*

10. MOTIONS AND RESOLUTIONS

A. *Statement by Chair, Motions, and Resolutions* – 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.

B. *Rank of Motions* – Whenever a question is being considered, no motion of a lower rank shall be made to:

- Set the time for next meeting
- Adjourn
- Recess
- Raise a point of privilege
- Call for orders of the day
- Clear the floor
- Table a motion or vote immediately (close debate)
- Limit/extend debate
- Postpone to a definite time

- Refer to a committee
- Amend the main motion
- Postpone indefinitely

Commentary: *The rank of these motions conforms with the general standards of parliamentary procedure. The presiding officer must honor motions of a higher rank first. For example, the motion to adjourn, when properly made, outranks the motion to vote immediately and would have to be handled first.*

C. *Non-debatable Motions* – The motions to fix the time of the next meeting, adjourn, recess, point of privilege, call for orders of the day, to clear the floor, to table, vote immediately, limit or extend debate shall be ordered and voted upon without debate.

D. *Procedural Motions* –

1. Motion to reconsider – The motion to reconsider shall be in order on any question the Board has decided, other than those controlled by state or federal law, 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 or at the next regular meeting. The motion to reconsider shall be moved 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.
2. Motion to clear the floor – This motion may be made by the Chair at any time the Chair believes that procedural matters have become sufficiently confused. If the motion to clear the floor has been adopted, it shall clear the floor of all procedural motions as though they have been withdrawn. The motion shall not be subject to debate or, if adopted, to reconsideration.
3. Temporary suspension of the rules – These rules may be suspended temporarily at any time by majority vote of the members present to achieve any legal objective of the Board in a legal manner.
4. Appeal rulings of the Chair – Any Commissioner may appeal the ruling of the Chair. On all appeals receiving a second, the question shall be “Shall the decision of the Chair stand as the decision of the County Board?”

History: 2012, Resolution No. 12-57C, Eff. May 8, 2012.

11. VOTING

Whenever a question is put by the Chair, 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 unless there is a conflict of interest as established by MCLA 46.30.

A. *Roll Call Votes* – The names and votes of Commissioners shall be recorded on Board actions to adopt ordinances and resolutions and the appointment or election of officers. The election of the Board Chair may be by secret ballot with the approval of a majority of Commissioners present. Upon any Commissioner voting no, a roll call vote shall be taken.

Commentary: *The rule as stated conforms to the statutory requirements. (See MCLA 46.3a, MSA 5.323[1].)*

- B. *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.

History: 2012, Resolution No. 12-57C, Eff. May 8, 2012.

Commentary: *These voting requirements are outlined by statute. (See MCLA 46.3 and 46.3a, MSA 5.323 and 5.323[1].) A number of other statutes require a two-thirds vote of the board; for example, in MCLA 46.11 to allow certain claims in the “October Session”. Some other statutes require passage by a three-fifths vote; for example, changing township boundaries under certain conditions (MCLA 46.14, MSA 5.337).*

12. PARLIAMENTARY AUTHORITY

For all questions of procedure not otherwise provided by these rules or by state or federal law, *An Outline of Basic Parliamentary Procedure*, prepared by Douglas N. Case, (a copy of which is attached hereto as Appendix A), based on *Robert’s Rules of Order, Newly Revised*, Tenth Edition, 2001, shall govern and if the question cannot be answered therein, then *Robert’s Rules of Order, Newly Revised*, Tenth Edition shall govern. The legal counsel to the Board shall serve as the Board’s parliamentarian and shall advise the Board Chair regarding rules of procedure.

History: 2012, Resolution No. 12-57C, Eff. May 8, 2012.

Commentary: *Robert’s Rules of Order are designed for deliberative assemblies, which, among other characteristics, usually consist of more than a dozen persons. Most parliamentary rules, however, also apply in smaller boards, with certain modifications permitting greater flexibility and informality.*

13. INTRODUCTION AND ADOPTION OF ADMINISTRATIVE RESOLUTIONS

- A. *Definition* – Any action regarding the operation or administration of a department of the County government or containing policies of the Board of Commissioners applicable to one or more departments of the County, and not adopted as an ordinance, shall be declared administrative policy.
- B. *Introduction* – Any Commissioner may introduce an administrative resolution at any regular or special meeting of the Board of Commissioners in the regular order of business.
- C. *Order for Consideration* – The regular order for consideration of proposed administrative resolutions shall be:
- Introduction, first reading by title, and reference to the appropriate committee, as determined by the Board Chair.
 - Report by the committee considering the proposal and placement on the agenda under new business – introduction of resolutions/ordinances.
 - Final consideration and vote.
- D. *Form* – Each administrative resolution shall conform to the form required for introduction and adoption.
- E. *Committee Review* – The Chair of the Board of Commissioners shall refer all proposed administrative resolutions to an appropriate committee of the Board. The committee shall review the proposal and invite affected departments of the County to comment and

state any objections they may have. The committee, in its report, shall include a summary of the comments and objections to the resolution. Any administrative resolution reported without recommendation shall automatically lie on the table until ordered removed by the Board.

- F. *Adoption* – The Board of Commissioners may adopt the committee recommendation or refer it to the Committee of the Whole where further consideration and amendments may be made. On the final adoption of a proposed amendment, the vote shall be taken by a record roll call. A majority of the Commissioners elected and serving shall be required for adoption.
- G. *Notification* – Upon the final adoption of an administrative resolution, the County Clerk shall notify each County department head of the Board action. Such notification shall be by title or summary. The Clerk shall make available a copy of the full administrative resolution.
- H. *Record of Administrative Resolutions* – The Clerk shall keep a copy of each administrative resolution of the Board in a separate file or book with appropriate subcategories according to subjects covered. The record of each administrative resolution shall provide the date of adoption, the record vote of each Commissioner, and any amendments thereto adopted by the Board.

History: 2012, Resolution No. 12-57C, Eff. May 8, 2012.

Commentary: *Our central purpose in including this section on administrative resolutions in the rules is to outline a procedure for giving the work product of the board of commissioners a somewhat higher standing to make it more durable over time. Proposed here is a pattern similar to that used by the state legislature for state statutes. Implicit in the rule is a procedure whereby the board amends previously enacted administrative resolutions rather than beginning fresh with whole cloth each time. Boards of commissioners that have enacted a number of ordinances should adopt a similar process for that form of “legislation”.*

14. CELLULAR PHONES

Cellular phone use during Board meetings should be limited to emergencies. All cellular phones being brought into a Board meeting should utilize the “vibrate” option. Anyone receiving a cellular phone call should excuse himself/herself from the Board meeting immediately as to not create an interruption.

History: 2012, Resolution No. 12-57C, Eff. May 8, 2012.

Commentary: *This language was adopted per Resolution No. 03-166C, dated November 25, 2003.*

ROBERT'S RULES OF ORDER



What are Robert's Rules of Order?

The first edition of the book was published in February, 1876 by U.S. Army Major Henry Martyn Robert. Its procedures were loosely modeled after those used in the United States House of Representatives. Robert wrote *Robert's Rules of Order* after presiding over a church meeting and discovering that delegates from different areas of the country did not agree about proper procedure. The book is now in its 10th edition; *Robert's Rules of Order Newly Revised (RONR)*.

Robert's Rules of Order provides applicable rules governing key matters of meeting and general procedures, including:

- Establishing a **Constitution and Bylaws** for your student organization.
- Structure of the meeting **Agenda** and debate.
- Motions**; including making, seconding, debating, modifying and amending motions.
- Sufficient majority and simple majority and which decisions are appropriate to them.
- Establishment of a **quorum**.
- Definition of **membership**.
- Voting** rights of presiding officer and voting procedures.

AN OUTLINE OF BASIC PARLIAMENTARY PROCEDURE

Prepared by Douglas N. Case

Parliamentary Authority: Robert's Rules of Order, Newly Revised, Tenth Edition, 2001.

I. Rules Governing an Organization

- State and Federal Law - governing corporations, tax-exempt organizations, public legislative bodies, etc.
- Articles of Incorporation - applicable to corporations
- Governing Documents of Parent Organizations - applicable to chapters, affiliates, etc. of larger organizations
- D. Local Constitution and Bylaws - defines the organization's basic structure and fundamental rules. Normally requires a 2/3 vote and prior notice for amendment and are not subject to suspension.
- E. Standing Rules - operating procedures consistent with all of the above. Normally can be amended by majority vote at any business meeting and can be suspended.
- F. Rules of Order - parliamentary authority, superseded by any of the above that conflict.
- Precedent and Custom - apply when there are no written rules governing a situation.



SDSU Student Affairs • Bridges to Success

Student Activities and Campus Life

II. **Purposes of Parliamentary Procedure**

Ensure majority rule
Protect the rights of the minority, the absentees and individual members
Provide order, fairness and decorum
Facilitate the transaction of business and expedite meetings

III. **Basic Principles of Parliamentary Procedure**

All members have equal rights, privileges and obligations.
A quorum must be *present* for the group to act – if the bylaws of the organization do not establish a quorum, the general rule is that a majority of the entire membership must be present in order to transact business.
Full and free discussion of every motion is a basic right.
Only one question at a time may be considered, and only one person may have the floor at any one time.
Members have a right to know what the immediately pending question is and to have it restated before a vote is taken.
No person can speak until recognized by the chair.
Personal remarks are always out of order.
A majority decides a question except when basic rights of members are involved.
A two-thirds vote is required for any motion that deprives a member of rights in any way (e.g., cutting off debate).
Silence gives consent. Those who do not vote allow the decision to be made by those who do vote.
The chair should always remain impartial.

IV. **Typical Order of Business**

- A. Call to Order
- B. Opening Exercises, if applicable
- C. Roll Call/Determination of a Quorum
- D. Adoption of the Agenda
- E. Reading and Approval of the Minutes of the Previous Meeting
- F. Reports of Officers
- G. Reports of Standing Committees
- H. Reports of Special (Ad hoc) Committees
- I. Special Orders
- J. Unfinished Business and General Orders
- K. New Business
- L. Program, if applicable
- M. Announcements
- N. "Good of the Order"
- O. Adjournment

V. **Role of the Presiding Officer**

- A. Remain impartial during debate - the presiding officer must relinquish the chair in order to debate the merits of a motion
- B. Vote only to create or break a tie (or 2/3 for matters requiring a 2/3 vote) – exception: the presiding officer may vote on any vote by ballot
- C. Determine that a quorum is present before transacting business
- D. Introduce business in proper order
- E. Recognize speakers
- F. Determine if a motion is in order
- G. Keep discussion germane to the pending motion
- H. Maintain order
- I. Put motions to a vote and announce results
- J. Employ unanimous consent (general consent) when appropriate

VI. **General Procedure for Handling a Motion**

- A. A member normally must obtain the floor by being recognized by the chair.
- B. Member makes a motion.
- C. A motion must normally be seconded by another member before it can be considered.

Before the motion is restated by the chair, any member can rise, without waiting to be recognized, and suggest a modification of the wording to clarify the motion. The maker of the motion can choose to accept or reject the modified wording (does not require a second).

If the motion is in order, the chair will restate the motion and open debate (if the motion is debatable). The maker of a motion has the right to speak first in debate.

Debate is closed when:

1. Discussion has ended, or
 2. A two-thirds vote closes debate ("Previous Question")
- H. The chair restates the motion, and if necessary clarifies the consequences of affirmative and negative votes.
- I. The chair calls for a vote.
- J. The chair announces the result.
- K. Any member may challenge the chair's count by demanding a "Division of the Assembly."

VII. General Rules of Debate

- A. No members may speak until recognized by the chair.
- B. All discussion must be relevant to the immediately pending question.
- C. No member may speak a second time until every member who wishes to speak has had the opportunity to do so.
- D. No member can speak more than twice to each motion.
- E. No member can speak more than ten minutes.
- F. All remarks must be addressed to the chair – no cross debate is permitted.
- G. It is not permissible to speak against one's own motion (but one can vote against one's own motion).
- H. Debate must address issues not personalities – no one is permitted to make personal attacks or question the motives of other speakers.
- I. The presiding officer must relinquish the chair in order to participate in debate and cannot reassume the chair until the pending main question is disposed of.
- J. When possible, the chair should let the floor alternate between those speaking in support and those speaking in opposition to the motion.
- K. When a large number of people wish to speak to a motion it may be advisable for the chair to make a speakers' list.
- L. Members may not disrupt the assembly.
- M. Rules of debate can be changed by a two-thirds vote.

VIII. Motions in Ascending Order of Precedence

Only one main motion may be on the floor at a time, but more than one secondary motion may be on the floor. When any of the motions on the following list is the immediately pending motion (i.e., the last motion made), any motion listed below it on the list can be made at that time and any motion above it on the list cannot be made at that time. Pending motions must be disposed of in descending order of precedence.

- A. **Main Motion** - introduces business to the assembly for its consideration. A main motion can only be made when no other motion is pending. A main motion yields to privileged, subsidiary and incidental motions.
- B. **Subsidiary Motions** - change or affect how the main motion is handled (voted on before the main motion)
 1. **Postpone Indefinitely** - made when the assembly does not want to take a position on the main question. Its adoption kills the main motion for the duration of the session and avoids a direct vote on the question. It is useful in disposing of a poor motion that cannot be either adopted or expressly rejected without possibly undesirable consequences. Unlike other subsidiary motions, debate on the motion to postpone indefinitely can go into the merits of the main motion.
 2. **Amend** - changes the wording of the main motion before it is voted upon. An amendment must be germane to the main motion. Its acceptance does not adopt the motion thereby amended; that motion remains pending in its modified form. Rejection of an amendment leaves the pending motion worded as it was before the amendment was offered. An amendment can: delete words, phrases, sentences or paragraphs; strike out words, phrases or sentences and insert new ones; add words, phrases, sentences or paragraphs; or substitute entire paragraph(s) or the entire text of the motion and insert another. When an entire motion is substituted for another, the chair must first call for a vote on the

Motion to Substitute to determine the advisability of substituting a new motion. If the Motion to Substitute passes, the chair then throws the Substitute Motion open to debate. The **Substitute Motion** in turn must be voted upon, and is subject to amendment. *Note: There is no provision in Robert's Rules for a "Friendly Amendment." The only way a motion can be modified without a vote, after it has been stated by the Chair, is with the unanimous consent of the members present.*

3. **Secondary Amendment** - An amendment can be offered to an amendment (amendment of the second order). Amendments of the third order are not permitted.
 4. **Refer (Commit)** - sends a pending motion to a standing committee, or to an ad hoc (special) committee to be appointed or elected, for consideration. The motion to refer may include instructions to investigate, recommend, or take action, and may specify the composition of the committee.
 5. **Postpone Definitely (Postpone to a Certain Time)** - delays action until a certain time specified in the motion (not beyond the next regular business meeting).
 6. **Limit or Extend Debate** - is used (1) to reduce or increase the number or length of speeches permitted or (2) to require that debate be closed at a specified time. It requires a two-thirds vote.
 7. **Previous Question ("Call for the Question")** - immediately closes debate if passed. Requires a second and a two-thirds vote.
 8. **Lay on the Table** - enables the assembly to lay the pending question aside *temporarily when something else of immediate urgency has arisen*. It is not debatable. *A motion to lay on the table is out of order if the evident intent is to avoid further consideration of the motion.* Frequently when one indicates a desire "to table" a motion, the correct motion is either to Postpone Indefinitely or Postpone Definitely.
- C. **Privileged Motions** - *do not relate to the pending business but have to deal with urgent matters which, without debate, must be considered immediately.*
1. **Call for the Orders of the Day** - requires the assembly to conform to the agenda or to take up a general or special order that is due to come up at the time ("time certain"). unless two-thirds of those voting wish to do otherwise. A member can interrupt a speaker to call for the orders of the day.
 2. **Raise a Question of Privilege** - permits a request or main motion relating to the rights and privileges of the assembly or any of its members. Examples include requests relating to members' ability to hear a speaker or a request to go into "executive session" (closed session). A member may interrupt a speaker to raise a question of privilege.
 3. **Recess** - used to request an intermission which does not close the meeting.
 4. **Adjourn** - used to close the meeting immediately. Not debatable.
 5. **Fix the Time to Which to Adjourn** - sets the time, and sometimes the place, for another meeting ("adjourned meeting") before the next regular business meeting to continue business of the session.

IX. Incidental Motions (*Questions of procedure that arise out of other motions and must be considered before the other motion*)

- A. **Point of Order** - used when a member believes that the rules of the assembly are being violated, thereby calling on the chair for a ruling and enforcement of the rules. A member can interrupt a speaker to raise a point of order.
- B. **Appeal** - used to challenge the chair's ruling on a question of parliamentary procedure. A member can interrupt a speaker to appeal from the decision of the chair.
- C. **Suspend the Rules** - used to make a parliamentary rule or special rule of an organization temporarily inoperative. The motion cannot be applied to the constitution and bylaws unless those documents include specific provisions for suspension. Normally requires a two-thirds vote.
- D. **Withdraw** - permits the maker of a motion to remove it from deliberation after the motion has been stated by the chair. If there is not unanimous consent, the motion is debated and voted upon.
- E. **Point of Information** - requests to the chair, or through the chair to another officer or member, to provide information relevant to the business at hand. *A point of information must be in the form of a question.* A request for information regarding parliamentary procedure or the organization's rules bearing on the business at hand is referred to as a **Parliamentary Inquiry**.
- F. **Objection to the Consideration of a Question** - suppresses business that is irrelevant or inappropriate and undesirable to be discussed. The objection must be made immediately

(acceptable to interrupt a speaker). Does not require a second, is not debatable, and requires a two-thirds vote opposed to consideration in order to pass.

- G. **Division of a Question** - divides a motion containing two or more provisions that can stand alone so that each provision can be considered and voted upon separately. Not debatable.
- H. **Division of the Assembly** - used to demand a rising vote to verify the vote count. The motion can be made without obtaining the floor, does not require a second, is not debatable, and does not require a vote.

X. **Main Motions That Bring a Question Back Before the Assembly**

- A. **Take from the Table** - resumes consideration of a motion laid on the table earlier in the same session or in the previous session. Not debatable.
- B. **Reconsider** - reopens a motion to debate that has already been voted upon in the same session. The motion to reconsider can only be made by a member who voted on the prevailing side. It suspends action on the motion to which it is applied until it has been decided. It cannot be postponed beyond the next regular business session.
- C. **Rescind (Annul or Repeal) or Amend Something Previously Adopted** - repeals or amends a motion for which it is too late to reconsider. Normally requires a two-thirds vote of those present or a majority vote of the entire membership; however, if previous notice has been given then only a majority vote of those present is required. A motion to rescind cannot be applied to action that cannot be reversed.

XI. **Voting**

- A. **Majority vote** - defined as more than half of the votes cast by those present and voting (i.e., excluding abstentions) unless the organization's rules specify otherwise (e.g., majority of those present, or majority of the entire membership)
- B. **Two-thirds vote** - defined as at least two-thirds of those present and voting, unless otherwise specified by the organization's rules. Examples of motions that require a two-thirds vote: to close, limit, or extend debate; to suspend the rules; to amend the constitution and bylaws; to close nominations; to remove an officer or expel a member; or to object to the consideration of a motion.
- C. **Voting by the Chair** - except when there is a ballot vote, the chair only votes when his/her vote would affect the result.
- D. **Methods of Voting**
 - 1. Voice vote - method normally used
 - 2. Show of hands or rising vote - used to verify an inconclusive voice vote or on motions requiring a two-thirds vote
 - 3. Ballot - normally used for election of officers and when ordered by a majority vote
 - 4. Roll call vote - used when it is desired to have a record of how each member voted. Can be ordered by a majority vote unless the organization's bylaws specify otherwise.
- E. **Proxy voting** is prohibited unless specifically provided for in the charter or bylaws.

Recommended Books

Robert's Rules of Order, Newly Revised, Tenth Edition, 2000

Robert's Rules of Order, Newly Revised, In Brief, 2004

The Complete Idiot's Guide to Robert's Rules, Nancy Sylvester, 2004

Robert's Rules for Dummies, C. Alan Jennings, 2004

Recommended Web Sites

www.robertsrules.com

parliamentarians.org

www.rulesonline.com

www.parlipro.org

RESOLUTION

To: The Honorable Board of Commissioners
Huron County
Michigan

WE, the LEGISLATIVE COMMITTEE, respectfully beg leave to submit the following resolution for your consideration:

WHEREAS, the Board of Commissioners has reviewed the *Huron County Board of Commissioners Rules* that were adopted on January 10, 2023; and

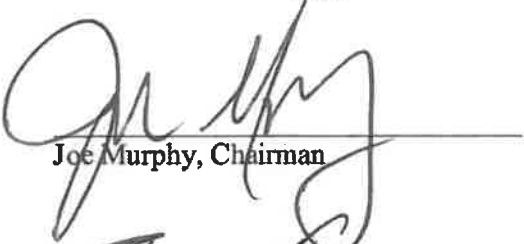
WHEREAS, during that review, an amendment was recommended in Section 5E – Order of Business; now

THEREFORE, BE IT RESOLVED that this Board of Commissioners hereby adopts the attached *Huron County Board of Commissioners Rules*; and

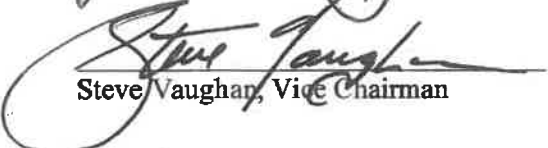
BE IT FURTHER RESOLVED that the attached Board Rules will be effective immediately.

Respectfully submitted,

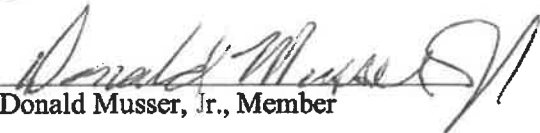
LEGISLATIVE COMMITTEE



Joe Murphy, Chairman



Steve Vaughan, Vice Chairman



Donald Musser, Jr., Member

Dated: January 23, 2024

~~VOICE~~ ROLL CALL VOTE:

COMMISSIONER	YES	NO	ABSENT	COMMISSIONER	YES	NO	ABSENT
SAMI KHOURY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	DONALD MUSSER, JR.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MICHAEL H. MEISSNER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	JOE MURPHY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TODD TALASKI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	MARY E. BABCOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STEVE VAUGHAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

RESOLUTION: ADOPTED DEFEATED TABLED

