

RULES OF THE MUSKEGON COUNTY BOARD OF COMMISSIONERS

MUSKEGON, MI



Adopted 1/4/2011

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MUSKEGON COUNTY
MISSION STATEMENT

Muskegon County government serves the community interests of its citizens through the process of representation and proactive local government. The county delivers its many services with fiscal responsibility and appreciation of the community's rich diversity, while protecting its environmental resources and promoting the quality of life. Muskegon County government strives to maintain the highest standard of conduct and service in its county-wide leadership role.

DEFINITIONS SECTION

- A. “Ad Hoc Committee” shall mean a committee that is not a standing committee or special committee, and as further described in Rule XVI, Section 4.
- B. “Annual Meeting” shall mean the meeting held after September 14th but before October 16th, and as set forth in Rule I, Section 4.
- C. “Closed Session” shall mean that part in a meeting that is not open to the public, the purpose of which is permitted under the Open Meetings Act, and more specifically described in Rule I, Sections 8 and 9.
- D. “Majority Vote” and “Simple Majority” shall mean more than 50% of the members present, unless it is specifically stated that members elected and serving shall be required.
- E. “Organizational Meeting” shall mean the first meeting of the calendar year, and as further described in Rule I, Section 3.
- F. “Special Committee” shall mean a committee established by the Chairperson and Board of Commissioners for a specific purpose and limited length of time, as set forth in Rule XIV, Section 2.
- G. “Special Meeting” shall mean a meeting that is not a previously scheduled meeting of the Commission or Committee, but is called according to Rule I, Section 5.
- H. “Standing Committee” shall mean a committee of the County Board of Commission as established in Rule XIV, Section 3, and as may be added or changed by the Board at a later date. References to committee, except in Rule XIV, Sections 2 and 4, and as expressly stated otherwise, shall mean Standing Committee.
- I. “Quorum” A majority of the commissioners elected and serving shall constitute a quorum for the transaction business of the county, provided that any number may adjourn from day-to-day.

RULES OF THE
MUSKEGON COUNTY BOARD OF COMMISSIONERS

RULE 1 - SESSIONS AND MEETINGS

Section 1 - Place of Meeting

All sessions and meetings of the Board of Commissioners shall be held at the Hall of Justice or at such other place open to the public as the Board shall determine, provided advance notice is given as required by law.

Section 2 - Time of Meeting

All regular meetings of the Board of Commissioners shall be called at 3:30 PM. For any special meeting, the day and hour of assembling shall be stated in the call for such meeting.

Section 3 - Organizational Meeting

The Board of Commissioners shall convene and hold its first meeting at 3:30 PM on the second business day after January 1 of each year in the Commission chambers of the Hall of Justice. This meeting shall be known as the organizational meeting and the county clerk shall preside. The Board shall transact such business at such meeting as shall be provided by these rules and the Constitution and statutes of the State of Michigan according to the following agenda:

1. The County Clerk, or his/her designee as provided by law, shall administer the oath of office to the commissioners, if the oath has not been previously administered.
2. These rules shall then be adopted by resolution.
3. The election of the chairperson shall take place in accordance with the following procedure:
 - a. the clerk shall call for nominations for the office of chairperson and when nominations are closed by vote of the majority or only one person is nominated. The clerk shall take the vote of the commissioners by roll call or ballot, if requested by one of those nominated. When one nominee receives a majority of the votes of the members elected and serving, that nominee shall be the chairperson.
 - b. The newly elected chairperson shall assume the chair and proceed with the election to the office of vice-chairperson, following the procedure set forth in Section 3.3(a) above.
4. During the Organizational Meeting the Muskegon County Board of Commissioners may adopt its goals for the upcoming year.

Section 4 - Annual Session

The commissioners of this county shall meet annually for the transaction of business as a county board of commissioners and for the purpose of reviewing the budget. The County Board of Commissioners may also hold special meetings, when necessary, at the times and places it finds convenient, and may adjourn from time to time as it considers necessary. The annual meeting of the County Board of Commissioners shall be held each year after September 14, but before October 16. When the term, October session, or other term used to designate the annual meeting, is used, it shall be construed to mean the annual meeting required by this section. The annual meeting of the County Board of Commissioners shall be held at a place in the county which the county clerk appoints with approval of the County Board of Commissioners, or at the place where regular meetings of the County Board of Commissioners are held. (MCL 46.1, Section 1. (1).)

Section 5 - Special Sessions and Meetings

Special meetings of the Board of Commissioners shall be held only when requested by at least one-third of the commissioners, which request shall be in writing, addressed to the County Clerk, specifying the time, place and purpose of such meeting; provided however, that the Chairperson of the Board of Commissioners may call a special session of the Board of Commissioners to meet at such time and for such purpose as he/she deems appropriate (MCLA 46.10)

Upon written receipt by the County Clerk, he/she will immediately forward the request to the County Administrator's office for processing.

Special meetings of committees of the Board of Commissioners shall only be held when requested by the chairperson of the committee, specifying the time, place and purpose of such meeting, and upon approval of the County Board of Commissioners or the Chairperson of the County Board.

Section 6 - Regular Meetings

Regular meetings of the Board of Commissioners are generally held on the second and fourth Tuesdays of each month at 3:30 PM in the Commission Chambers located on the fourth floor of the Hall of Justice except for conflicts with legal holidays or other potential conflicts that may arise.

Section 7 - Open Meetings Act

All meetings of the County Board or committees thereof shall be open to the public, except for sessions closed as hereinafter provided in accordance with the Open Meetings Act #267 of 1976.

Section 8 - Closed Sessions

A two-thirds roll call vote of all members elected or appointed and serving shall be required to call a closed session, except for closed sessions permitted under Section 9 (A) and (B.) The motion to call a closed session shall state the purpose or purposes for calling the closed session, and such motion and the roll call vote thereon shall be entered into the minutes of the meeting. (Open Meetings Act of 1976, Section 15.267, Sec. 7 (1) and MCL Section 15.268.)

A separate set of minutes shall be taken by the clerk or designated secretary of the board, committee or commission. Said minutes shall be retained by the clerk or secretary and shall not be available to the public and shall only be disclosed if required by a civil action filed under Section 10, 11 or 13 of the Open Meetings Act, being Public Act No. 267 of 1976, Section 15.267 Sec. 7 (2) as amended. These minutes may be destroyed one year and one day after approval of the minutes of the regular meeting at which the closed session was approved.

Section 9 - Purpose for Closed Sessions

Meetings in closed sessions of this Board, or any other committee, commission, or other county boards may only be held for the following purposes (Section 15.268 (8)):

- A. To consider the dismissal, suspension or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member, or individual agent when the named person requests a closed hearing. A person requesting a closed hearing may rescind the request at any time, in which case the matter at issue shall be considered thereafter only in open sessions.
- B. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.
- C. To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.
- D. To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the Board.
- E. To review the specific contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. All interviews by a public body for employment or appointment to a public office shall be held in an open meeting.
- F. To consider material exempt from discussion or disclosure by state or federal statute.

Section 10 - Notice of Meetings

All meetings of the Board and its committees, statutory boards and commissions shall be posted on the County of Muskegon's website and published and posted in accordance with these rules.

At its Organizational Meeting, according to the requirements of these rules, the Board shall establish the dates, times, and places of its regular meetings; and within ten days thereof, shall post a public notice of such meetings on a bulletin board near the rear entrance of the Hall of Justice and also on the bulletin board adjacent to the Board's chambers, as well as at the office of the County Clerk. The Administrator shall also cause said notice to be published in the Muskegon Chronicle and with other newspapers of general circulation throughout the County.

The Board shall also establish the initial meeting dates, time and places of all its committees, statutory boards and commissions at the Organizational Meeting and cause a notice thereof to be posted at the places designated above. Within ten (10) days of its Organizational Meeting, the Board shall also establish the meeting dates, times and places for all regular meetings of said committees, statutory boards and commissions. A notice thereof shall be published and posted in the same manner as for meetings of the Board.

Changes in the regular meeting schedule shall not be made except upon the approval of a majority of the members.

All changes in the schedule of regular meetings of the Board and its committees, statutory boards and commissions shall be posted within three days after the meeting at which the change is made and it shall also be published as soon thereafter as practicable. (Open Meetings Act Sec. 15.264 (3))

A notice of a rescheduled or special meeting of the Board shall be posted at least eighteen hours before such meeting. (Open Meetings Act Sec. 15.264 (4))

A meeting of the board, its committees, statutory boards and commissions which is recessed for more than thirty-six hours shall be posted at least eighteen hours before the time of the recessed meeting. (Open Meetings Act Sec. 15.264 (5))

An emergency session of the Board its committees, statutory boards and commissions committees may be held at any time in the event of a severe and imminent threat to the health, safety or welfare of the public, provided that at such meeting two-thirds of the majority of the commissioners determines that any delay would be detrimental to efforts to lessen or respond to the threat.

All notices of meetings shall contain the date, time and place of such meetings as well as the telephone number of the applicable board, committee, statutory board or commission. Such notices shall be posted in the same places as the notice of its regular meeting is required to be posted.

Any changes in officially adopted legal notices may be made with the approval of the Chairperson of the County Board or the County Administrator. The Board of Commissioners will be advised of any changes and the reason(s) for such changes at the Board's next regularly scheduled meeting.

Section 11 - Public Hearings

The Board of Commissioners may, from time to time, hold public hearings as required by regulation, statute or funding source. The department head seeking a public hearing shall submit their request to the Administrator for submission to the Full Board for approval. The request from the department head will include such information as necessary for the Board to make its decision.

Section 12 - Decorum

No food, carbonated drinks, or cell phone usage shall be permitted during Full Board and Committee meetings.

RULE II - BOARD OFFICERS

Section 1 - Chairperson

The Board, at its first meeting of the January session in each year, shall choose, by roll call or ballot, one of its members to be chairperson. A majority vote of the commissioners of the Board shall be necessary for a choice.

The chairperson and vice-chairperson shall be elected for one-year terms, the elections to occur as set forth in Rule 1, Section 3.

If the chairperson or vice-chairperson dies or resigns, an election for the position shall take place within 30 days of such date according to the procedure set out in Rule 1, Section 3.

The chairperson shall preside at a meeting of the board, but if the chairperson is absent from a meeting, the vice-chairperson shall preside. A chairperson may administer an oath to a person concerning a matter submitted to the county board of commissioners or connected with the discharge of its duties, may issue subpoenas for witnesses, and may compel the attendance of a witness in the same manner as a court of law. The county board of commissioners may designate 1 member to affix his or her signature to contracts, bond and other documents requiring the signature of the chairperson, if the chairperson is unable to so do because of illness or other exigency which, in the opinion of the board, prevents the chairperson from performing the functions of the office. MCL 46.3 Sec. 3 (5)

In the absence or unavailability of the chair, the vice-chair is designated to sign contracts, bonds and other documents. In the absence or unavailability of both the chair and the vice-chair, the chair of the Ways & Means Committee is designated, and in the case of all three listed being absent/unavailable, the vice-chair of the Ways & Means Committee is designated as signatory.

The chairperson shall make appointments to standing committees, boards, and commissions subject to approval of the Board of Commissioners.

Section 2 - Vice Chairperson Duties

The vice chairperson of the Board shall perform the duties of the chairperson when that person is absent.

RULE III - ORDER OF BUSINESS

Section 1 - Agenda Format - Full Board

The following shall be the order of business governing the proceedings of the Board of Commissioners while in regular Full Board meetings:

1. Call to Order
2. Invocation or Meditation
3. Pledge of Allegiance to the Flag
4. Roll Call of Commissioners
5. Approval of Agenda
6. Approval of Previous Minutes
7. Public Comment (on an agenda item)
8. Communications
9. Committee Reports
10. Chairperson's Report
11. Administrator's Report
12. Old Business
13. New Business
14. Public Comment (on a new topic)
15. Adjournment

The following shall be the order of business governing the proceedings of the Board of Commissioners while in regular Committee meetings:

1. Call to Order
2. Roll Call
3. Approval of Previous Minutes
4. Presentations (time limit 10 minutes)
5. Public Comment (on an agenda item)
6. Items for Consideration
7. Old Business
8. New Business
9. Public Comment (on a new topic)
10. Adjournment

RULE IV - MANNER OF VOTING AND MAJORITY REQUIRED

Section 1 - Roll Call Vote

After the election of a chairperson and vice chairperson, the elections and appointments, as vested in the Board of Commissioners and in other matters as may be required by these rules, shall be by voice vote. The adoption of the annual budget and questions involving the expenditure of public funds, shall be by roll call. Any member of the Board may request that the vote on any matter be by roll call.

Section 2 - Majority Vote

All questions and motions which shall arise at any meetings shall be determined by the vote of a majority of the commissioners present, except the final passage or adoption of any measure of law, or the allowance of any claim against the county, in which case a majority of all the commissioners elected and serving shall be necessary.

Section 3 - Procedure for Taking a Roll Call Vote

The roll is called in alphabetical order, in rotation, except that the presiding officer's name is called last. The debate is finished when one person has answered the roll call. If a member answers "pass" his/her name will be called again at the conclusion of the roll call and the secretary/clerk will announce the final result.

RULE V - CLOSE DEBATE (PREVIOUS QUESTION)

A motion to close debate (or move the previous question) when made and seconded, must be put to a vote without debate. A two-thirds vote of those present, is necessary for passage, and if such is not achieved, the question cannot be raised again until substantial debate has ensued. If passed, the motion on the floor shall immediately be voted upon.

RULE VI - RIGHTS AND DUTIES OF MEMBERS

Section 1

When a member wishes to speak, the member shall address the chair and the chair shall recognize the member.

Section 2

No member shall speak more than twice on the same question without permission from the chair.

Section 3

When two or more members seek the floor at the same time, the chair shall determine who is to speak first.

Section 4

When a member is speaking on any question before the Board, the member shall not be interrupted except to be called to order.

Section 5

When a member is called to order, the member shall immediately do so. The Board, if a commissioner appeals the ruling by challenging the ruling of the chair, may overrule the call to order.

Section 6

The chairperson shall vote on all questions, except on an appeal from the chair's decision. In the event of a tie vote, the ruling of the chair is sustained.

Section 7

After a vote is ordered and the clerk directed to call the roll, no member shall be entitled to speak to the question. Upon completion of the roll, a member may explain said vote upon recognition by the chair.

RULE VII - MOTIONS AND RESOLUTIONS

Section 1

No motion shall be put or debated unless seconded. If requested, it shall then be stated in full by the chairperson before the vote.

Section 2

Any motion shall be put in writing at the request of the chairperson or any member of the Board.

Section 3

Prior to a call for a vote, as prescribed in Rule VI, Section 7, before a motion has been stated by the Chair, the maker of a motion may withdraw or modify such motion without consent. The seconder may withdraw a second if the motion is so modified.

Before voting on the question has begun, the motion maker may withdraw, modify or accept an amendment to such motion if approved by the chair, providing no member objects. If an objection is raised by any member concerning such action, a vote shall immediately be taken on the objection to such withdrawal, modification or amendment.

RULE VIII - PRIVILEGED CLASS OF MOTION

Section 1

When a question is under debate, no motion shall be in order except the following which shall have precedence in order named:

- A. Fix the time to which to adjourn
- B. Adjourn
- C. Recess
- D. Raise a question of privilege
- E. Call for orders of the day (requires the adopted program or order of business to be followed)
- F. Limit or extend debate
- G. Postpone to a certain time
- H. Comment or refer
- I. To amend
- J. To postpone indefinitely

RULE IX - RECONSIDERATION

Section 1

A motion to reconsider must be made by a member who voted with the side which prevailed and requires a simple majority vote for adoption, if all members who voted with the prevailing side are present or have been notified that the reconsideration shall be moved, otherwise a two-thirds vote is required.

A motion for reconsideration of any question before the Full Board shall not be in order unless made on the same day, or at the meeting of the Full Board next succeeding that on which the decision proposed to be reconsidered was made. Provided, however, a motion to reconsider a vote in a standing committee can be made and taken up regardless of the time that has elapsed since the vote was taken and there shall be no limit to the number of times a question can be reconsidered.

RULE X - DIVISION OF QUESTION

Section 1

- A. A division of any motion shall be made when so requested by any member of the Board; provided however, such division shall be so distinct that one part being taken away, the other will remain as an entire motion for decision.
- B. A request by a Board member for a division of question is an incidental motion normally not debatable. The motion may not be reconsidered. It can, however, be amended.
- C. If the subjects differ, the question must be divided upon the sole request of a commissioner. If the topics relate, but can stand alone, the question may be divided on a regular motion and a simple majority vote.

RULE XI - APPEAL DECISION OF CHAIR

Section 1

When an appeal is taken from a decision of the chair, the question shall immediately be 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 that the chairperson shall not vote. Should the vote result in a tie, the chair shall be sustained.

RULE XII - CONFLICT OF INTEREST

Section 1 - Questions

Questions regarding a conflict of interest shall be handled in the following manner:

- A. Any Board member may raise the point of a potential conflict of interest among the group.
- B. When discussions involve a contract, a commissioner is expected to immediately disclose a potential conflict of interest in the question to the official body, which disclosure shall be made as a matter of public record.
- C. When discussions involve other actions not specifically included under the areas of contracts, the chairperson is expected to rule on the issue; however, the Board, excluding the commissioner in suspected conflict, may, by a two-thirds vote, overturn the chairperson's decision.
- D. Upon any of the above conditions, the Board is required to approve a contract, or any other action, by a vote of not less than 2/3 of the full membership of the approving body without the vote of the commissioner making such disclosure (MCLA §15.323)

Section 2 - Exceptions

Commissioners are not required to declare a conflict of interest if the question involves contracts between public entities, contracts awarded to the lowest qualified bidder, or as provided for in Section 4 MCLA §15.324 or contracts for public utility services. (MCLA §15.324)

RULE XIII - ROBERT'S RULES OF ORDER

The Rules of Parliamentary Practice contained in the most recent edition of Robert's Rules of Order shall govern in all questions of conduct and procedure which are not provided for in the rules of this Board.

RULE XIV - COMMITTEES

Section 1 - Standing Committees

- A. The Chairperson of the County Board of Commissioners shall, by the first regularly scheduled Full Board meeting following the Organizational Meeting of the Board, designate the regular committees of the Board, their composition, and designate the chairperson and vice chairperson as a membership of each committee for the ensuing year. Such appointments are subject to the approval of the majority of the commission.
- B. Said composition of committees shall remain unchanged during said year, except as a member resigns his/her position; a vacancy occurs; a member is removed from his/her position on such committee, or the structure of said committee is changed by a majority of the commission.
- C. Commissioners shall not serve on a committee unless he/she is appointed to the committee by the County Board. No commissioner may substitute for another commissioner on a committee without prior approval from the County Board.

Section 2 - Special Committees

The chairperson of the Board, with the approval of the Board of Commissioners may appoint such special committees as the chair deems necessary. The purpose of the committee, its charges, the length of time it shall exist, and its membership shall be stated in the minutes of the Full Board meeting at which it was established.

Section 3 - Committee Procedure

- A. The following standing committees-of-the-whole of the Board of Commissioners and their respective duties are established:

COMMUNITY DEVELOPMENT/STRATEGIC PLANNING

Accommodations Tax

Capital & Public Improvements (excluding items within confines of Public Works Board)

County Real Estate

Economic Development Corporation

Fairgrounds

Heritage Landing

Harbor Development

Parks

Special Projects

Tourism

West Michigan Shoreline Regional Development Commission

Convention Center

TRANSPORTATION

Airport
Muskegon Area Transit System
Trolleys

HUMAN RESOURCES

Cooperative Extension
Health
Medical Examiner
Mental Health
Human Services (Child Haven/Brookhaven)
State Institutions (CMH 10% Match)
Veterans' Affairs
Board Rules Committee

WAYS & MEANS

Administration
Finance & Management Services
Facilities Management
Corporate Counsel
Elected Officials (excluding judges, courts, prosecutor and sheriff)
Equal Employment Opportunity
Equalization
Department of Human Resources

COURTS/PUBLIC SAFETY

Courts
Prosecutor
Public Defender
Community Corrections
Sheriff
Emergency Services
Building Security
Jury Commission
Juvenile Detention Center
Child Care

- B. Each committee shall have a chairperson and a vice chairperson appointed by the chairperson of the Board of Commissioners and confirmed by a majority vote of the commission.

- C. Each committee is to be responsible for policy and program development for the areas, departments and projects assigned. Primary responsibility for all personnel and financial matters that change or alter budgets, shall be assigned to the Ways & Means Committee. All such items shall be reviewed and recommended by the Administrator.
- D. When a quorum for a scheduled meeting is not achieved within fifteen (15) minutes of the appointed meeting time, the meeting shall be adjourned.
- E. Any member finding it necessary to be excused from the committee meeting before adjournment shall notify the chairperson.
- F. All formal bids received by the county shall be opened publicly at a date and time as posted by the County Purchasing Department.
- G. Committee chairpersons shall be allowed to enter into the discussion on any items under consideration. The chairperson may not make a motion or support one.

Section 4 - Ad Hoc Committees

The Chairperson of the Board of Commissioners shall, with the approval of the Board of Commissioners, appoint members to serve on outside ad hoc committees.

- A. Appointment to an Ad Hoc committee shall be for the purpose of representing the County Board of Commissioners and not the Board member's personal position on issues and/or projects that come before the Ad Hoc committee.
- B. The Board member shall attend regularly scheduled meetings. If more than three unexcused consecutive meetings are missed by the Board member, the Chair of the Board and/or a majority vote of the commissioners may remove that member from the Ad Hoc committee and a new commissioner shall be appointed by the Chair with the consent of the Board for the remainder of the term.
- C. Board members representing the Board of Commissioners on any Ad Hoc Committee shall be required to report back to the Full Board, at least quarterly, or may be removed from the Ad Hoc Committee by the Board Chairperson and a new commissioner shall be appointed by the Chair with the consent of the Board for the remainder of the term.

RULE XV - DEPARTMENTS

Section 1 - Duties

The Public Works Board, a board created by statute, shall have responsibility for the following duties: Public Works, Wastewater Management, Solid Waste, Special Assessment Funds and Resource Recovery and Research.

Section 2 - Community Mental Health, Brookhaven and Public Works

The directors of the Community Mental Health, Brookhaven and Public Works departments shall be responsible to their respective boards in carrying out the policies of said boards. Within the scope of daily operations, however, they shall be responsible to the Administrator who shall have the authority to suspend or to suspend with a recommendation of discharge the director subject to review by their board as provided for in Section 6 below.

Section 3 - Emergency Services

*The Emergency Services Management Coordinator shall be appointed by the Board of Commissioners. On August 12, 2008, a Letter of Agreement was adopted transferring the EMS Coordinator to the Sheriff's Department. If the Board requests, at any time, the EMS Coordinator will be returned to the Board of Commissioners.

Section 4 - Departments

The Board shall determine and prescribe the functions and duties of each department, and by vote of a majority of its members, may create new departments, combine or abolish existing departments, and establish temporary departments for special work.

The following departments are hereby established:

- A. Department of Finance & Management Services
- B. Department of Community Development
- C. Department of Equalization
- D. Department of Public Health
- E. Brookhaven Medical Care Facility
- F. Department of Human Resources
- G. Department of Public Works
- H. Department of Community Mental Health
- I. Department of Corrections Services
- J. Wastewater Management System

Section 5 - Directors

There shall be a director of each department who shall have the supervision and control thereof, and who shall be appointed by the Board according to the recommendation of the Administrator as provided in Rule XIX, Section 2(B) and who shall be immediately responsible to the Administrator for the administration of his/her department, except as provided for under the Public Works Act, the Mental Health Code, and the Social Welfare Act, which includes MCL 123.736, MCL 330.1230, MCL 400.58, respectively, and Section 2 of this Rule.

Directors shall be responsible for the hiring and discharge of employees within their department. Directors shall discipline, up to and including discharge, subject to the Personnel Rules of the County of Muskegon, or applicable collective bargaining agreement.

Section 6 - Discipline and Removal

- A. The Administrator shall have the authority to discipline a Director, including a suspension or a suspension with a recommendation for discharge, subject to the procedures herein. A Director shall only be disciplined for cause, to include but not limited to, incompetence, official misconduct, or habitual or willful neglect of duty. There is no progressive discipline procedure for a Director. The Administrator may recommend termination if, and only if, the Administrator finds that the Director is incompetent to execute properly the duties of the office or if, on charges and evidence, the Administrator is satisfied that the officer or agent is guilty of official misconduct, or habitual or willful neglect of duty, and if the misconduct or neglect is a sufficient cause termination.
- B. Written notice of any discipline less than a recommendation of discharge shall be given by the Administrator to the Director with the reasons stated. The Director may, within five (5) working days, demand that the matter be referred to a Hearing Board, as defined in Section 6(e)(4), for a hearing. The Hearing Board shall render its final and binding decision within thirty (30) days of the close of the hearing. The hearing shall be held in accordance with the administrative procedures for the conduct of a hearing as described in Section 6(e). By a majority vote of the members appointed, they will make a decision that either affirms, modifies, or revokes the recommendation of the Administrator.
- C. Written notice of a suspension with a recommendation of discharge of a Director shall be given to the Director, by the Administrator, with the reasons stated. The Director may be suspended without pay from the time of notification of a recommendation of discharge.

- D. Prior to the issuance of a suspension with a recommendation for discharge, the Director shall have the right to have a pre-termination hearing before the Administrator. At the pre-termination hearing, the Director may be represented and shall have the opportunity to present reasons why discharge is inappropriate. This is an informal hearing and no specific procedures are required, except that the Administrator provide written notice, as provided in subsections (b) and (c), above. At the conclusion of the pre-termination hearing, the Administrator may impose the suspension with a recommendation for discharge or impose a lesser discipline or take no action. If the Administrator imposes a suspension with the recommendation for discharge, the matter shall be referred to the Board of Commissioners, which shall hear the matter as soon as practicable, pursuant to the procedures in Section 6(e) of this Rule.
- E. Hearing Procedure for Board or Designee.

This hearing format applies to a hearing requested by a Director for a suspension without a recommendation for termination (Section 6(b)) or to a hearing required by Section 6(d) prior to termination of a Director.

1. Notice

- (A) The parties shall be given a reasonable notice of the hearing, which notice shall include:
- (i) A statement of the date, hour, place, and nature of the hearing.
 - (ii) A statement that the hearing is under the authority of MCL 46.11(n) if a termination, or under Rule XVI, Section 6(b) if not for termination.
 - (iii) A short and plain statement of the matters asserted.
 - (iv) A statement that the Director may request a change of time or date until 48 hours prior to the hearing, however the rescheduled hearing will be no later than five (5) days from the originally scheduled hearing.
 - (v) A statement that the Director may be represented or assisted by legal counsel, at his or her expense, at the hearing.
- (B) Notice will be sent by certified mail or hand delivered to the Director.
- (C) A formal hearing will be scheduled no later than ten (10) days after the mailing or hand delivery of the notice.

(D) The Director may file a written answer prior to the date of the hearing.

2. Discovery

(A) Any reports or other information possessed by the County will be provided to the Director within three (3) days after the mailing of the notice of the scheduled hearing, subject to the limitations of the Freedom of Information Act.

(B) Records of internal procedures of the County are exempt from discovery.

3. Evidence

(A) The Director and the County may have legal representation and call witnesses to testify.

(B) The parties shall be given an opportunity to present oral and written arguments on issues of law and policy and an opportunity to present evidence and argument on issues of fact.

(C) The Michigan Rules of Evidence shall apply to a formal hearing to the extent practicable, but the Board may admit, however, and give probative effect to evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs. Irrelevant, immaterial or unduly repetitious evidence may be excluded. Effect shall be given to the rules of privilege recognized by law. Objections to offers of evidence may be made and shall be noted in the record.

(D) A party may cross-examine a witness, including the author of a document prepared by, on behalf of, or for use of the County and offered in evidence. A party may submit rebuttal evidence.

(E) A deposition may be used in lieu of other evidence, when taken in compliance with the Michigan Rules of Court.

(F) Evidence in a formal hearing, including records and documents in possession of the County of which it desires to avail itself, shall be offered and made a part of the record. Other factual information or evidence shall not be considered in determination of the case. Documentary evidence may be received in the form of a copy or excerpt, if the original is not readily available, or may be incorporated by reference, if the materials so incorporated are available for examination by the parties.

Upon timely request, a party shall be given an opportunity to compare the copy with the original when available.

- (G) The Hearing Board may take official notice of judicially cognizable facts, and may take notice of general, technical or scientific facts within the Board's specialized knowledge. The Board shall notify the Director at the earliest practicable time of any noticed fact which pertains to a material disputed issue which is being adjudicated, and on timely request the Director shall be given an opportunity before final decision to dispute the fact or its materiality. The Board may use its experience, technical competence and specialized knowledge in the evaluation of evidence presented to it.
- (H) The Hearing Officer may issue subpoenas to compel attendance and testimony of witnesses and the production of books, papers and other documentary evidence.

4. Hearing Board.

- (A) The Hearing Board shall be one of the following:
 - (i) For a recommendation of suspension without termination, the Hearing Board may be the County Board of Commissioners or the Ways and Means Committee.
 - (ii) For a recommendation of suspension with termination, the Hearing Board shall be the County Board of Commissioners.
- (B) The Hearing Officer shall be the Chairperson of the County Board of Commissioners, or the person who acts in his or her place, for hearings to review a recommendation to terminate, according to these Board Rules. The Hearing Officer shall be the Chairperson of the Ways and Means Committee, or the person who acts in his or her place, for hearings to review suspensions, according to these Board Rules.
- (C) On the filing in good faith by a party of a timely and sufficient affidavit of personal bias or disqualification of a presiding Hearing Officer, this matter will be subject to judicial review at the conclusion of the proceeding. When a Hearing Officer is disqualified or it is impracticable for him or her to continue the hearing, another Hearing Officer may be assigned by the Chairperson of the County Board of Commissioners to continue with the case unless it is shown that substantial prejudice to the party will result therefrom.

- (D) Unless required for disposition of an ex parte matter authorized by law, a member of the Hearing Board assigned to make a decision or to make findings of fact and conclusions of law in a formal hearing shall not communicate, directly or indirectly, in connection with any issue of fact, with any person or party, nor, in connection with any issue of law, with any party or his or her representative, except on notice and opportunity for all parties to participate. This prohibition begins at the time of the notice of hearing. A Hearing Board member may communicate with other members of the Board and may have the aid and advice of the County staff other than the staff which has been or is engaged in investigating or prosecuting functions in connection with the case under consideration or a factually related case.

5. Record

- (A) The Hearing Board shall prepare an official record of a hearing which shall include:
 - (i) Notices, pleadings, motions and intermediate rulings.
 - (ii) Questions and offers of proof, objections and rulings thereon.
 - (iii) Evidence presented.
 - (iv) Matters officially noticed, except matters so obvious that a statement of them would serve no useful purpose.
 - (v) Proposed findings and exceptions.
 - (vi) Any decision, opinion, order or report by the Hearing Officer presiding at the hearing and the Administrator.
- (B) Oral proceedings at which evidence is presented shall be recorded, but need not be transcribed unless requested by a party who shall pay for the transcription of the portion requested except as otherwise provided by law.

6. Decision

- (A) A final decision or order of the Hearing Board shall be made within thirty (30) days of the formal hearing, in writing or stated in the record and shall include findings of fact and conclusions of law separated into sections captioned or entitled "findings of fact" and "conclusions of law", respectively.

Findings of fact shall be based exclusively on the evidence and on matters officially noticed. Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting them. If a party submits proposed findings of fact that would control the decision or order, the decision or order shall include a ruling upon each proposed finding. Each conclusion of law shall be supported by authority or reasoned opinion. A decision or order shall not be made except upon consideration of the record as a whole or a portion of the record as may be cited by any party to the proceeding and as supported by and in accordance with the competent, material, and substantial evidence. A copy of the decision or order shall be delivered or mailed immediately to each party and to his or her attorney of record.

- (B) A Director may be terminated only upon a finding by the County Board of Commissioners that, in the Board's opinion:
 - (i) The Director is incompetent to execute properly the duties of the office or,
 - (ii) On charges and evidence, the board is satisfied that the Director is:
 - (a) Guilty of official misconduct, or habitual or willful neglect of duty;
 - (b) And that the misconduct or neglect is a sufficient cause for removal.
- (C) This decision shall be the final step in the administrative process.

7. Appeal

A decision of the Hearing Board may be appealed to the Circuit Court no later than sixty (60) days after the date of the final decision.

8. Default

If a party fails to appear in a contested case after proper service of notice, the Hearing Board, if no adjournment is granted, may proceed with the hearing and make its decision in the absence of the party.

9. Formal Hearing Format

- (A) Call to order by Hearing Officer.

- (B) Date, time and reason for hearing stated.
- (C) Introductions. All names, positions and titles, representatives and reasons for attendance of individuals present at the hearing shall be stated for the record by the Hearing Officer. At this time the Hearing Officer shall question Board Members as to any conflict of interest in the case before the Board.
- (D) Hearing Format
 - (i) Proceedings are to be recorded and kept available as a matter of public record.
 - (ii) County staff may present their case or may be represented, allowing opportunities for cross-examination by the Director or the Director's representative.
 - (iii) The Director or the Director's representative shall present their case, allowing an opportunity for cross-examination by the County staff or representative.
 - (iv) Both the County and the Director shall have an opportunity to clarify their respective positions.
 - (v) Hearing Board members may ask questions at any time.
 - (vi) The Board may deliberate on the testimony/evidence for no more than thirty (30) days.
 - (vii) The Board must render a decision within thirty (30) days.
 - (viii) Final decisions of the Board shall be announced with all parties present in a meeting open to the public. A decision may be made for the County or the Director on each allegation.

RULE XVI - AMENDMENTS TO MUSKEGON COUNTY BOARD RULES

After submission to the Human Resources committee, and upon its recommendation, these rules may be amended at any regular or special meeting by a majority vote of the commission, provided that notice has been given at the previous regular Board meeting, as reflected in the official minutes of the Board. Amendments to these rules shall not be made at any meeting at which any commissioner is unable to attend because of official county business.

RULE XVII - AGENDA

The agenda for the Board of Commissioners' meetings will be prepared by the Administrator and Chairperson and mailed to all members of the Board on the Friday prior to the Board meetings.

Public comment is permitted as follows:

1. On an agenda item, by providing a completed "Public Comment" form to the recording secretary, chair or commissioner, and being recognized by the chair during the first public comment period.
2. On a new topic to be introduced by any person by providing a completed "Public Comment" form to the recording secretary, chair or commissioner and being recognized by the chair during the second public comment period.
3. Unless time is extended prior to the public comment period by a vote of a majority of the Commission, comments shall be limited to two minutes for each participant.
4. A person making comment may only speak once per item.
5. Any items requiring a vote by the Full Board, must be provided 48 hours in advance, although the Board shall retain the right to introduce any motions during the meeting.

RULE XVIII - GOVERNING CLAIMS FOR PERSONAL EXPENSES INCURRED IN THE OFFICIAL CONDUCT OF COUNTY BUSINESS

Section 1 - Definitions & Taxes

Board members, elected officials, employees, and agents of the county shall be reimbursed for necessary personal expenses incurred in the conduct of county business in accordance with the following rules and regulations:

A. Definitions

1. Board members are those individuals elected to the Muskegon County Board of Commissioners.
2. Elected officials are those individuals duly elected and serving in the statutory offices of the County of Muskegon.
3. Employees are those individuals duly appointed and listed on the regular payroll of the county.
4. Agents of the county are those individuals retained on a fee basis or special appointment to perform valuable acts on behalf of the county. The County Commission shall designate such agents prior to expense approval.

B. Taxes - Wage and salary compensation shall be subject to applicable tax laws.

Section 2 - Rules and Regulations

Board members, elected officials and directors may claim per diem expenses as follows, or they may elect to claim actual expenses in accordance with these rules and regulations:

A. Travel Expense

Board members, elected officials and directors of departments will be reimbursed up to the maximum standard per diem amount allowed for meals (this is the M&IE (meals and incidental expenses) rate column less than \$3) by the IRS as applicable for the destination city for out-of-county travel excluding lodging and transportation to the destination. The following exception shall apply: all meals provided by the conference will be deducted from the per diem amount at the rate of 18% for breakfast, 32% for lunch and 50% for dinner. Travel involving periods of less than a day shall be paid as follows: reimbursement of the maximum rate will be 50% for dinner; 32% for lunch, and 18% for breakfast and up to 20% for tips.

B. All persons returning from authorized travel must turn in evidence of expenditures and complete a travel expense voucher within thirty (30) days after returning from the authorized travel. Failure to do so will mean that all expenses will be reconciled at the rates stipulated for travel out of town.

Board members, elected officials and all employees and agents claiming expenses shall properly document and receipt, whenever practicable, all such actual expenses. In so doing, the following guidelines shall be followed:

C. Interstate Travel

1. A travel authorization form must be completed and sent to the Administrator's office for all travel outside the state, and prior approval must be obtained from the Administrator and the County Board Chairperson, or in his/her absence the vice chairperson or a designated representative.
2. In emergency situations, prior approval of the County Board Chairperson or the Administrator is sufficient and mandatory.
3. Chicago and Milwaukee are to be considered out-of-state travel.

D. Intrastate Travel

1. Travel within the state by employees of the county shall require only the approval of their director.
- E. Mileage, transportation, meals, lodging, etc. shall be itemized and claimed on the travel authorization form.
- F. When a personal automobile is used for transportation, actual mileage shall be compensated at the rate approved by the Board or otherwise approved in labor agreement.
- G. Receipts for public transportation (bus, rail, air) must be provided for full reimbursement of actual cost. The mode of transportation selected shall be the most economical available to provide necessary connections and to accommodate meeting schedules. The class of such transportation shall generally be coach or tourist.
- H. Only three meals may be claimed per day regardless of the hours worked.
- I. Receipts for lodging will be reimbursement for actual cost. If a spouse is sharing lodging, the actual expenses will be reduced by 20% for the purpose of reimbursement of charge to the county, or the county will pay the documented single person rate. On an American Plan the county will only pay costs for the employee. If a spouse accompanies an employee, the employee is responsible for the full documented cost of the spouse under the American Plan.
- J. Gratuities claimed shall be reasonable for services provided, but in no case shall exceed 20%.
- K. Reimbursement for travel per diem will be allowed for only one travel day to a meeting, conference, etc. and one travel day returning from the meeting, conference, etc.
- L. When flying on county business and at county expense, everyone shall be required to fly in and out of the Muskegon County Airport. An exception to such rule shall be in the case of an urgent or emergency situation whereby undue delay in travel will result from application of such rule. If the exception is used, they shall attach an explanation of such exception to the travel voucher.
- M. Authorize a \$50 per diem for board members for out-of-county travel at a limit of 15 days per year.

Section 3 - Reimbursement

Travel and expenses incurred relating to official county business which does not require travel outside the county may be reimbursed in accordance with the following:

- A. County vehicles shall be used for travel whenever available and practicable.
- B. Mileage (personal automobile) shall be paid at the rate approved by the Board or otherwise approved in labor agreement. Mileage shall be properly itemized and explained.
- C. Reimbursement for in-county meals, for meetings with directors, department heads, managers and staff, is prohibited unless approved by the Administrator.

Section 4 - Travel Advance

When eligible individuals are anticipating business travel, a cash advance may be required for anticipated expenditures.

- A. Travel advances will be subject to the following conditions:
 - 1. Advances will only be made for \$75.00 or more through the Accounting Department. Advances for less than \$75.00 should be handled through the department's petty cash account.
 - 2. Advance requests are to be made on the appropriate county travel authorization form.
 - 3. Before advances are to be made, travel must be approved as specified in Rule XVIII, Section 2 C and D.)
 - 4. Advances must reconciled within thirty (30) days after return. Unused cash is to be returned and receipts are to be submitted for all expenditures, except that the maximum standard per diem amount allowed by the IRS as applicable for the destination city may be claimed in lieu of meal receipts by Board members, directors and elected officials.
 - 5. Upon return, when submitting the travel expense voucher, the total travel expense should be itemized and the advance should then be subtracted.
 - 6. No further advances will be made until all prior advances are reconciled.

Section 5 - Travel Expense Vouchers

All travel expense vouchers shall be properly completed and signed by the employee and approved by the appropriate authority in writing prior to submission with the Travel Authorization Form to the Accounting Department.

Section 6 - Specific Authorization (Commissioner)

Once it has been determined that a County Commissioner will not serve another two-year term, no interstate or intrastate conference attendance will be allowed unless subject commissioner is specifically authorized the County Board of Commissioners.

Section 7 - Conferences

- A. Each commissioner shall be allowed to attend both the annual and legislative Michigan Association of Counties conferences, but may select only one National Association of Counties to attend each calendar year.
- B. Department Heads and one assistant may attend no more than one conference and/or meeting per calendar year of their national affiliation or association pertaining to their respective field of expertise.

This does not limit their attendance at out-of-state meetings and seminars necessitated by county business.

Attendance by employees at out-of-state meetings, seminars and/or conferences shall be authorized by their directors and shall follow out-of-state rules.

RULE XIX - COUNTY ADMINISTRATOR

The Board of Commissioners of Muskegon County, Michigan, hereby establishes the office of County Administrator and declares its intent to maintain the following policies regarding the Administrator's responsibilities:

Section 1 - Appointment

The County Administrator shall be appointed by the County Board of Commissioners to serve at the will of the Board, a majority of all the members elected and serving being required for appointment, suspension or removal.

The Administrator shall be appointed on the basis of merit, education and experience.

Section 2 - Powers and Duties

- A. The County Administrator shall be the chief administrative officer of the county and shall exercise all powers and functions of that office, as provided by law, shall be responsible to the Board of Commissioners for the proper administration of all affairs of those departments herein provided; and shall act on behalf of the Board of Commissioners for those departments which are under the general control of the Board of Commissioners.
- B. The Administrator shall appoint or discipline administrative officers (directors) except those officers (directors) described in Rule XV, Section 2 in accordance with Rule 7 of the Personnel Rules and the Statement of Policy, according to the following procedures.

1. Appointment

- a. The Administrator shall advertise vacancies according to procedures adopted by the Board of Commissioners.
- b. The Administrator shall recommend to the Ways & Means Committee of the Board of Commissioners the names of three candidates deemed most acceptable for the vacant position.
- c. The Board of Commissioners, or a designated committee, shall thereafter interview said candidates or such others as they deem necessary. The Administrator shall assist the committee during said interviews and offer advice as to the person best suited for said vacant position.

2. Discipline and Removal

The Administrator shall have the authority to discipline and/or terminate an administrative officer (Director) as provided in Rule XV, Section 6.

Section 3 - Review and Evaluation

Annually, between the end of the fiscal year and the organizational meeting, the commission shall review and evaluate the job performance of the Administrator. The Administrator may be invited to attend, but in any event shall be furnished with a summary of the minutes of the session in a meeting with the Chairperson.

Section 4 - Termination

Understanding the unique relationship between the office of the Administrator and the Board of Commissioners, the Administrator fully understands that the condition of his appointment to the position of Administrator is at the pleasure of the Board of Commissioners and his tenure with the County may be terminated with or without cause by a majority vote of those elected and serving.

RULE XX - CORPORATE COUNSEL

The Board of Commissioners of Muskegon County, Michigan, hereby establishes the office of Corporate Counsel and declares its intent to maintain the following policies regarding the Corporate Counsel's responsibilities:

Section 1 - Appointment

The Corporate Counsel shall be appointed by and responsible to the County Board of Commissioners to serve at the will of the Board, a majority of all the members elected and serving being required for appointment, suspension or removal. If employed, the Corporate Counsel may appeal any such suspension or discharge pursuant to the procedures set forth in Rule XV, Section 6. However, the Board of Commissioners may elect not to employ counsel, but may request proposals from attorneys to provide services on an hourly or retainer basis.

The Corporate Counsel shall be appointed on the basis of merit, education and experience.

Section 2 - Powers & Duties

- A. The Corporate Counsel shall be the chief legal officer of the county and shall exercise all powers and functions of that office, as provided by law, shall be responsible to the Board of Commissioners for the proper administration of all legal affairs of all departments herein provided, and shall act on behalf of the Board of Commissioners for those departments which are under the general control of the Board of Commissioners.
- B. The Corporate Counsel shall provide monthly reports to the Board of Commissioners and the Administrator as to the status of all ongoing work and projects. The Corporate Counsel shall report to the Administrator on a day-to-day basis.

Section 3 - Termination

The Corporate Counsel shall serve at the pleasure and will of the Board of Commissioners and can be removed by a majority vote of those elected and serving.

RULE XXI - POLITICAL ACTIVITY

The County Administrator and directors shall not be involved, directly or indirectly with political activities involving County Commissioners or persons seeking such office.

This prohibition shall not abridge the employee's right to express an opinion concerning said individuals or to actively support other political candidates or parties, subject to no violation of the Hatch Act.

Such activities include use of employee's name or picture implying support or opposition, fund raising, financial support, or activities which may be construed by the general public as support or opposition for any person seeking or holding the position of County Commissioner.

No person holding the position of County Commissioner shall in any way coerce or demand support of the Administrator, directors, or any other County employees, and any such attempts shall be reported to the Administrator and the Chairperson of the Board.

STATEMENT OF POLICY

The Board of Commissioners of Muskegon County, Michigan hereby agrees to establish an office of the County Administrator and declares the intent to maintain the following policies regarding his/her responsibilities and its relationship with him/her.

- A. General duties and responsibilities of the Administrator shall be:
 - 1. To prepare the annual budget and capital improvement program for submission to the Board of Commissioners and to direct and supervise the accounting and control functions necessary to ensure compliance with the budget as adopted by the Board.
 - 2. To serve as the chief professional advisor to the Board and to assist in securing specialized technical and professional consulting services as needed.
 - 3. To make such reports as the Board may require concerning operations of the county government and to prepare plans and programs for the Board's consideration in anticipation of future needs and services.
 - 4. To supervise and direct all county agencies and personnel under the jurisdiction of the Board of Commissioners.
 - 5. To serve as a representative of the Board of Commissioners in communications with autonomous county officers and board and with agencies of other federal, state, and local governmental agencies.
 - 6. To provide general supervision of the Department of Corporate Counsel.
- B. In order that the Administrator may exercise effectively the general duties and responsibilities listed in Rule XIX, the Board of Commissioners will, through motion or through the Chairperson of the Board of Commissioners:
 - 1. Provide that he/she will attend all meetings of the Board (except when his/her own position and salary are to be discussed) and that he/she may participate in discussion of matters before the board but without a vote.
 - 2. Direct all committees under the jurisdiction of the Board to notify the Administrator of all meetings and to invite him/her to attend and participate in committee discussions.
 - 3. Assign to him/her the preparation of the agenda for meetings of the Board and its own members who wish to have matters placed on the agenda to submit their requests to him/her in advance.
 - 4. Adopt uniform personnel policies to be applied to County employees by the Administrator.
- C. To promote the coordination of all activities of the County, the Board of Commissioners will:
 - 1. Invite statutory boards and committees to designate the Administrator as the administrative officer or otherwise work in close cooperation with his/her office.

2. Encourage independently elected county officials to coordinate their work with that of the Administrator and to meet with him/her periodically for the consideration of county programs and plans.
 3. Invite other local units of government in the county to cooperate with the Administrator through the establishment of joint conference committees, coordinated procedures, and other arrangements that may be established.
- D. The Administrator, in turn, will be expected to:
1. Work with the Board of Commissioners as a single body, except insofar as the Board may direct him/her to work with committees or statutory boards.
 2. Keep the board fully advised of the financial condition and future needs of the county and make such recommendations concerning the affairs of the county as he/she deems appropriate.
 3. Recognize at all times that he/she is accountable to the Board of Commissioners for the administration of its policies and programs and for his/her conduct as a responsible public official.
 4. The Administrator will inform the Board in writing of any outside boards and/or committees on which he/she was asked to serve and accepted.

At the Organizational Meeting of the Muskegon County Board of Commissioners held in the City of Muskegon, County of Muskegon on January 4, 2012, at 3:30 p.m., in the Commissioner Chambers:

PRESENT: Lewis Collins, Benjamin Cross, James Derezsinski, Marvin Engle, Alan Jager, Anthony Longmire, Kenneth Mahoney, Scott Plummer, Robert Scolnik, I. John Snider, Rillastine Wilkins

ABSENT: None

RESOLUTION AUTHORIZING THE ADOPTION OF THE RULES OF THE MUSKEGON COUNTY BOARD OF COMMISSIONERS FOR 2012

The following preamble and resolution was offered by Commissioner Engle and supported by Commissioner Mahoney.

WHEREAS, the Muskegon County Board of Commissioners is organized and operates pursuant to provisions of state statute, specifically MCL 46.1, et. seq., and;

WHEREAS, this Board, in order to conduct the business of the County of Muskegon in an orderly fashion, deems it appropriate to operate under an established set of rules, and;

WHEREAS, the current Board Rules for the Muskegon County Board of Commissioners require that Board Rules be adopted by Resolution at each annual Organizational Meeting.

NOW THEREFORE , BE IT RESOLVED that the Muskegon County Board of Commissioners does hereby adopt the Board Rules, initially approved by it on October 31, 2005, with the intent that those Rules, as amended, shall govern its operation during the calendar year 2012, and until the date of the Board's 2013 Organizational Meeting.

AYES: Lewis Collins, Benjamin Cross, James Derezsinski, Marvin Engle, Alan Jager, Anthony Longmire, Kenneth Mahoney, Scott Plummer, Robert Scolnik, I. John Snider, Rillastine Wilkins

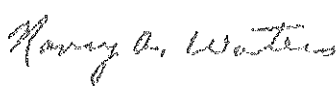
NAYS: None

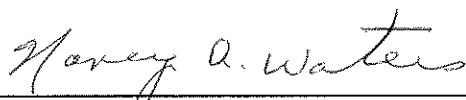
RESOLUTION DECLARED ADOPTED .



Nancy A. Waters, County Clerk

I hereby certify that the following constitutes a true and complete copy of a resolution adopted by the Muskegon County Board of Commissioners at a regular meeting held on January 4, 2012, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267 of the Public Acts of Michigan of 1967.

I HEREBY CERTIFY this to be a true and correct copy of the original on file with the office of COUNTY CLERK.
This Certified Copy VALID Only When SEAL and RED SIGNATURE Are Affixed.

MUSKEGON COUNTY CLERK



Nancy A. Waters, County Clerk