

"Menominee – Where the best of Michigan begins"

## MENOMINEE COUNTY BOARD OF COMMISSIONERS

Menominee County Courthouse  
839 10th Avenue  
Menominee, Michigan 49858-3000

Brian R. Bousley - County Administrator  
Sherry Smith - Administrative Assistant  
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### EXECUTIVE COMMITTEE

Of the Menominee County Board of Commissioners

~ A Quorum of the Board may be present ~

**DATE:** Monday ~ March 12<sup>th</sup>, 2012  
**TIME:** 3:00 PM (CDT)  
**PLACE:** Menominee County Courthouse, Administration Office

#### \*\*\*\*\*AGENDA\*\*\*\*\*

1. Call Meeting to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda
5. Approval of Previous Minutes  
June 16, 2011
6. Public Comment *(statements, not debate; limited to 5 minutes per person on agenda items only)*
7. Department Head Reports/Comments
8. Business
  - a. Review of the Menominee County By-Laws, Board Rules, County Policies and Charters of Standing Committees
9. Public Comment *(limited to five minutes)*
10. Adjournment

James Furlong - Chairperson

Charlie Meintz - Vice Chairperson

Bernie Lang

Mark Jasper

Jim Pearson

**Menominee County Executive Committee  
Minutes of Meeting**

**June 16, 2011**

~Draft~

The Executive Committee of the Menominee County Board met on June 16, 2011 at 1:00 p.m. at the Menominee County Courthouse, Law Library. Present at the meeting were Com. Furlong, Com. Lang, Com. Pearson, County Administrator Bousley & Administrative Asst. Sherry Smith.

**Also present:** Marc Kleiman

**Agenda:** The agenda was approved by Com. Lang and seconded by Com. Pearson. 3/0

**Previous Meeting minutes:** Meeting minutes from May 20, 2011 were approved by Com. Lang and supported by Com. Pearson 3/0.

**Public Comment:** None

**Business:** A. Draft Four of the Menominee County Bylaws, Board rules, county policies, and Charters of standing committees. Furlong: The bylaws we have up to this point we are almost ready for the board to approve them. Now with new nine commission district and our new commissioners coming on board, I'd like to revisit Article III, Subsection 2. Since I've been a County Commissioner, I thought about running for an elected position in the city, I asked Marc who checked with the elections commission and found out, you can hold two elected offices. There is a list of incompatible offices. In my case, being a board commissioner and being a city council rep. or Mayor, there is no restriction in our bylaws. I couldn't because I already held an elected position and the City had the provision in their charters. This made me look at what Men. Co. does in this case. In my opinion, it's pretty hard to serve two masters. So when we looked at this nine member board I heard a few rumblings from in the county. The only reason a lot of people wanted a nine member or more was because they wanted more people to hold a position on the county board of Commissioners. We don't prohibit holding more than one elected office within our bylaws. I thought we could add some wording in our bylaws to state we prohibit holding any other elected office within a city, village or township, and then the state law defines the incompatibility of office. Furlong: Do we want to define this list or do we stick with the state law and go with it? Pearson: I think working for two masters. The County Commissioners are basically the oversight over anything within with county. We're separate from the schools, but not completely. I like the term "being elected with NO other elected position." Marc: Should it be "publicly elected?" you have other associations that elect members; but may not be publicly elected. Bernie: Will this restrict people that are not eligible to run for the County Board? Furlong: No anyone is eligible to run for the County Board, but once you get elected to the County Board, you have to choose which one you're going to be (which elected position). I feel you should

be serving the entity that you were elected to and not try to do a dual role. Pearson: The state recognizes the potential for conflict, but it could still be there. Should we define each and every one, or just put in a global word in it? “ Any other publicly elected office”. Bernie: I don’t think I agree with that totally. What does it hurt when a member of the board serves on a school board too? Pearson: It’s the appearance of impropriety that comes into play there. Bernie: That’s a possibility, but I don’t feel comfortable adding it. Marc reads the state law to the commissioners. Consensus is to put the wording in the bylaws...“Except where authorized by law, no county commissioner shall hold any other elected public office during the term for which the member was elected to the County Board of Commissioners.”

**Any Other Items:** Furlong: Alcohol in public meetings. I think it should be prohibited at public meetings and added to our bylaws. A public meeting should not be held where alcohol is present, or there should be no alcoholic beverages present at public meetings. Bernie: I agree. Pearson: to me it’s embarrassing that it has to go into the bylaws. It should be just common sense. Add this to just before our list of standing committees...consensus is to research other prohibition bylaws and add the prohibition of alcoholic beverages at public meetings to the county bylaws.

Commissioner Lang is excused at approx. 1:45 PM to attend another committee meeting.

Draft Boilerplate – bylaws for Men. Co. advisory committees. Discussion of the boilerplate being prepared with general information and “fill in the blanks” for committee specific information. Only a few specific committees will be able to use this. Discussion to become effective at the CB Organizational Meeting in 2012. Article 3 section 1 – remove “County Administrator”, enter “Secretary”. Article IV section 3 – “these officers shall be elected at its first meeting of the year” add “to be held between February 1 and 15 of each year.” Committee Rules & Policies – R96-4 add “all appointed committee members are considered volunteers and will not be compensated for meeting fees.” Add prior to what is already there. R96-6 – Add “by the seventh (7th) day of the following month or be forfeited”. R96-11 – Add committee public **“volunteer”** members.

Discussion ensued on all bylaw changes done thus far. We need a copy of all changes highlighted prior to sending it to the board for approval.

**Public Comment:** None

**Adjournment:** Com. Pearson approved, Com. Furlong Supported to adjourn at 2:20 PM  
2/0

**DRAFT Boilerplate - bylaws for MC advisory committees DRAFT**  
**8.2.11**

**BYLAWS**

ARTICLE I: Name. Menominee County \_\_\_\_\_ Committee.

ARTICLE II: Purpose. To act as an advisory committee to the Menominee County Board.

ARTICLE III: Members. The members of this Committee are those persons who have been appointed by the Board of Commissioners. There shall be \_\_\_\_\_ members; \_\_\_ public at-large representatives and \_\_\_ County Board representative(s). All have voting powers. Effective February 2012 the term limits for committee members will be as follows:

- committee members will have one year terms
- committee members will have two year terms
- committee members will have three year terms

After serving the first term, all \_\_\_\_\_ committee members will serve three year staggered terms.

Section 1. Voting. All members who are present shall vote whenever the question is put by the Chair. **The Secretary** or designee shall be the recorder.

Sub. Section 1. Abstention.  
If there is an appearance of a conflict of interest, the member shall so state before a vote is called for. No member may abstain from voting "yes or no" unless excused by a majority of those present.

ARTICLE IV: Officers

Section 1. The officers of this Committee shall be a Chairperson, Vice Chairperson, and **Secretary**.

Section 2. The term of office shall be for one year. The individual may succeed her/himself.

Section 3. These officers shall be elected at its first meeting of the year. **(February 1-15 each year.)**

Section 4. Candidates for these offices shall be nominated from the floor. It shall take a simple majority vote of the Committee to elect. The vote will be taken by a randomly selected call of the roll.

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Section 5. Officer Powers and Duties.  
Except for those powers and duties prescribed to the Chair by the County Board, the Chair has no power to act on behalf of the Committee unless the Committee specifically grants that power.

ARTICLE V. Meetings

Section 1. A schedule containing the date, time and place of regular monthly meetings of the Committee shall be established at the first meeting of the year.

Section 2. Special meetings, procedure; notice; Open Meetings Act, compliance. (MCL 15.261)

A special meeting of the \_\_\_\_\_ Committee shall be held only when requested by at least 1/3 of the members of the \_\_\_\_\_ Committee. The request shall be in writing, shall be addressed to the **Secretary or designee**, and shall specify the time, date, place, and purpose of the meeting. Upon the reception of a request, the County Administrator shall immediately give notice in writing to each of the Committee members. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

Section 3. Quorum and Majority. (MCL 46.3)

A majority of the members of the County \_\_\_\_\_ Committee shall constitute a quorum for the transaction of the ordinary business of the Committee, any questions which arise at its meetings shall be determined by the votes of a majority of the members present.

Section 4. Minutes. Recording names and votes on actions. The names and votes of members shall be recorded on an action which is taken by the \_\_\_\_\_ Committee. A record which is made pursuant to this section shall be available for public inspection.

ARTICLE VI: Rules, Regulations, Policies of the Committee.

Section 1. The Committee may adopt by 2/3 vote those rules and regulations it feels necessary to allow for the orderly conduct of business of the Committee.

Section 2. The Committee may adopt at a regular meeting by a 2/3 vote and if submitted in writing at the previous regular Committee meeting policy statements which pertain to the operation of all facets of County \_\_\_\_\_ which are within the jurisdiction of this Committee. Policies of the Committee may not be suspended. Policies may be amended under the same rules governing the amending of the Bylaws.

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ARTICLE VII. Parliamentary Authority.

Roberts Rules of Order Latest Edition issued to Board Members, ISBN 0-7382-0307-6 shall be the Parliamentary Authority. The rules, with special attention to small Committees, contained in the above mentioned reference shall govern the Committee in all cases to which they are applicable and in which they are not inconsistent with the Bylaws or any special rules or policies the Committee may adopt.

ARTICLE VII. Amendment of Bylaws.

Section 1. These Bylaws may not be suspended.

Section 2. These Bylaws may be amended at any regular meeting of the County Board by a 2/3 majority of the County Board, provided that the amendment is submitted in writing at the previous regular \_\_\_\_\_ Committee meeting. An amendment to this amendment may be made during discussion at the meeting at which the amendment is taken up provided it does not limit the rights of the minority nor expand the rights of the majority. Amendments to the amendment which do the immediately aforementioned limiting and expanding of rights may, if they were presented in writing, be considered as a new amendment at the next regular meeting of the Committee.

Section 3. These Bylaws, Rules, Regulations and Policies shall remain in effect until properly amended or suspended as appropriate.

ATTESTED TO:

\_\_\_\_\_  
Clerk of Menominee County

\_\_\_\_\_  
Menominee County Board of  
Commissioners, Chairman

Date: \_\_\_\_\_

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MENOMINEE COUNTY \_\_\_\_\_ COMMITTEE RULES & POLICIES

R96-1 The Order of Business shall be as follows:

1. Call Meeting to Order
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Approval of Agenda**
- 5. Review/Approval of Previous Meeting Minutes**
6. Public Comment
7. Business
8. Correspondence
9. Any Other Items Members May Wish to Present
10. Public Comment
11. Adjournment

Adopted:

R96-2 Complex or controversial issues may be discussed by the Committee prior to being introduced in the form of a motion. The Chair may declare the floor open for debate prior to a motion if no member objects. If there is an objection, the Chair shall call for a vote. A majority vote of the Committee shall sustain the Chair. Any motion(s) arising from such debate shall be reduced to writing prior to being voted upon, upon the request of any member.

Adopted:

R96-3 To determine the sequential order of a roll call vote, the Secretary shall randomly select the names of the members of the Committee.

Adopted:

R96-4 **All appointed committee members are considered "volunteers" and will not be compensated for meeting fees.** Committee members are provided a mileage allowance which shall be the IRS rate per mile.

Adopted:

R96-5 Committee members attending authorized conferences, seminars, etc. shall be reimbursed mileage, meals and lodging. All applicable conference fees shall be paid in advance by the County when possible. Lodging shall be reimbursed at actual cost not to exceed the room rate at the conference headquarters hotel. Lodging necessary enroute to or from a conference shall be reimbursed at actual cost not to exceed \$80.00 per night. Travel costs will be reimbursed at the IRS rate per mile for personal automobile or at actual cost for commercial carriers. Any travel allowances

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advanced in excess of actual costs shall be reimbursed to the County. Meals not included in conference fees shall be paid in accordance with County policy.

Adopted:

R96-6 Committee members are responsible for submitting all of their own expenses including all meeting expenses. These expenses should be submitted to the County Administrator's office with actual receipts **by the seventh (7<sup>th</sup>) day of the following month or be forfeited.**

Adopted:

R96-7 DISSEMINATION OF INFORMATION. It shall be the policy of the Committee that all information pertaining to business of the Committee obtained by individual committee members, shall be transmitted in a timely fashion to all Committee members so that they would be better able to make informed decisions. This information shall be made available to the Secretary so that it may be included in the meeting packet. County Committee packets will be available one week prior to the meeting.

Adopted:

R96-8 PURCHASING POLICY. Committee has no authority to purchase.

Adopted:

R96-9 COMMITTEE COMMUNICATION. It shall be the policy of the Committee that the official spokesperson of the Committee shall be the Committee's Chairperson or the County Administrator. Utterances of individual Committee members shall be clearly identified to the media and the public that those public statements are opinions of those committees or member(s) as the case may be and not positions of the Committee.

Adopted:

R96-10 PUBLIC COMMENT. It shall be the policy of the Committee that for all meetings of the Committee and all committee meetings of the Committee which come under the jurisdiction of the Michigan Open Meetings Law that the following rules apply: speakers shall identify themselves and if representing a group, the name of the group, and shall state their address; a speaker shall be limited to five minutes; only one speaker may address the Committee on behalf of a group; 30 minutes, if necessary, shall be devoted to public participation during the appropriate times on the agenda; the Committee reserves the right to extend the above mentioned time limits; a member of the public can request permission to address

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the Committee relative to a particular item on the agenda at the time it is being considered by the Committee or a Committee member can yield the floor to a member of the public, under the constraints of the above mentioned time limits; these rules shall be available along with copies of the agenda, for those meetings at which a previously prepared agenda is available, at the time and place of the meeting.

Adopted:

R96-11 COMMITTEE MEMBER COMPENSATION - **Committee public volunteer members receive no meeting compensation.**

Adopted:

CHARTER OF \_\_\_\_\_ COMMITTEE

The Menominee County \_\_\_\_\_ Committee is an advisory committee who purpose is to provide advice, direction, and recommendations to the County Administrator and the Menominee County Board of Commissioners. The Committee has no final authority or responsibility for policy making or administration.

Responsibilities of this Committee are as follows:

1. Recommend objectives and goals of the \_\_\_\_\_ committee.
2. Recommend rules and policies governing the \_\_\_\_\_ committee.
3. Recommend annual and long-term financial plans.
4. Recommend establishing and maintaining an effective public relation program.
5. Recommend short-term and long-term planning necessary to develop a broad variety of programs, facilities, and services to meet community needs.
6. Maintain close coordination with other community agencies involved in (\_\_\_\_\_) and the Board of Commissioners.
7. Encourage broad citizen involvement in the (\_\_\_\_) system.
8. Recommend annually a (\_\_\_\_) fee schedule.
9. Act as mediator between citizens and management disputes.
10. Receive and encourage public input on the (\_\_\_\_\_) committee.
11. Annually recommend capital improvement plan.
12. Review statistics.
13. **Annually determine goals and objectives for the better of Menominee County.**

The Menominee County (\_\_\_\_\_) Committee shall follow the rules and policies as set forth by the Menominee County Board of Commissioners.

**Removed: Annually recommend revisions to the Menominee County Plan.**