



## **BOARD OF COMMISSIONERS AGENDA**

January 20, 2021

**IMMEDIATELY FOLLOWING THE FINANCE COMMITTEE MEETING**

Virtual Meeting Held in Accordance with Public Act 254 of 2020

Zoom Virtual Meeting

Meeting ID: 399-700-0062 / Password: LCBOC

<https://zoom.us/j/3997000062?pwd=SUdLYVFFcmozWnFxbm0vcHRjWkVIZz09>

1. **CALL MEETING TO ORDER**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **ROLL CALL**
4. **CALL TO THE PUBLIC**
5. **APPROVAL OF AGENDA**
6. **FINANCE COMMITTEE RECOMMENDATION FOR APPROVAL OF CLAIMS**
7. **FINANCE COMMITTEE RECOMMENDATION FOR APPROVAL OF PAYABLES**
8. **RESOLUTION FOR CONSIDERATION**
  - 8.1. **2021-01-010**

Resolution Approving Commissioner Assignments to Sub-Committees – Board of Commissioners
  - 8.2. **2021-01-011**

Resolution Amending Resolution 2021-01-003 Adopting the Rules of the Livingston County Board of Commissioners and to Establish Meeting Dates for 2021 – Board of Commissioners
  - 8.3. **2021-01-012**

Resolution to Establish the Construction Committee as a Special Committee – Board of Commissioners
9. **CALL TO THE PUBLIC**
10. **ADJOURNMENT**

RESOLUTION

NO: 2021-01-010

LIVINGSTON COUNTY

DATE: January 20, 2021

### Resolution Approving Commissioner Assignments to Sub-Committees – Board of Commissioners

**WHEREAS,** Commissioner Nakagiri, Chairman of the Livingston County Board of Commissioners has completed the 2021 Commissioner Subcommittee Assignments as listed below:

| Subcommittee Name                                   | Representative(s)                         |
|---|---|
| AAA 1-B   | Doug Helzerman (Carol Griffith-alternate) |
| BPW   | Bob West                                  |
| CCAB  | Carol Sue Reader                          |
| CEDAR LAKE BOARD                                    | Mitch Zajac                               |
| CIRAB - Howell City                                 | Jay Drick                                 |
| CONSORTIUM BOARD                                    | Doug Helzerman and Mitch Zajac            |
| DRAIN BOARDS (Board Chair & Finance Chair)          | Kate Lawrence and Wes Nakagiri            |
| EDC   | Carol Griffith                            |
| FOWLerville L. D. FINANCE AUTH.                     | Doug Helzerman                            |
| H.C. METRO-AUTHORITY                                | Steve Williams                            |
| HSCB  | Jay Gross                                 |
| LAKE MORaine BOARD                                  | Kate Lawrence                             |
| LAKE TYRONE BOARD                                   | Wes Nakagiri                              |
| MEDICAL EXAMINER COMM. (Board Chair)                | Wes Nakagiri                              |
| MICHIGAN COUNTY WORKERS' COMPENSATION (Board Chair) | Wes Nakagiri                              |
| MICHIGAN STATE EXT. COUNCIL                         | Jay Drick                                 |
| O.L.H.S.A.  | Doug Helzerman                            |
| RETIREE HEALTH CARE BOARD (Finance Chair)           | Kate Lawrence                             |
| SANITARY CODE BOARD OF APPEALS                      | Carol Griffith                            |
| SEMCOG  | Jay Drick and Mitch Zajac                 |
| TAX ALLOCATION (Finance Chair)                      | Kate Lawrence                             |
| THOMPSON LAKE BOARD                                 | Jay Drick                                 |

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approve the above referenced Commissioner assignments to be effective through December 31, 2021.

# # #

**MOVED:  
SECONDED:  
CARRIED:**

RESOLUTION

NO: 2021-01-011

LIVINGSTON COUNTY

DATE: January 20, 2021

**Resolution Amending Resolution 2021-01-003 Adopting the Rules of the Livingston County Board of Commissioners and to Establish Meeting Dates for 2021 – Board of Commissioners**

**WHEREAS,** Resolution 2021-01-003 adopting the rules of the Livingston County Board of Commissioners and to establish meeting dates was approved on January 4, 2021.

**WHEREAS,** this proposal amends the 2021 Board Rules, eliminating the Construction Committee as a Standing Committee; and

**WHEREAS,** according to the 2021 Board Rules there are two categories of Committees, Standing Committees and Special Committees; and

**WHEREAS,** by rule, the Board of Commissioners is required to form Standing Committees. Standing Committees include Finance, Personnel, General Government/Health & Human Services, Public Safety and Infrastructure Development, and Construction; and

**WHEREAS,** In contrast, Special Committees are established from time to time to address specific issues. The Board Chair may establish a Special Committee subject to approval by the full Board; and

- There are no construction projects for 2021.
- It is unlikely there will be any construction projects for 2022.
- If plans change and a major construction project is undertaken, the Construction Committee can be reconstituted as a Special Committee.
  - As a Special Committee, the Construction Committee can focus on its mission and then disband once completed.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approve amending the 2021 Board Rules to eliminate the Construction Committee as a Standing Committee.

# # #

**MOVED:  
SECONDED:  
CARRIED:**

LIVINGSTON COUNTY  
BOARD OF COMMISSIONERS

2021 RULES

ADOPTED: JANUARY 4, 2021

RESOLUTION #2021-01-003

- I -

**BOARD MEETINGS - TIME AND PLACE**

- A. **REGULAR AND ADJOURNED REGULAR MEETINGS, COMMITTEES AND FINANCE COMMITTEE MEETINGS.** The Board of County Commissioners shall convene for the purpose of holding regular, adjourned regular and Committee meetings in the Commission Chambers at 5:30 p.m. For purposes of approving claims, all Finance Committee meetings shall be immediately followed by a Board Meeting and scheduled for 7:30 a.m. at the Administration Building, 304 E. Grand River Avenue, Howell, Michigan, provided proper notice is given to the public pursuant to the Open Meetings Act, 1976 PA 267, as amended, except as otherwise provided for in these Rules, and as set forth at the end of this Section I. Reference Attached Calendar.
- B. **MANDATORY ANNUAL MEETINGS:** The Board shall convene for the purpose of holding Mandatory Meetings as follows:
- ◆ **STATUTORY EQUALIZATION MEETING:** The Tuesday immediately following the 2<sup>nd</sup> Monday of each April of each year.
  - ◆ **STATUTORY ANNUAL MEETING:** October 12, 2021.
- C. **SPECIAL MEETINGS.** The Board shall convene for the purpose of holding special meetings only upon the written request of at least one-third ( $\frac{1}{3}$ ) of the Commissioners, to the County Clerk, specifying the time, date, place and purpose of such meetings. When a special meeting is called by written request, as provided above, the County Clerk shall immediately give written notice thereof to each commissioner within 48 hours in one of the manner provided as follows:
- ◆ via e-mail transmission to the commissioner;
  - ◆ via personal delivery of the notice of the special meeting to the commissioner;
  - ◆ leaving the notice of the special meeting at the residence of the commissioner.
- The Clerk shall post a public notice at least 18 hours before the meeting, as required by 1976 PA 267.
- D. **MEETINGS ON LEGAL HOLIDAYS.** Any regular or adjourned meetings of the Board which fall on a legal holiday shall automatically be set over to the next working day following that is not a legal holiday, at the same time and place indicated for the original meeting.

| JANUARY 2021 |               |    |     |    |              |       |
|--------------|---------------|----|-----|----|--------------|-------|
| S            | M             | T  | W   | Th | F            | S     |
|              |               |    |     |    | <del>1</del> | 2     |
| 3            | 4             | 5  | 6   | 7  | 8            | 9     |
| 10           | 11            | 12 | 13  | 14 | 15           | 16    |
| 17           | <del>18</del> | 19 | 20* | 21 | 22           | 23    |
| 24           | 25            | 26 | 27  | 28 | 29           | 30 31 |

| FEBRUARY 2021 |               |    |     |    |    |    |
|---------------|---------------|----|-----|----|----|----|
| S             | M             | T  | W   | Th | F  | S  |
|               | 1             | 2  | 3   | 4  | 5  | 6  |
| 7             | 8             | 9  | 10  | 11 | 12 | 13 |
| 14            | <del>15</del> | 16 | 17* | 18 | 19 | 20 |
| 21            | 22            | 23 | 24  | 25 | 26 | 27 |
| 28            |               |    |     |    |    |    |

| MARCH 2021 |    |    |     |    |    |    |
|------------|----|----|-----|----|----|----|
| S          | M  | T  | W   | Th | F  | S  |
|            | 1  | 2  | 3   | 4  | 5  | 6  |
| 7          | 8  | 9  | 10  | 11 | 12 | 13 |
| 14         | 15 | 16 | 17* | 18 | 19 | 20 |
| 21         | 22 | 23 | 24  | 25 | 26 | 27 |
| 28         | 29 | 30 | 31  |    |    |    |

| APRIL 2021 |    |    |     |    |    |    |
|------------|----|----|-----|----|----|----|
| S          | M  | T  | W   | Th | F  | S  |
|            |    |    |     | 1  | 2  | 3  |
| 4          | 5  | 6  | 7   | 8  | 9  | 10 |
| 11         | 12 | 13 | 14  | 15 | 16 | 17 |
| 18         | 19 | 20 | 21* | 22 | 23 | 24 |
| 25         | 26 | 27 | 28  | 29 | 30 |    |

| MAY 2021 |               |    |     |    |    |    |
|----------|---------------|----|-----|----|----|----|
| S        | M             | T  | W   | Th | F  | S  |
|          |               |    |     |    |    | 1  |
| 2        | 3             | 4  | 5   | 6  | 7  | 8  |
| 9        | 10            | 11 | 12  | 13 | 14 | 15 |
| 16       | 17            | 18 | 19* | 20 | 21 | 22 |
| 23       | 24            | 25 | 26  | 27 | 28 | 29 |
| 30       | <del>31</del> |    |     |    |    |    |

| JUNE 2021 |    |    |    |    |    |    |
|-----------|----|----|----|----|----|----|
| S         | M  | T  | W  | Th | F  | S  |
|           |    | 1  | 2  | 3  | 4  | 5  |
| 6         | 7  | 8  | 9  | 10 | 11 | 12 |
| 13        | 14 | 15 | 16 | 17 | 18 | 19 |
| 20        | 21 | 22 | 23 | 24 | 25 | 26 |
| 27        | 28 | 29 | 30 |    |    |    |

| JULY 2021 |              |    |     |    |    |    |
|-----------|--------------|----|-----|----|----|----|
| S         | M            | T  | W   | Th | F  | S  |
|           |              |    |     | 1  | 2  | 3  |
| 4         | <del>5</del> | 6  | 7   | 8  | 9  | 10 |
| 11        | 12           | 13 | 14  | 15 | 16 | 17 |
| 18        | 19           | 20 | 21* | 22 | 23 | 24 |
| 25        | 26           | 27 | 28  | 29 | 30 | 31 |

| AUGUST 2021 |    |    |     |    |    |    |
|-------------|----|----|-----|----|----|----|
| S           | M  | T  | W   | Th | F  | S  |
| 1           | 2  | 3  | 4   | 5  | 6  | 7  |
| 8           | 9  | 10 | 11  | 12 | 13 | 14 |
| 14          | 16 | 17 | 18* | 19 | 20 | 21 |
| 22          | 23 | 24 | 25  | 26 | 27 | 28 |
| 29          | 30 | 31 |     |    |    |    |

A/13 Statutory EQ Meeting

| SEPTEMBER 2021 |              |    |    |    |    |    |
|----------------|--------------|----|----|----|----|----|
| S              | M            | T  | W  | Th | F  | S  |
|                |              |    | 1  | 2  | 3  | 4  |
| 5              | <del>6</del> | 7  | 8  | 9  | 10 | 11 |
| 12             | 13           | 14 | 15 | 16 | 17 | 18 |
| 19             | 20           | 21 | 22 | 23 | 24 | 25 |
| 26             | 27           | 28 | 29 | 30 |    |    |

| OCTOBER 2021 |               |    |     |    |    |       |
|--------------|---------------|----|-----|----|----|-------|
| S            | M             | T  | W   | Th | F  | S     |
|              |               |    |     |    | 1  | 2     |
| 3            | 4             | 5  | 6   | 7  | 8  | 9     |
| 10           | <del>11</del> | 12 | 13  | 14 | 15 | 16    |
| 17           | 18            | 19 | 20* | 21 | 22 | 23    |
| 24           | 25            | 26 | 27  | 28 | 29 | 30 31 |

| NOVEMBER 2021 |    |    |     |               |               |    |
|---------------|----|----|-----|---------------|---------------|----|
| S             | M  | T  | W   | Th            | F             | S  |
|               | 1  | 2  | 3   | 4             | 5             | 6  |
| 7             | 8  | 9  | 10  | <del>11</del> | 12            | 13 |
| 14            | 15 | 16 | 17* | 18            | 19            | 20 |
| 21            | 22 | 23 | 24  | <del>25</del> | <del>26</del> | 27 |
| 28            | 29 | 30 |     |               |               |    |

| DECEMBER 2021 |    |    |    |               |               |       |
|---------------|----|----|----|---------------|---------------|-------|
| S             | M  | T  | W  | Th            | F             | S     |
|               |    |    | 1  | 2             | 3             | 4     |
| 5             | 6  | 7  | 8  | 9             | 10            | 11    |
| 12            | 13 | 14 | 15 | 16            | 17            | 18    |
| 19            | 20 | 21 | 22 | <del>23</del> | <del>24</del> | 25    |
| 26            | 27 | 28 | 29 | <del>30</del> | <del>31</del> | JAN 1 |

10/12 Annual Meeting

- II -

## CHAIRPERSON

- A. **ELECTION.** At the first meeting in each calendar year, the Board shall elect, from among its members, a chairperson and a vice-chairperson, who shall take office and assume their respective duties immediately upon their election; provided that, at the first meeting of each newly elected Board, the first order of business shall be the administration of the Constitutional Oath of Office by the County Clerk, or duly qualified designee, to the members-elect, if this has not previously been accomplished. The concurrence of a majority of all members of the Board shall be necessary for election. Said officers shall hold their respective offices for a term of one (1) year, or until their successors are duly elected and qualified, as set forth above.
- B. **DUTIES.** The chairperson (and during his/her absence, the vice-chairperson) shall preside at all meetings of the Board and shall decide all questions of order, subject to appeal to the Board. Upon his/her election, the chairperson shall appoint all standing and special committees, subject to approval by a majority of all members of the Board. The chairperson shall arbitrate all jurisdictional disputes between committees, subject to these Rules and subject to appeal to the Board. The chairperson shall be a member ex-officio of all Committees but shall not have the power to vote on such Committees except to break a tie vote or create a quorum.
- C. **ORIENTATION SESSION.** For the purpose of more fully informing the new members of the Board of Commissioners about the workings and procedure of Livingston County government, the chairperson of the Board may provide for an orientation session which may be convened in the month of December in the even-numbered years for the purpose of explaining the structure, functions and procedures of county government.

- III -

## CLERK OF THE BOARD / OPEN MEETINGS ACT

**OFFICIAL CLERK AND DUTIES.** The duly elected Clerk of Livingston County shall be the clerk of the Board. He/She or his/her duly appointed deputy shall perform all duties pertaining to such office, as required by law.

**OPEN MEETINGS ACT POSTING.** The County Clerk shall perform all posting functions required by the Open Meetings Act, 1976 PA 267.

- IV -

## COMMITTEES

- A. **STANDING COMMITTEES.** The Board of Commissioners shall have the following standing Committees with the following number of members:

**Committees**

**Members**

|   |              |
|---|--------------|
| Finance: .....                                      | 9            |
| Personnel: .....                                    | 3            |
| General Government/Health & Human Services: .....   | 4            |
| Public Safety/Infrastructure and Development: ..... | 4            |
| <del>Construction Committee: .....</del>            | <del>3</del> |

**B. DUTIES OF STANDING COMMITTEES.** Standing committees shall have and perform the following specific duties:

**1. FINANCE COMMITTEE.** The Finance Committee shall consist of all members of the Board of Commissioners. It shall meet on the second and fourth Wednesdays of each month at 7:30 a.m. unless determined otherwise. This Committee shall review all items having a financial impact on the County. All items of a financial nature which require Board consideration will first be considered by this Committee.

| MATTERS TO BE REVIEWED BY THE FINANCE COMMITTEE INCLUDE: |                       |                |
|--|-----------------------|----------------|
| BUDGET PREPARATION                                       |                       |                |
| MONITORING OF DEPARTMENTAL BUDGET PERFORMANCE            | REVIEW REVENUES       |                |
|  | REVIEW EXPENSES       |                |
| AMENDMENTS TO BUDGET                                     |                       |                |
| INSURANCE  |                       |                |
| CLAIMS/APPROPRIATIONS                                    |                       |                |
| COST/BENEFIT ANALYSIS                                    |                       |                |
| AUDIT  |                       |                |
| FINANCIAL REVIEW OF PROJECT PROPOSALS                    |                       |                |
| MAJOR EXPENSE/PURCHASE REVIEW                            |                       |                |
| COURTS / DEPARTMENTS ASSIGNED TO FINANCE COMMITTEE:      |                       |                |
| CIRCUIT COURT  | COMMUNITY CORRECTIONS | DISTRICT COURT |
| FRIEND OF THE COURT                                      | JUVENILE COURT        | PROBATE COURT  |

**2. PERSONNEL COMMITTEE.**

|                  |                                       |
|------------------|---------------------------------------|
| <b>PERSONNEL</b> | PERSONNEL ISSUES; SALARIES & BENEFITS |
|                  | LABOR NEGOTIATIONS                    |
|                  | BOARD & COMMITTEE APPOINTMENTS        |

**3. GENERAL GOVERNMENT/HEALTH AND HUMAN SERVICES COMMITTEE.**

|   |  |                        |
|---|--|------------------------|
| <b>GENERAL<br/>GOVERNMENT<br/><br/>AND<br/><br/>HEALTH &amp;<br/>HUMAN SERVICES</b> | AIRPORT                                  | INFORMATION TECHNOLOGY |
|   | ANIMAL SHELTER                           | MEDICAL EXAMINER       |
|   | BOARD OF COMMISSIONERS                   | MOTOR POOL             |
|   | FACILITY SERVICES                        | MSU EXTENSION          |
|   | COUNTY ADMINISTRATION                    | L.E.T.S.               |
|   | COUNTY CLERK                             | REGISTER OF DEEDS      |
|   | EMS (AMBULANCE)                          | TREASURER              |
|   | EQUALIZATION                             | VETERANS AFFAIRS       |
|   | HEALTH: PUBLIC & ENVIRONMENTAL           | FISCAL SERVICES        |
|   | CMH - COMMUNITY MENTAL HEALTH AUTHORITY  |                        |
|   | DHS - DEPARTMENT OF HUMAN SERVICES       |                        |
|   | HSCB - HUMAN SERVICES COLLABORATIVE BODY |                        |
|   | NON-PROFIT AGENCIES                      |                        |
|   | O.L.H.S.A.                               |                        |

**4. PUBLIC SAFETY AND INFRASTRUCTURE DEVELOPMENT COMMITTEE.**

|   |                              |                     |
|---|------------------------------|---------------------|
| <b>PUBLIC SAFETY<br/>AND<br/>INFRASTRUCTURE<br/>&amp;<br/>DEVELOPMENT</b> | 911 CENTRAL DISPATCH         | DRAIN – SOLID WASTE |
|   | BUILDING DEPARTMENT          | PLANNING DEPARTMENT |
|   | DRAIN COMMISSIONER OFFICE    | PROSECUTOR          |
|   | DRAIN – DPW                  | SHERIFF’S OFFICE    |
|   | MICHIGAN WORKS!              | PUBLIC DEFENDER     |
|   | EMERGENCY MANAGEMENT         |                     |
|   | ECONOMIC DEVELOPMENT COUNCIL |                     |

**~~5. CONSTRUCTION COMMITTEE.~~**

|                                   |   |
|-----------------------------------|---|
| <b>CONSTRUCTION<br/>COMMITTEE</b> | <del>FACILITY CONSTRUCTION / ADDITIONS. FOR EXAMPLE:<br/>AIRPORT EXPANSION, EMS HEADQUARTERS, &amp; JAIL<br/>EXPANSION &amp; RENOVATION</del> |
|-----------------------------------|---|

**C. GENERAL DUTIES OF STANDING COMMITTEES.** In addition to the foregoing, the standing Committees shall have and perform the following other duties:



- ▶ Facilitate the adequate and full implementation and administration of Board policies affecting the various County departments, offices and agencies;
- ▶ Serve as liaison - to study and advise the Board of Commissioners with respect to matters relative to the family of services involved requiring immediate action or long-range planning;
- ▶ Recommend modifications and changes in Board policy and procedures;
- ▶ Study and submit recommendations for adoption of County Ordinances;
- ▶ Study and advise the Finance Committee and Board as to acquisition, disposition and construction of facilities and equipment necessary to realize the services and activities directed by the Board of Commissioners;
- ▶ Review the activities of the County departments, agencies and offices to attain appropriate levels of coordination and operational effectiveness;
- ▶ Study, recommend and, where possible, assist promotion of applications for new grant funding for County services; and
- ▶ Review and recommend priorities identified in meeting the objectives of the area of County services.
- ▶ All routine operational and budgeted activities will go directly to the Finance Committee.

**D. SPECIAL 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 a new Board of Commissioners taking office.

**E. COMMITTEE VOTING REQUIREMENTS.** Recommendations by the Committees shall be forwarded to the Board of Commissioners, by way of resolution, after a vote of the members of the Committee. For all Committees, at least 50% of members shall constitute a quorum and action shall require the affirmative vote of a majority of the quorum present to carry a motion forward for recommendation. Each proposed resolution shall state how each Committee member voted. If any resolutions are defeated at the Committee, the Committee Chair shall report those to the Board at the next Board meeting for informational purposes.

**F. COMMITTEE APPOINTMENT.** The Board Chairperson will assign Commissioners to each Committee and appoint each Committee's chairperson and vice chairperson.

**G. CONVENING OF COMMITTEES AND MINUTES REQUIREMENTS.** Meetings of a Committee may be convened by its chairperson or by a majority of its members at any time upon reasonable notice to its members and to the chairperson of the Board, provided said notice complies with the requirements of the *Open Meetings Act, 1976 PA 267*. All Committee meetings shall be open to the public, with the exception of closed meetings as provided by the *Open Meetings Act, 1976 PA 267*. Each Committee shall prepare an agenda. The Committee schedule shall be posted in compliance with the *Open Meetings Act* and shall be made available to the public as requested. The agenda shall be prepared by the chairperson of the Committee. The chairperson of a Committee may cancel a regularly scheduled meeting due to lack of agenda items. The County Administrator shall hereby have the authority to designate a department director to assist the Committee

chairperson in handling these responsibilities. All Committees shall keep minutes as required by the *Open Meetings Act*, at a minimum containing: date of meeting; names of those present and absent; and, motions made, with names of maker and supporter, as well as count of vote taken. A quorum is required to conduct business at a Committee meeting.

Minutes shall be permanently kept on file in the office of the Board of Commissioners. Every Committee shall provide an opportunity for the public to be heard near the beginning and end of the agenda. Members of the public may address a Committee for up to three (3) minutes. Individuals desiring to speak shall be required to identify themselves.

- H. **CONSENT AGENDA.** At the discretion of the Committee chairperson, all of the resolutions and actions of the Committee which are on the agenda may be acted upon in one vote; provided, however, that any member of the Committee may identify specific resolutions and actions which are not to be included in the one vote but which are to be discussed and voted upon separately.

Prior to the Committee chairperson calling for a vote on the consent agenda, Commissioners shall have the opportunity to identify those resolutions and actions which are not to be included but which are to be discussed and voted on separately.

-V-

## CONDUCT OF BOARD MEETINGS

- A. **QUORUM.** A majority of the members of the County Board of Commissioners shall constitute a quorum for the transaction of the ordinary business of the County, and questions which arise at meetings shall be determined by the votes of a majority of the members present, except upon the final passage or adoption of a measure or resolution, or the allowance of a claim against the County, in which case a majority of the members elected and serving shall be necessary. Commissioners unable to attend in-person meetings due to military duty or medical restriction shall be permitted to participate in the discussion and votes of committee and board meetings by telephone or video conference provided that the requirements of the Open Meetings Act are met. Any meeting held virtually, in-person, or in hybrid format in 2021 shall be held in accordance with the Open Meetings Act.

- B. **ORDER OF BUSINESS.**

1. AGENDA:

- a) Call to Order
- b) Moment of Silent Reflection
- c) Pledge of Allegiance
- d) Roll Call
- e) Correspondence
- f) Call to the Public
- g) Approval of Board Minutes
- h) Tabled Items

- i) Approval of Agenda
  - j) Reports
  - k) Consent Agenda Items
  - l) Resolutions for Consideration
  - m) Call to the Public
  - n) Adjournment
2. SPECIFIC AGENDA PRIORITIES. All matters shall be placed upon the agenda of the Board within a specific section, as listed immediately above.
  3. CONSENT AGENDA. At the discretion of the Board Chairperson, resolutions may be placed on a Consent Agenda. All of the resolutions and actions of the Board which are on the Consent Agenda may be acted upon in one (1) roll call vote. Any member of the Board may identify specific resolutions and actions which they do not wish to be included in the Consent Agenda and same will be discussed and voted upon separately. Resolutions and actions requiring a roll call vote and/or a  $\frac{2}{3}$  majority vote, however, shall not be included in the Consent Agenda.

Prior to the Board Chairperson calling for a vote on the approval of the Consent Agenda, Commissioners shall have the opportunity to identify and move those resolutions and actions which are not included, to the Consent Agenda for consideration.

4. AGENDA DEADLINE. All information to be placed on the agenda must be received by the individual designated by the Board from Committees not later than noon on the seventh day immediately preceding the Board meeting. On or before the fourth day before each Board meeting, the individual designated by the Board shall mail or provide electronically to each Commissioner the agenda for the meeting, arranged as described in these Rules, and briefly describing all matters to be considered, including a copy of all Committee reports and individual resolutions to be acted upon at said meeting. No Committee report, other than reports on routine matters, shall ordinarily be considered unless a copy thereof has been mailed or provided electronically to each Commissioner with the agenda or otherwise delivered to each Commissioner not later than the fourth day prior to the meeting. Late Committee items shall be distributed to all Commissioners at the beginning of the Board meeting and shall be announced by title and added to the agenda with appropriate agenda numbers. A five minute recess may be granted at the request of any Commissioner prior to the consideration of late items. Individual resolutions, which have not been moved at Committee, shall ordinarily be referred to Committee unless  $\frac{2}{3}$  of the members present vote to allow the resolution to be considered by the Board immediately.

**C. RIGHTS AND DUTIES OF MEMBERS.**

1. SPEAKING PRIORITIES. The sponsor of any properly moved and seconded motion, resolution, ordinance, or report, shall have the right to speak for up to five minutes after the formal introduction, but prior to any discussion of the matter on the floor. In any case, where there may be more than one sponsor to a particular motion, resolution, ordinance or report, it shall be in the discretion of the chairperson which person shall exercise the right given by this Rule to first speak on the pending matter. Each commissioner shall be limited to speak for a 5-minute time limit per recognition by the chairperson. Before speaking, each member shall address himself/herself to

the chairperson. If two or more members desire to speak at the same time, the chairperson shall designate the order in which they shall speak. No member shall speak more than twice on the same question, except upon special permission by the chairperson; provided, however, that the chairperson of a committee shall not be restricted in his/her right to discuss matters upon which he/she is reporting his/her committee's activities and recommendations. No member, while addressing the Board, shall be interrupted, except to be called to order; and thereupon, he/she shall immediately cease talking. Every commissioner shall vote on all questions unless excused by the chairperson. The chairperson shall vote on all questions unless excused by the Board.

Before speaking to an audience member, County employee, or official in attendance at a meeting, each member of the Board shall request permission to address said individual from the Chairperson and shall not proceed with the question unless authorized by the Chairperson or by majority vote of the Board

2. LEAVING SEAT, INTERRUPTIONS. While the chairperson is putting any question or while the roll is being called by the clerk, no member shall leave his/her seat or entertain private discourse. When a member is speaking, he/she shall not be unduly interrupted.
3. LEAVING THE MEETING. No member shall leave a meeting prior to adjournment, unless first excused by the chairperson. The clerk shall record in the official journal the time and point in the proceedings at which a member enters and leaves the meeting while the Board is in session.
4. PHYSICAL PRESENCE. A Commissioner may participate in a Board meeting without being physically present if they are: (i) in the active military service and he/she has been ordered to serve out of the State of Michigan; (ii) participating in a virtual or hybrid meeting in accordance with the Open Meetings Act; or (iii) unable to attend due to medical restrictions and all of the following terms and conditions are met:
  - a) A quorum of the Board of Commissioners is physically present at a duly constituted Board meeting.
  - b) The Commissioner must participate by speaker phone or by video conference so that he/she can be heard at the meeting.
5. ORDER AND DECORUM. The Chairperson shall at all times preserve order and decorum pursuant to these Rules.

**D. MOTIONS, RESOLUTIONS AND COMMITTEE REPORTS.** No motion shall be debated or voted upon unless seconded. Any motion may, with the permission of the person who moved and seconded it, be withdrawn at any time before the same has been adopted. Every motion shall be put in writing at the request of any member of the Board. All motions, resolutions, committee reports and amendments or substitutes thereto shall be entered at large upon the minutes unless withdrawn. Each recommended ordinance introduced shall be headed by a title of twenty-five words or less, briefly describing or identifying it. Each title shall begin with the words "An Ordinance ... ". If such title is lacking, the clerk of the Board shall return it to the commissioner who submitted it. Each recommended ordinance introduced and referred to committee, postponed, or tabled before its substance is voted upon shall be printed in the minutes by title only, unless otherwise ordered by a majority of the members-elect.

1. VOTING. The vote on any question shall be taken by a yea and nay roll call when called for by any member of the Board. Closed sessions may be held, provided the Open Meetings Act, 1976 PA 267, is adhered to.
2. ORDER OF PRECEDENCE OF MOTIONS. When a motion is seconded and before the Board, no other motion shall be received except the following:
  - a) To adjourn -- not debatable.
  - b) To rise to a question or privilege -- not debatable.
  - c) To lay on the table -- not debatable.
  - d) To call for the previous question -- not debatable.
  - e) To limit or extend limits of debate.
  - f) To postpone to a certain day.
  - g) To commit or refer or re-commit to a committee.
  - h) To amend.
  - i) To postpone indefinitely.
  - j) To reconsider (may be debated if original motion was debatable).

These motions shall have precedence in the order named above.

3. MOTIONS TO ADJOURN. A motion to adjourn shall always be in order except while a vote is being taken on any other motion already before the Board, or when a member has the floor.
4. MOTIONS TO RECONSIDER. A motion for the reconsideration of any question shall be in order if made on the same day or at the Board meeting next succeeding that on which the decision proposed to be reconsidered was made; providing, however, that a second reconsideration of any question or a reconsideration at a later date may be had with the consent of two-thirds (2/3) of the members elected and serving, but in such event, the moving member shall file written notice of his/her intention to move for a reconsideration in the office of the clerk of the Board at least one day before making such a motion.
5. AMENDMENTS. No motion or proposition not germane to a subject under consideration shall be admitted under color of an amendment. Commissioners shall give all amendments in writing or orally to the clerk. If oral, the clerk shall write it out and read it back prior to a vote being taken on the matter.
6. RESOLUTIONS AND ORDINANCES. Resolutions shall be considered in the order in which they are received unless otherwise ordered by the Board. All resolutions and motions for the appropriation of money and all proposed County ordinances shall be presented to the Board in writing.
7. DIVISION OF QUESTION. Upon request by any member, any question before the Board may be divided and separated into more than one question; provided, however, that such may be done only when the original is of such a nature that, upon division, each of the resulting questions is a complete question, permitting independent consideration and action.
8. REPORTS AND MOTIONS REQUIRING SIGNATURES. All reports of Committees shall be in writing or presented verbally and the names of the members of such Committees

concurring in such reports shall be noted thereon. Every written resolution or motion shall have noted the name of the member or members introducing the same.

- E. APPEAL FROM DECISION OF CHAIR.** When an appeal is taken from the decision of the chair, the member taking the appeal shall be allowed to state his/her reason for doing so. The question shall be then immediately put in the following form: "Shall the ruling of the chair be sustained?" The question shall be determined by a majority vote of the members present, except the chairperson shall not preside over such a vote.
- F. REFERRAL TO COMMITTEES.** It shall be the duty of the chairperson to refer all petitions, communications, resolutions, motions and other business that may come before the Board to the proper committee unless objection be made by some members, in which event, a motion made and adopted with reference to the subject shall preclude the chairperson's action.
1. All referrals to committee shall be in one of the following forms:
    - a) General Referral. Any referral which must be referred back to the Board after the committee has reviewed or studied the matter, shall be referred to as a general referral.
    - b) Referral for Information. Any referral which need not be reported back to the Board by the committee to which it is referred, shall be called a referral for information.
- G. DISCHARGE OF COMMITTEE.** The Board may, by a majority vote of all its members, discharge any committee from further consideration of any matter referred to the committee for general referral.
- H. MOTION TO CLEAR THE FLOOR.** If, in the judgment of the chairperson, there is a confusion of Parliamentary procedure existing, the chair shall have the right to request a "motion to clear the floor", which motion, if made and seconded, shall be undebatable, shall take precedence over all other motions, shall be forthwith put by the chair, and, if carried, shall clear the floor completely and with the same effect as if all matters on the floor were withdrawn. The motion to clear the floor shall not be reconsidered; but its passage shall not limit the right of any member to move the reconsideration of any other matter in the same manner as, but for the passage of the motion to clear the floor, would be in accordance with these Rules.
- I. PUBLIC MEETINGS AND PUBLIC COMMENT.** Board meetings shall be open to the public, as required by the Open Meetings Act, 1976 PA 267. Public comment shall be limited to no more than three (3) minutes per individual and at the times designated in the Agenda.
- J. COMMENTS FROM THE FLOOR.** Only members of the Livingston County Board of Commissioners shall be given the floor to speak during any Board meeting, except:
1. County officials and/or personnel may speak with the consent of the chairperson; or
  2. Any person, with the consent of the chairperson of the Board and/or a majority vote of the Board following a motion to allow the comment from the floor.

- K. WORK SESSIONS.** The Board of Commissioners may meet in a Work Session on any designated day, as determined by the Chairperson, for the purpose of coordinating the activities of the Committees, informing the Board of Commissioners on the progress of Committee work, and for the purpose of promoting a better understanding of County business, thereby expediting the regular meeting of the Board, provided that proper notice is given to the public pursuant to the Open Meetings Act. Written notice thereof to each commissioner within 48 hours in one of the manner provided as follows:
- ◆ via e-mail transmission to the commissioner;
  - ◆ via personal delivery of the notice of the special meeting to the commissioner;
  - ◆ leaving the notice of the special meeting at the residence of the commissioner.
- L. PARLIAMENTARY AUTHORITY.** Robert's Rules of Order, 1990/9th edition, shall govern all questions of procedures which are not otherwise provided by the Rules, or by State law.
- M. USE OF CELL PHONES.** During meetings of the Board, including Committee meetings, all cell phones or other electronic devices shall be turned off or set to "mute" or "vibrate" in order to avoid disruption. Commissioners choosing to answer cell phone calls shall leave the table, and if necessary, the room, in order to avoid disruption. Notices of Board and Committee meetings shall include a request that all cell phones or other electronic devices be turned off or set to "mute" or "vibrate" in order to avoid disruption during the meeting. Disruption of a meeting by inappropriate use of a cell phone may be addressed in the same manner as other inappropriate disruptions.

## - VI -

### ADMINISTRATION

- A. SIGNING OF DOCUMENTS.** The Chairperson shall be the signatory of all contracts, bonds, and other documents which require the signature of the Board of Commissioners. The Chairperson's signature may be provided electronically as authorized by Michigan's Uniform Electronic Transactions Act (UETA), MCL 450.831 et seq. In the event the Chairperson is unable to perform such function, then the vice-chairperson shall act in his/her stead.
- B. NOTICE OF BOARD ACTION.** When the Board has acted upon a written request or demand for action presented to the Board from other than among its membership, the clerk shall promptly notify the person or agency making the request or demand of the Board's action thereon.
- C. MINUTES.** A copy of the minutes of each Board meeting shall be prepared and mailed or delivered to each member of the Board as soon as possible immediately after each meeting of the Board. The County Clerk or his/her designee shall prepare minutes as required by the Open Meetings Act, 1976 PA 267.
- D. RESOLUTIONS.** All resolutions presented to the Board of Commissioners shall be numbered in consecutive order.

**E. MEMBERS' MANUAL.** As soon as possible after the adoption of these Rules, each member of the Board shall be provided with a manual, with appropriate dividers, or an electronic version of the same, containing the following information:

1. Names, addresses, and telephone numbers (home and business) of all Board members.
2. The most current Board Rules, as amended.
3. All County ordinances (excepting bonding ordinances).
4. All Board resolutions of continuing effect which relate in any manner to County affairs.
5. All statutory deadlines for action respecting taxes within the County.
6. All statutory deadlines for Board action, other than respecting taxes.
7. Said notebook or manual shall also include such other information as the Board, by resolution, from time to time, directs.

Each member of the Board shall be notified of changes in the above information and, from time to time, shall be provided with revised pages for the manual so that the information contained in the manual will be current.

**F. ANNUAL REPORTS.** Each County department shall submit an annual report for review by the Board.

**G. LENGTH OF REPORTS TO THE BOARD.** Any report at the Board's meetings shall be limited to 15-minutes unless extended by the Chairperson.

**H. SCHEDULE OF CLAIMS.** At the end of each regular and adjourned regular meeting of the Board, the Board will consider the claims for allowance or disallowance.

**I. RELEASE OF ATTORNEY-CLIENT PRIVILEGED COMMUNICATIONS.** Attorney-client privileged communications may be released to persons and/or the general public under the following conditions:

1. A Commissioner requests the release of an Attorney-client privileged communication.
2. The county attorney provides his or her opinion regarding the release of such privileged communication to the appropriate County Committee. The county attorney will determine if disclosure could have any negative effect on pending litigation or other legal matters.
3. The County Committee that receives the opinion regarding release shall make a recommendation to the full Board of Commissioners.

## - VII -

### TITLES AND SUBTITLES

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



**- VIII-**

**AMENDMENT TO AND EFFECTIVE DATE OF THESE RULES**

- A. These Rules may be amended, suspended, or rescinded only by a majority vote of all of the commissioners-elect. They shall remain in effect until rescinded, amended, or suspended.
- B. Any amendment to these Rules, properly presented to the Board of Commissioners and adopted, shall take immediate effect unless otherwise stated by the Board at the time of adoption.
- C. *Roberts Rules of Order* shall apply when these Board Rules do not address an issue.

**- IX-**

**CONCLUSION**

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

JANUARY 4, 2021

APPROVED & ADOPTED AS PRESENTED

RESOLUTION #2021-01-003

S:\WP\Board of Commissioners\Board RULES\2021 Board Rules - FINAL.doc

RESOLUTION

NO: 2021-01-012

LIVINGSTON COUNTY

DATE: January 20, 2021

**Resolution to Establish the Construction Committee as a Special Committee – Board of Commissioners**

**WHEREAS,** the Construction Committee has overseen the new construction of the 911 Central Dispatch facility which is near completion; and

**WHEREAS,** remaining items for the construction of the 911 Central Dispatch Facility include the following:

- 1) Valerie, JS Vig Construction, reported the pending warranty item of the glass was delivered wrong. The correct item is scheduled for delivery the first week of January 2021.
- 2) All waivers have been requested and received with the exception of the waiver from the Mason. JS Vig is continuing to request this item. A lien cannot be placed on a public building and there are no liens on the title.
- 3) Brad Alvord, Lindhout Architects, will request plumber to investigate the plumbing issues. Valerie Vig will coordinate with Facility Services, Lindhout, and the plumber to investigate the issue.

**WHEREAS,** there are no new construction projects planned for 2021.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby establish the Construction Committee as a Special Committee to oversee the completion of the 911 Central Dispatch Facility located at 300 South Highlander Way, Howell, Michigan.

**BE IT FURTHER RESOLVED** that Commissioner Doug Helzerman is hereby appointed Committee Chair; Commissioner Jay Drick is appointed Committee Vice-Chair; and Commissioner Jay Gross, is appointed as Committee Member.

# # #

**MOVED:  
SECONDED:  
CARRIED:**