

COUNTY OF ALLEGAN
State of Michigan

Rules of Organization and Procedure

~~of the~~

Allegan County Board of Commissioners ~~(BOC)~~

Revised and Adopted: January 4, 1993 [Journal 39.6-15/11]
[Addendum A RE: Committee of the Whole adopted April, 28, 1994: Journal 41.199-201/58]
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Amended: December 9, 2021 (Journal 69-10)
Amended: January 13, 2022 (Journal 70-7)
Amended: January 5, 2023 (Journal 71-8)
Amended: May 25, 2023 (Journal 71-17)

1. **AUTHORITY:** These rules are adopted by the Allegan County Board of Commissioners (hereinafter the BOC) ~~BOC of Allegan County pursuant to the Michigan Compiled Laws (MCL, Section 46.11, as amended, MCL 46.11 of the State of Michigan, as amended, (MCL 46.11))~~ pursuant to Section 46.11 of the Compiled Laws of Michigan, as amended.

2. APPLICATION, SUSPENSION, AND AMENDMENT OF BOARD RULES

- a. These ~~r~~Rules shall guide and direct the Allegan County BOC's operations.
- b. Any situation, ~~which that~~ may arise and is not covered by these rules, shall be determined ~~on the basis of~~ based on Robert's Rules of Order. When the rules ~~contained~~ herein conflict with State of Michigan statutes, the statutes shall prevail.
- c. No rule of the BOC shall be suspended or amended without ~~the~~ concurrence of a majority of all BOC members elect.
- d. Except during the organizational meeting, any proposed amendment(s) to the BOC rules shall be first referred to a BOC meeting for discussion only, with subsequent consideration given for action no later than ~~one month~~ one month thereafter ~~after that~~.

3. BOARD AND ADMINISTRATIVE OFFICERS

a. CHAIRPERSON

i. Statutory Powers and Duties [MSA 5.323]

- (1) Presides at all BOC meetings. MCL 46.3
- (2) Administers oaths and issues subpoenas. ~~[MSA 5.323]~~ MCL 46.3(5)
- (3) Signs contracts (~~[MSA 5.323]~~ MCL 46.3(5)) and Board-approved minutes [MSA 5.352] and certifies the equalized tax rolls. [MSA 7.52]
- ~~(4) With the advice and consent of the BOC, appoints~~ appoint Directors of an Economic Development Corporation. MCL 125.1604(3) -4.3 ~~[MSA 5.352 (4)]~~.
- ~~(4)~~
- (5) Upon the disqualification of the County Drain Commissioner, under MCL 280.381 of the Drain Code, the (Chapter 16, Sec MCL- 280.381 of the Michigan Drain Code, PA 40 of 1956) BOC Chairperson shall appoint as ~~b~~ Boards of d Determination pursuant to Sec-'s MCL 280.72 and MCL 280.441, -of that Code.
- (6) Serves on Intra-county Drainage Boards (Chapter 20, MCL Sec. 280.464) and Augmented Inter-county Drainage Boards (Chapter 21, MCL Sec.280.515) and appoints additional member(s) to either when circumstances so warrant, as defined in the Michigan Drain Code, PA 40 of 1956.
- (7) Reviews, with other officials, the Sheriff's determination of jail overcrowding. MCL 801.52(2) ~~[MSA 28.1748-2]~~
- (8) Carries out Emergency Management and Preparedness responsibilities in accordance with Public Act 390 of 1976, the Emergency Management Act, and the BOC adopted Emergency Management resolution, and appoints BOC members to act in place of the Chairperson in his/her absence.

ii. Other Duties

- (1) Serves ex-officio on all committees.
- (2) Appoints BOC committee members subject to BOC approval.
- (3) Makes other county appointments subject to BOC approval.
- (4) Preserves order and decides questions of order subject to ~~the~~ approval of the BOC.
- (5) Votes on all questions taken by roll call vote, except on BOC Members' Commissioners' appeals regarding a decision of the chair.
- (6) Serves as spokesperson for BOC action or designates a spokesperson in writing.
- (7) Attends regular meetings with the Chief Administrative Officer (hereinafter the CAO) County Administrator for the purpose of providing assistance and planning in BOC related ~~BOC-related~~ matters.
- (8) Duties of the BOC Chairperson may be expanded by the BOC for purposes and durations deemed appropriate and necessary.

Commented [ES1]: Meeting minutes are now covered under MCL 15.269, but I do not find anything that requires the chairperson to sign the minutes.

Commented [ES2]: MSA 7.52 corresponds to MCL 211.34d. Under MCL 211.34d(4) On or before the second Monday in June of each year, the treasurer of each county shall certify the immediately preceding year's taxable values, the current year's taxable values, the amount of additions and losses for the current year, and the current year's millage reduction fraction for each unit of local government that levies a property tax in the county.

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- b. VICE CHAIRPERSON
 - i. With the exception of instances when the Chair has initiated specific alternatives, in the absence of the Chair, the Vice-Chair assumes all authorities and performs such duties as enumerated in Section 3-a above.
- c. CLERK-OF-THE-BOARD
 - i. Shall be the County Clerk or, in the Clerk's absence, a Deputy County Clerk.
 - ii. Duties shall be as specified by law, MCL 46.4, MSA 5-324, MSA 5-330, MSA 5-325, MSA 5-352.
- d. CHIEF ADMINISTRATIVE OFFICER/COUNTY ADMINISTRATOR (CAO): The BOC employs a County Administrator/CAO who is recognized as the Chief Administrative Officer of the County. The authorities and duties of the CAO are listed in Attachment "A".
- e. FREEDOM OF INFORMATION ACT (FOIA) COORDINATOR: The Chairperson shall designate the CAO (or his/her designee) as the FOIA Coordinator for the County of Allegan. MCL 15.236(6) [MSA 4-18016].

4. BOARD COMMITTEES

- a. COMMITTEE OF THE WHOLE: The BOC shall generally operate as a Committee-of-the-Whole, perform as the County Board of Public Health when necessary, and establish other committees as it deems appropriate.
- b. LOCAL GOVERNING ENTITY/BOARD OF PUBLIC HEALTH: The BOC shall perform as Local Governing Entity (LGE) of the Local Health Department (LHD) as enunciated in the Michigan Public Health Code. (Code). At least quarterly, the BOC shall schedule a dedicated agenda item during a planning session or regular meeting of the BOC (or schedule a special meeting if necessary) for the Health Officer (and other members of the LHD) to report on the activities of the LHD during the most recently concluded quarter, provide a forecast of activities for the quarter ahead, and any anticipated public health situations in the year ahead. These sessions shall be added to the annual schedule of information sessions. Topics for these sessions may also include items, derived from the Code, such as:
 - i. Concurrence or disapproval authorizing LHD to adopt regulations (e.g.g., water regulations), and
 - ii. Receiving the annual report, approval of the Plan of Organization, and
 - iii. Providing or demonstrating the provision of each required service which that the LHD is designated to provide, and
 - iv. Fixing and requiring payment of fees for services authorized to be performed by the LHD.
- c. ESTABLISHMENT OF COMMITTEES
 - i. The BOC may establish committees which that shall perform specific functions including but not limited to research, analysis, oversight, or forming a recommendation regarding a project, policy, issue, ordinance, or plan that is authorized by resolution of the BOC.
 - ii. Each committee shall have a Chairperson and Vice-Chairperson elected by its members.
 - iii. Each committee Chairperson shall be responsible for keeping a written record of committee proceedings.
 - iv. The number of BOC members on any committee shall not exceed one (1) less than a majority number of those elected and serving on the full BOC, although the committee may contain other members.
- d. PROCEDURES FOR USE OF COMMITTEES
 - i. Committees shall address items only referred by the BOC.

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- ii. Items which that have been referred to a committee by the BOC shall be addressed in accordance with these rules.
- iii. If a committee determines that additional county resources to address its responsibilities or if procedural clarifications are necessary to perform its duties, the committee shall ask for assistance from the CAO.
- iv. When the committee has completed its charge, its written findings shall be forwarded to the BOC via the CAO, and placed on the BOC's next regular business meeting for review and determination subsequent to Section 7.b herein.
- v. The BOC shall, subsequent to receiving a finding/recommendation from a committee and lending review, give consideration through one of the following:
 - (1) Vote on the finding/recommendation.
 - (2) Table the finding/recommendation.
 - (3) Return the finding/recommendation for further consideration with direction(s) or forward it to another committee with direction(s).

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5. OTHER BOARDS, COMMISSIONS, and COMMITTEES: Due to statutory requirements, by invitation, or through the exercise of its discretion, the BOC appoints or elects BOC members, member-alternates, and other persons to boards, commissions, and committees which that exist internally and externally to the Allegan County government organization. See Attachment "B" for identified boards, commissions, and committees.

- a. Any BOC member so appointed or elected shall make available the minutes or other informations information of record of those same boards, commissions, or committees to the BOC upon its request in times sufficient to the BOC's considerations and by a manner herein directed.
 - i. ELECTION/APPOINTMENTS: All elections and/or appointments shall be conducted in accordance with all applicable state statute-statutes and/or by-laws specific to each board, commission, and committee.
 - (1) When an appointment is in order, the BOC-Chairperson shall make the appointment subject to BOC confirmation.
 - (2) The BOC shall not elect or appoint individuals to any board, commission, or committee upon receiving first notice of a vacancy.

(3) ANNUAL NOTICE:

- (a) The BOC shall publish two notices annually (March & October) in a local newspaper and the County website seeking potential candidates for future elections/appointments as a result of a term expiring or vacancy during an existing term.
- (b) The CAO shall be responsible for placing on the agenda a month in advance the offices that will be voted upon at a subsequent meeting.
- b. BOARDS AND COMMISSIONS: Authorized members of Boards & Commissions boards and commissions members shall receive per diem and mileage through BOC resolution (Attachment C).
- c. BOARD PLANNING WORKGROUP: A workgroup of the County-AdministratorCAO, ChairChair, and Vice-Chair Vice-Chair is authorized to meet to review Board Meeting agendas to ensure compliance with Board rules, prepare procedurally for Board meetings, including the review of progress on Board Projects established through its formal planning process.

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6. MEETINGS: All meetings of the BOC shall be noticed and conducted in accordance with the Michigan Open Meetings Act (OMA) -MCL 15.261 et seq

- a. ORGANIZATIONAL MEETING: The first meeting in each calendar year shall be the organizational meeting. At each such meeting, the Clerk-of-the-Board county-clerk shall initially preside.
 - i. OATH OF OFFICE: The Clerk-of-the-Board county-clerk or other statutorily authorized official shall administer the oath of office to the BOC members-elect; if the oath had-has not previously been administered.
 - ii. ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON
 - (1) The Clerk-of-the-Board Clerk shall call for nominations for the office of temporary

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- chairperson.
- (2) When nominations are closed by majority vote or no other nominations are forthcoming the Clerk-of-the-Board clerk shall order the roll to be called.
 - (3) When one nominee receives a majority of the votes of the BOC members elected and serving, the nominee shall be declared the temporary Cchairperson and the Clerk-of-the-Board County Clerk shall retire to his/her position as Clerk-of-the-Board.
 - (4) The temporary Cchairperson shall seek the BOC's determination of the Chairperson's term of office, one year or two years.
 - (5) Upon determination of the Chair's Chair's term of office, the temporary Cchairperson shall call for nominations for the office of Chairperson.
 - (6) The temporary Cchairperson shall seek the BOC's determination of the use of secret balloting for the Chairperson.
 - (7) When nominations are closed by majority vote or no other nominations are forthcoming the temporary CChairperson shall order the roll to be called or the secret balloting completed.
 - (8) When one nominee receives a majority of the votes of the BOC members elected and serving, the nominee shall be declared the Cchairperson.
- iii. SCHEDULE OF REGULAR MEETINGS: The BOC shall establish a schedule of regular meeting if it has not previously been adopted.
 - b. ANNUAL MEETING: Shall be held in the evening between September 14 and October 16; ~~per Act 156 of 1854 MCL, 46.1; Sec. 1-1.~~
 - c. REGULAR MEETINGS: The regular meetings of the BOC shall be scheduled in accordance with its annually approved schedule and shall be held at 1:00 PM on the second and fourth Thursdays of each month unless otherwise posted (see Section 7.c., Agenda Format A).
 - i. CHANGES/CANCELLATION: The schedule of regular meetings shall not be changed except under the following conditions:
 - (1) Upon the majority decision of the BOC during any noticed meeting.
 - (2) Upon the determination of the Chairperson due to circumstances of imminent danger to the health, safety, and welfare of the public and/or others that may be in attendance.
 - (3) When the Clerk-of-the-Board, upon receipt of written communications from a majority of BOC members, has determined a quorum will not be present. Upon said determination, the Clerk-of-the-Board shall immediately give notice to each BOC members-member at least 24 hours before the scheduled meeting time and upon giving public notice in accordance with the Open Meetings Act.
 - d. PLANNING SESSIONS: The BOC tentatively schedules these sessions to conduct planning (strategic or project related), policy review, and other matters it may deem necessary (~~s~~See Section 7d., Agenda Format B) at 9:00 AM, unless otherwise posted, on the morning of the same day as regular scheduled BOC meetings.
 - i. CANCELLATION: The Chairperson in conjunction with the CAO may cancel these sessions by the end of business on Friday-Tuesday prior to the meeting for reason of lack of business to be considered by the BoardBOC.
 - e. SPECIAL MEETINGS: Special meetings may be set by one of the following methods:
 - i. By a majority of the BOC members during any noticed meeting.
 - ii. At the "Call of the Chairperson".
 - iii. By the Clerk-of-the-Board upon receipt of a written request signed by one-third (1/3) of the BOC members. Upon receipt of said request, the Clerk-of-the-Board shall immediately give notice to each of the BOC members at least 24 hours before the scheduled meeting time and upon giving public notice in accordance with the Open Meetings Act.
 - f. PLACE OF MEETINGS: Unless otherwise noticed, meetings of the BOC shall take place in the County Services Building – Board Room, 3283 122nd Avenue, Allegan, MI 49010.

g. START OF MEETING: The Chairperson shall take the chair at the time specified in the meeting notice; the BOC shall then be called to order and the roll of BOC members called.

h. QUORUM: A majority of the BOC members elected and serving shall constitute a quorum for the transaction of the ordinary business of the county. ~~{MSA-MCL 46.35.323}~~ Excluding procedural votes, the final passage or adoption of any measure or resolution, or the allowance of any claim against the county shall be determined by a majority of all BOC members elected and serving ~~{MSA-5.323}~~.

h.

i. BOC MEMBER ATTENDANCE: Any BOC member who shall be late to a session shall, upon his/her arrival, report his presence to the Clerk-of-the-Board. Furthermore, a BOC member that who will knowingly be late/absent from an official proceeding of the BOC shall notify the Chairperson or County Administration the Administrative Office as soon as possible prior to said meeting.

- i. REMOTE ATTENDANCE: BOC members may be connected to a meeting remotely under the following conditions:
- (1) The request has been submitted to the CAO at least 24 hours in advance of the meeting.
 - (2) The remote connectivity is sufficient and will not interfere with the progress of the meeting.
 - (3) The BOC member's participation shall not be considered attendance for the purpose of establishing a quorum, unless otherwise permitted by the Open Meetings Act.

j. PUBLIC PARTICIPATION: The right of public address is granted by the Michigan Open Meetings Act under rules established by the BOC, ~~{MSA 4.1800 (13) & (5)} {MCL 15.263(5)}~~. The public shall be allowed to address the BOC within the following parameters:

- i. Public comment shall be permitted during the public participation portion(s) of the agenda subsequent to the SPEAKER'S declaration of
- (1) Name ~~and address~~ local unit of residence, and
 - (2) The topic which they wish to address, and
 - (3) In general, a maximum of five (5) minutes shall be granted to each person desiring to make a public comment; however, that time may be modified at the discretion of the ChairChair.
- ii. Public comment is permitted during discussion items on an approved agenda, providing a related motion is not in the BOC's possession (a motion having been made, seconded, and recognized by the ChairChair)
- iii. Public comment shall not be permitted during action items on an approved agenda.
- iv. Any exception to the rules of public participation shall be at the discretion of the Chairperson.
- k. DISTRIBUTION OF AGENDAS/MINUTES: A copy of a completed agenda and approved minutes of previous, monthly proceedings shall be available online as soon as possible by the Clerk-of-the-Board. A printed copy of the minutes of the monthly BOC proceedings shall be available at the County Clerk's Office.

7. AGENDA(S)

- a. DEVELOPMENT: BOC agendas shall be managed by the CAO in conjunction with the BOC Chairperson and Clerk-of-the-Board (as needed).
- b. AGENDA ITEM(S) FOR CONSIDERATION: With the exception of BOC members (see Section 7.b.i) agenda items must be submitted to County Administration not less than ten (10) business days prior to the next scheduled Regular Meeting for placement on the agenda. The submission shall include all necessary supporting documentation/information requisite to the BOC's full consideration.

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- i. A BOC member's intent to add an item or amend/rescind a previous item shall be introduced to the BOC during the "future agenda items" portion of a preceding meeting. The BOC shall not add items to an agenda if said item has been previously acted upon by the BOC unless approved in advance by the BOC and/or the provisions of Section 9.c. have been met. See [the](#) attached Flow Chart, Attachment "D".
 - ii. All agenda items for consideration shall be submitted with complete documentation (see "Attachment E" Request for Action [\[RFA\]](#) Form) through the County work order system. The work order system will automatically assign a work order number which is transmitted to the requestor so that they may refer to it when communicating with the CAO. The CAO shall review the request and take one of the following actions:
 - (1) Request additional information as needed before making [a](#) recommendation or taking action.
 - (2) Approve or deny items under the authority of the CAO. Items denied may be appealed in writing to the Chairperson of the BOC detailing specific reasons why an item should be considered. Requests for consideration/appeal must be received within 10 business days from the receipt of the denial.
 - (3) Report items requiring action to the BOC with recommendation/resolution on [the](#) disposition of action.
- c. AGENDA FORMAT FOR REGULAR MEETINGS (Format A):
- (1) Call to order
 - (2) Roll call, Determination of Quorum
 - (3) Opening Prayer
 - (4) Pledge of Allegiance
 - (5) Public/Budget Hearing and related communications (As needed)
 - (6) (Other) Communications
 - (7) Approval of minutes
 - (8) Public participation
 - (9) Additional agenda items
 - (10) Approval of the agenda
 - (11) Presentations
 - (12) Proclamations
 - (13) Informational Sessions
 - (14) Administrative Reports
 - (15) Consent Items
 - (16) Action Items
 - (17) Discussion Items
 - (18) Appointments
 - (19) Elections
 - (20) Public participation
 - (21) Future Agenda Items
 - (22) Requests for [Per Diem](#)/Mileage
 - (23) Boards and Commissions Reports
 - (24) Round table
 - (25) Closed Session
 - (26) Adjournment
- d. AGENDA FORMAT FOR PLANNING SESSIONS (Format B):
- (1) Call to Order
 - (2) Roll Call, Determination of Quorum
 - (3) Opening Prayer
 - (4) Pledge of Allegiance
 - (5) Public Participation
 - (6) Additional Agenda Items
 - (7) Approval of Agenda
 - (8) Discussion Items

- (9) Other Items
- (10) Public Participation
- (11) Closed Session
- (12) Adjournment

e. INFORMATION FLOW TO THE BOC MEMBERS

- i. INFORMATIONAL SESSIONS: Departmental Information Sessions or presentations from [the](#) public or other agencies shall be given a specific time and duration. All presenters shall be limited to a twenty (20) minute maximum, including a question/answer period. Departments will be asked to supply their presentation to the BOC prior to their scheduled date to allow the BOC's review and an opportunity to supply questions to departments in advance of their presentation.
- ii. REGULAR MEETING PACKETS: In general, on the Friday before each BOC meeting, County Administration shall provide the BOC with a written recommendation and relative background information within the meeting packet for each item to be addressed by the BOC. Any questions or additional information needed by BOC members should be directed to County Administration by the Tuesday prior to the meeting, and that information shall be provided back to all BOC members before the meeting.
- iii. PLANNING SESSION PACKETS: Materials will be provided as they become available. However, the intent of the Planning Session is for discussion, feedback, updates, etc., therefore, it should be expected materials may be provided up to the time of the meeting.
- iv. CHANGES TO THE PUBLISHED AGENDA: At the discretion of the CAO and/or [BOC Chairperson](#), agenda items (except those added under 7.b.i) may be changed (including but not limited to additions, deletions, and order) prior to the close-of-business on the Tuesday prior to the scheduled BOC meeting. Changes shall be for substantial reasons [i.e. urgency, g., urgency](#), lack of supporting materials, [and](#) availability of presenter. The BOC shall receive a revised final agenda at the close of business that same day, reflecting any changes to the agenda with [the](#) appropriate revision number noted. If no changes have been made, the meeting packet previously sent shall be considered the final agenda unless changed by the BOC during the meeting.
 - (1) Any changes to the final agenda by the BOC after noon on Tuesday must be accomplished at the beginning of the meeting by a two-thirds (2/3) majority vote of those elected and serving.
- v. AGENDA ITEMS: [BOC members Commissioners](#) may add agenda items for discussion only to any regularly scheduled meetings of the [Board BOC](#) by contacting the Chair or, in the absence of the [Chair Chair](#), the [Vice-Chair vice chair](#), up to noon on the Tuesday preceding the scheduled meeting.
- vi. DISCUSSION ITEMS: Items may be of a specific nature on which action will be required at a future meeting and/or of a broader nature requiring discussion on subsequent agendas. Following the discussion of each item, the [BOC Chairperson](#) should clarify the intent of further action or discussion needed. Generally, items requiring BOC action shall start as discussion items and be moved to a future agenda for action. However, routine and time-sensitive items may be moved for immediate action.
- vii. CONSENT ITEMS: The purpose of the consent items portion of the agenda is to expedite business by grouping non-controversial items together to be considered by a single motion without discussion and debate. [BOC members Any member of the BOC](#) may ask that any consent item be placed elsewhere on the agenda for the item to be considered separately. Such requests will automatically be granted.

8. RULES OF FORM

- a. SPEAKING TO A QUESTION: Every BOC member, previous to speaking upon a question shall address the chair. When two or more BOC members speak at once, the [Chair chair](#) shall designate the BOC member who shall be first to speak.

- b. CALL TO ORDER: When a BOC member is speaking on any question before the BOC, the member shall not be interrupted except to be called to order. A member called to order shall immediately be silent unless permitted to explain, and the BOC, if appealed to, shall decide the case. If there is no appeal, the decision of the ~~Chairperson~~ ~~BOC Chair~~ shall stand.
- c. SUBMISSION OF MOTION: No motion shall be debated or put in the minutes unless the same is seconded. It shall be stated by the Chairperson before debate, and any such motion shall be reduced to writing if any members desire it, or at the request of the Chairperson or Clerk-of-the-Board.
- d. WITHDRAWAL OF MOTION: After a motion is stated by the Chairperson, it shall be deemed to be in possession of the BOC, but may be withdrawn by the member who made the motion, with the concurrence of the member seconding the motion, if there is no objection by any other member of the BOC. All BOC decisions shall be entered in the record of BOC proceedings.
- e. MOTIONS DURING DEBATE: When a question is under debate, no motions shall be received but to adjourn, to call the previous question, to table, to postpone indefinitely, to postpone to a day certain, to refer, and/or to amend.
- f. MOTION TO ADJOURN: The motion to adjourn shall always be in order, and the motion to table shall be decided without debate. A motion simply to adjourn shall be understood to mean for the day only.
- g. PREVIOUS QUESTION: When moved, and seconded, a 2/3rds affirmative vote ends all discussion/debate and the BOC shall proceed immediately to any related amendments and then the main motion (as amended).
- h. DIVISION OF QUESTION: If the question being discussed contains two or more points, any BOC member may request to have it divided for separate considerations.
- i. PETITIONS/MEMORIALS: Shall be addressed to the BOC, in writing, and presented to the Chairperson for appropriate action.
- j. RECORDING: In all cases, every written report, resolution, or motion shall bear the name of the originating committee (if applicable), and the names of the BOC member moving and the BOC member seconding shall be entered into the record of the BOC's proceedings.
- k. COMMENTS ENTERED INTO THE RECORD: A BOC member, wishing to have his/her comment(s) entered into the record of the BOC's proceedings, shall submit the comment(s) in writing to the Clerk-of-the-Board.
- l. SPECIAL ORDERS: Any measure or motion having been placed on special orders for some future time shall not be taken up prior to that time except by unanimous consent of the BOC members present.

9. VOTING

- a. ROLL CALL:
 - i. The names and votes of BOC members shall be recorded on board actions to adopt final measures such as ordinances and the appointment or election of officers, etc. ~~[MCLA 46.3a]~~.
 - ii. Conflicts of Interest: BOC members shall not be interested directly or indirectly in any contract or other business transaction with the county (or other county agency) during the time for which they are elected or appointed nor for one year thereafter unless the contract or transaction has been approved by ~~three-fourths~~ ~~three-fourths~~ of ~~BOC~~ ~~the members of the~~ ~~(BOC)~~ and so shown in the minutes of the ~~board~~ ~~BOC~~ together with a showing that the ~~board~~ ~~BOC~~ is cognizant of the (former) member's interest ~~[(MCLA 46.30)]~~ and shall make such

declarations of real or perceived conflict of interest at the time appropriately prior to any final, related action by the BOC.

- iii. A roll call vote will be taken when requested by any BOC member.
 - iv. When a roll call vote is taken, no member present shall abstain from voting "yes" or "no".
 - v. For the voting of the BOC at each session, the Clerk-of-the-Board shall vary the order of calling the roll.
 - vi. During a roll call vote, members of the BOC shall be given one opportunity to vote. Each BOC member's vote shall be presented as follows and so recorded by the Clerk-of-the-Board:
 - (1) "Yes" – representing any response in the affirmative
 - (2) "No" – representing any response in the negative
 - (3) "Abstaining" – only in the instance of a conflict of interest as defined in 9.a.ii above, and
 - (4) "Absent" – BOC member was not present at the time of the vote.
- b. TIE VOTES: In the event of a tie vote of the BOC upon any matter presented to them for consideration, the motion or proposal does not pass for lack of a majority approval; the matter, however, may be proposed to the BOC for reconsideration in the identical, similar or revised form at any time, to be voted on by the same number of BOC members, or more, present at the time of the tie vote.
- c. RESCIND/AMEND: A motion to rescind or amend any question previously acted upon may be made on any day of any session under the following conditions:
- i. The action caused by the original question has not already been carried out to a point that cannot be undone.
 - ii. The motion to rescind or amend must be moved and seconded by the BOC members who voted with the majority, but there must be at least as many BOC members present as there was/were when the matter to be rescinded was first voted upon.

10. BOARD COMPENSATION

- a. SALARY and FRINGE BENEFITS: BOC members shall receive an annual compensation package that shall be established prior to each new term and shall be maintained consistent with applicable laws. See Attachment "F" for the current compensation package.
- b. TRAVEL: BOC members shall receive travel and training reimbursement in accordance with County Employee Policy 511.
 - i. BOC Mileage: The following BOC-related meetings shall be eligible for mileage reimbursement at the current IRS rate:
 - (1) Attendance in any official meeting of the BOC or a board, commission, committee, or official activity, e.g., training or conferences to which a BOC member has been appointed by the BOC or BOC-Chairperson through BOC action. See Attachment "B" for identified boards, commissions, and committees,
 - (2) Quarterly Interdepartmental Meetings normally held on the last Wednesday of January, April, July, and October,
 - (3) Attendance in Michigan Association of Counties (MAC) activities in which participation or appointment has occurred,
 - (4) One publicly noticed local unit meeting per month for each local unit in a BOC member's/commissioner's district,
 - (5) Meetings or events at the request of the CAO to best represent the interests of the County,
 - (6) All other meetings, Board-BOC approval will be required.

11. MISCELLANEOUS RULES

- a. CLAIMS: Each Wednesday, by 12:00 PM (noon), the BOC shall receive/have available a compilation of the weekly claims for their-its review.

- i. During weeks in which the BOC does not have a regularly scheduled meeting or during weeks in which that meeting is not held: BOC members shall, subsequent to their review of the weekly claims, submit any questions regarding a claim via email to administration@allegancounty.org and finance@allegancounty.org by each Thursday 5:00 PM. If the question(s) cannot be readily addressed, only those claim(s) in question shall be withheld from payment until the next scheduled BOC meeting for final action. If the County will be adversely affected ~~e.g., i.e.~~ shut off of utilities, ~~or~~ finance charges, the Chair~~person~~ is authorized to review, release or continue to hold the claim in question.
 - (1) The CAO (or designee in his/her absence) is authorized to release for payment all claims after Friday 8:00-AM except those held for question.
 - ii. During weeks in which the BOC holds a regularly scheduled meeting, the BOC shall approve previously reviewed, processed, and released payments for claims but may choose to withhold approval of claims not reviewed but processed for payment that same week.
 - iii. The Clerk-of-the-Board shall print in the BOC proceedings a report of the total of accounts payable claims against the different funds as they are submitted, rather than a detailed report of the individual claims. The BOC will take final action to accept claims into record and provide final signatures.
- b. SIGNATORY AUTHORITY:
- i. The Chair~~person~~ (or designee declared in writing if permitted by law) is the official signatory of the BOC where ~~the Chairperson/~~BOC signature is required by law or as specifically required by grant or BOC resolution.
 - ii. The ~~County Administrator~~CAO (or designee declared in writing) is designated as the official signatory of the County and shall approve ~~BOC-approved~~BOC-approved leases, contracts and other (legal) documents consistent with the execution of the duties of the position as authorized through BOC approved policy. This designation does not diminish the authority of the Chair~~person~~ as stated above in 11.b.i.
 - iii. Other signatory authority is limited to that contained within ~~BOC-approved~~BOC-approved policy.
- c. ORDINANCES: County ordinances ~~that have been~~ enacted by the BOC shall be numbered for reference in the following manner: The first ordinance, 1001; the second, 1002; the third, 1003 and so forth.
- d. COMPATIBILITY OF POSITIONS: No BOC member, while a member of the BOC shall be eligible for election or appointment to any other County office or position, the election of which is within the jurisdiction of the County BOC unless otherwise permitted by law. ~~MCL 46.3(6)]MSA-5-323]~~
- e. COMMISSIONER'S ANNUAL, EQUIPMENT STIPEND PROGRAM: A stipend in the amount of \$50 per month shall be paid ~~on~~ the first payroll of each month to each ~~commissioner~~BOC member. The stipend is intended to reimburse each ~~commissioner~~BOC member for partial use of a personal cell phone, an internet connection, and/or other equipment/services/supplies that may be used to conduct official County business. Any ~~commissioner~~BOC member may opt-out of the program by submitting a written statement indicating such to the Human Resources Department prior to January 2 of each year for that year's program. Once a ~~commissioner~~BOC member has opted-out of the program for a given year, the ~~commissioner~~BOC member is no longer be eligible to participate until the next year.
- f. ASSISTANT CORPORATE COUNSEL: At each ~~Board of Commissioners~~BOC meeting, the Assistant Corporate Counsel shall be present virtually or be in person as requested by the ~~Board of Commissioners~~BOC to receive any questions, concerns or direction that the ~~Board~~BOC as a body may enunciate. Assistant Corporate Counsel may also respond at said meetings to questions from individual ~~commissioners~~BOC members in the course of ~~board~~BOC consideration of agenda items for the specific meeting.

ALLEGAN COUNTY

COUNTY ADMINISTRATOR

General Summary

Under the direction and oversight of the Allegan County Board of Commissioners as a body, serves as the Chief Administrative Officer of the County and performs a wide range of difficult-to-complex administrative activities that serve to support effective and efficient county government operations; advises and assists the Board in planning, policy and operational matters; and directs and coordinates the administration of county government in accordance with policies and directives issued by the Board as a whole, pursuant to all applicable state and federal laws and regulations.

SCOPE OF RESPONSIBILITY AND AUTHORITY

The County Administrator is responsible for the following departments: Budget and Finance, Central Dispatch, Equalization, Facilities Management, Health Department, Human Resources, Information Services, Land Information Services, Senior and Veteran Services, Transportation and Public Defender and performs the full range of managerial-oversight functions. Acts as final appointing authority and retains authority over organizational structure, budget, staffing levels and configuration, financial management, planning, administrative policy development and implementation, performance management and prioritization of fiscal, human and capital resources.

The County Administrator carries overall responsibility and authority for the “business” and service delivery aspects of Allegan County government. In matters of governance and public policy, the position oversees the implementation and administration of Board-established policies. The administrator helps maintain good working relationships between the Board’s office and other elected officials.

Essential Functions

1. Works with the Board to understand their vision and strategic policy direction. Assists the Board in developing and managing public policy matters. Oversees staff implementation of Board goals and policies. Directs and oversees near-term and long range work planning: goal setting, prioritization, funding, monitoring and reporting.
2. Provides assistance to the Board and committees of the Board to facilitate action on matters requiring their attention (based on County policy) and is a liaison to other boards and agencies. Investigates and researches various issues and projects assigned by the Board and reports the results with possible alternatives and recommended courses of action. Provides a recommendation on all non-political matters to be considered by the Board of Commissioners.
3. Acts as the first step and/or liaison for all matters to be considered by the Board of Commissioners. Manages the development of Board and committee meeting agendas with the assistance of the Board or Committee Chairperson and/or the County Clerk and attends meetings to advise, counsel, and present pertinent data and information to aid the Board in making decisions and establishing policies. Researches, analyzes and implements issues considered and approved by the Board.
4. Maintains the fiscal oversight of the County. Administers, reviews, and analyzes budgets including general operating, applicable county funds, and capital outlay. Approves major purchases and contracts for services, forecasts financial status, and creates and implements related policy. Consistent with the Uniform Budgeting Act, develops an annual balanced budget to be presented to the Board of Commissioners for final approval.
5. Negotiates, develops, reviews, and/or approves (based on County policy) a variety of legal documents including but not limited to contracts, purchase agreements, grants, and interagency agreements, ensuring the County’s interest is represented.

ALLEGAN COUNTY

COUNTY ADMINISTRATOR

6. Coordinates legal matters in conjunction with corporation counsel. Seeks legal advice and opinions on behalf of the County. Exercises settlement authority with established limits and recommends action on other matters to the Board. Designated County representative to liability insurance carrier and is responsible for the administration of all liability claims.
7. Leads labor negotiations and the administration of all labor agreements within County government. Provides leadership and direction for personnel related matters including final decision authority on personnel matters.
8. Confers with all county departments and seeks to resolve operating problems within current practices and policies. Revises and develops policy dealing with new or changing circumstances for consideration of the Board. Advises departments of relevant Board and committee actions.
9. Continuously monitors and evaluates the efficiency, effectiveness and cost-effectiveness of the County's service delivery and governance, with emphasis on departments and functions under the authority of the Board. Recommends and implements action to maintain and improve services.
10. Participates in planning of county infrastructures including facilities, capital outlay, budget, and critical long-range needs.
11. Represents the County Board of Commissioners, as a Body, acting as a liaison with the Board, county departments, other elected officials, local units of government, various agencies, and other committees on federal, state, county, and community issues.
12. Represents the County at various functions such as making speeches at civic and business association meetings. Meets with community members, developers, and officials to establish goodwill and resolve/respond to issues. Serves as the County's representative on numerous boards, committees, associations, and other groups on behalf of the Board of County Commissioners. Collaborates on federal/state/county/community issues.
13. Serves as the Public Information Officer for all matters under the authority of the Board of Commissions and at times for the whole organization. Develops, reviews, and distributes press releases based on formal decisions of the Board of Commissioners and factual information. Interacts directly with all forms of media.

Employment Qualifications

Education: Bachelor's Degree in Public or Business Administration, Master's Degree preferred, and/or a combination of education and experience that would be beneficial to the position as determined by the Allegan County Board of Commissioners within its sole discretion.

Experience: Seven or more years of responsible administrative/supervisory experience in local government.

1. Knowledge: Principles and practices of business administration including general accounting and fiscal management practices; governmental budgeting; personnel practices and employment laws, office procedures and business operating systems; and the appropriate method and means of dealing with human behavior situations in a variety of circumstances.
2. Skill: Communicate effectively, verbally and in writing, with and in a diverse range of audiences and settings; persuasion and negotiation of conflicts and problems; assessing operational, program, staffing and fiscal needs; interpreting legal documents, law and government regulations; evaluating fiscal and financial reports, forms and data; analyzing complex written documents; identifying and resolving administrative problems; working long and irregular hours under pressure conditions; delegating responsibility and achieving results through subordinates; and maintaining order in an environment of changing priorities.

ALLEGAN COUNTY
COUNTY ADMINISTRATOR

Other Requirements:

The qualifications listed above are intended to represent the minimum skills and experience levels associated with performing the duties and responsibilities contained in this job description. The qualifications should not be viewed as expressing absolute employment or promotional standards, but as general guidelines that should be considered along with other job-related selection or promotional criteria.

Physical Requirements *[This job requires the ability to perform the essential functions contained in this description. These include, but are not limited to, the following requirements Reasonable accommodations will be made for otherwise qualified applicants unable to fulfill one or more of these requirements].*

Ability to access departmental files.
Ability to enter and retrieve information from computers.
Ability to access all locations of County government.

Working Conditions:

Works in office conditions.

ALLEGAN COUNTY BOARDS & COMMISSIONS

ALLEGAN-KENT SUSTAINABLE BUSINESS PARK ADVISORY COMMITTEE
AREA AGENCY ON AGING, INC
AREA COMMUNITY SERVICES EMPLOYMENT & TRAINING COUNCIL
BOUNDARY COMMISSION
BROADBAND ACTION WORKGROUP
BROWNFIELD REDEVELOPMENT AUTHORITY
BUILDING AUTHORITY
CANVASSERS, BOARD OF
CASINO LOCAL REVENUE SHARING BOARD
CLEAN AIR ORDINANCE COMMITTEE
COMMISSION ON AGING
COMMUNITY ACTION AGENCY OF ALLEGAN COUNTY
COMMUNITY CORRECTIONS ADVISORY BOARD
COMMUNITY ECONOMIC DEVELOPMENT STRATEGIES COMMITTEE
OnPoint (formerly COMMUNITY MENTAL HEALTH SERVICES BOARD)
ECONOMIC DEVELOPMENT COMMISSION
EMERGENCY MANAGEMENT ADVISORY COUNCIL
HUMAN SERVICES, BOARD OF
JURY BOARD
LAKE BOARDS
LAKESHORE REGIONAL ENTITY - OVERSIGHT POLICY BOARD
LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)
MACATAWA AREA COORDINATING COUNCIL (MACC)
MICHIGAN ASSOCIATION OF COUNTIES EXECUTIVE BOARD
MICHIGAN STATE EXTENSION DISTRICT 7 ADVISORY COUNCIL
MULTI-AGENCY COLLABORATIVE COMMITTEE
PARKS ADVISORY BOARD
PLAT BOARD
PUBLIC WORKS, BOARD OF
ROAD COMMISSION
SOLDIERS/SAILORS RELIEF COMMISSION
SOLID WASTE PLANNING COMMITTEE
SOUTHWEST MICHIGAN AREA REGION THREE (SMART)
TOURIST COUNCIL
WATER STUDY WORKGROUP
WEST MICHIGAN REGIONAL AIRPORT AUTHORITY
WEST MICHIGAN REGIONAL PLANNING COMMISSION
911 OPERATIONAL POLICY & PROCEDURE COMMITTEE

ATTACHMENT C
S T A T E O F M I C H I G A N

BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEGAN

2023-24 BOARDS & COMMISSIONS PER DIEM

BE IT RESOLVED that the Allegan County Board of Commissioners (Board) does hereby revise the following Boards and Commissions per diem compensation effective January 26, 2023; and

Boards & Commissions	Per Diem Rate
911 Operational Policy & Procedure Committee	\$50
Area Agency on Aging of W. Michigan Board of Directors	\$50
Board of Canvassers	\$50 half day/\$100 full day
Board of Public Works	\$50
Boundary Commission	\$50 half day/\$100 full day
Broadband Action Workgroup	\$50
Brownfield Redevelopment Authority	\$50
Building Authority	\$50 (Non-County Employees)
Commission on Aging	\$50
Community Corrections Advisory Board	\$50
Economic Development Commission	\$50
Human Services Board	\$50
Jury Board	\$50 half day/\$100 full day
Local Emergency Planning Committee	\$50
Parks Advisory Board	\$50
Soldiers & Sailors	\$50
Solid Waste Planning Committee	\$50
Tourist Council	\$50
Water Study Workgroup	\$50
West Michigan Regional Planning Committee	\$50
<p>The total meeting(s) time in one (1) day more than four (4) hours shall be considered one (1) full day. The total meeting(s) time in one (1) day of four (4) hours or less shall be considered one half (1/2) day. In the event an individual is a member of more than one board or commission and they may attend multiple meetings in a single day, the total per diem for that day shall not exceed \$100. Travel time is included.</p>	

BE IT FURTHER RESOLVED that members shall also be eligible to receive mileage reimbursement at the 60% of the current IRS rate; and

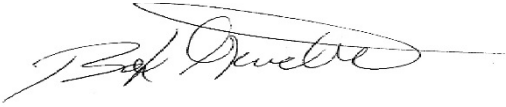
BE IT FURTHER RESOLVED that only members not already receiving compensation as part of their regular work duties or paid for by another source when attending meetings shall receive per diem and mileage; and

BE IT FURTHER RESOLVED the Board shall review per diem in accordance with term or compensation review; and

BE IT FINALLY RESOLVED that this action shall become an attachment to the Board Rules of Organization.

Moved by Commissioner Beltman, seconded by Commissioner Kapenga to approve the per diem rates in the attached schedule and award mileage at 60% of the Federal rate. Motion carried by roll call vote. Yeas: Storey, DeYoung, Kapenga and Beltman. Nays: Dugan.

ATTEST, A TRUE COPY



_____, Clerk-Register

APPROVED: January 26, 2023

cc: Admin. - Finance - Human Resources

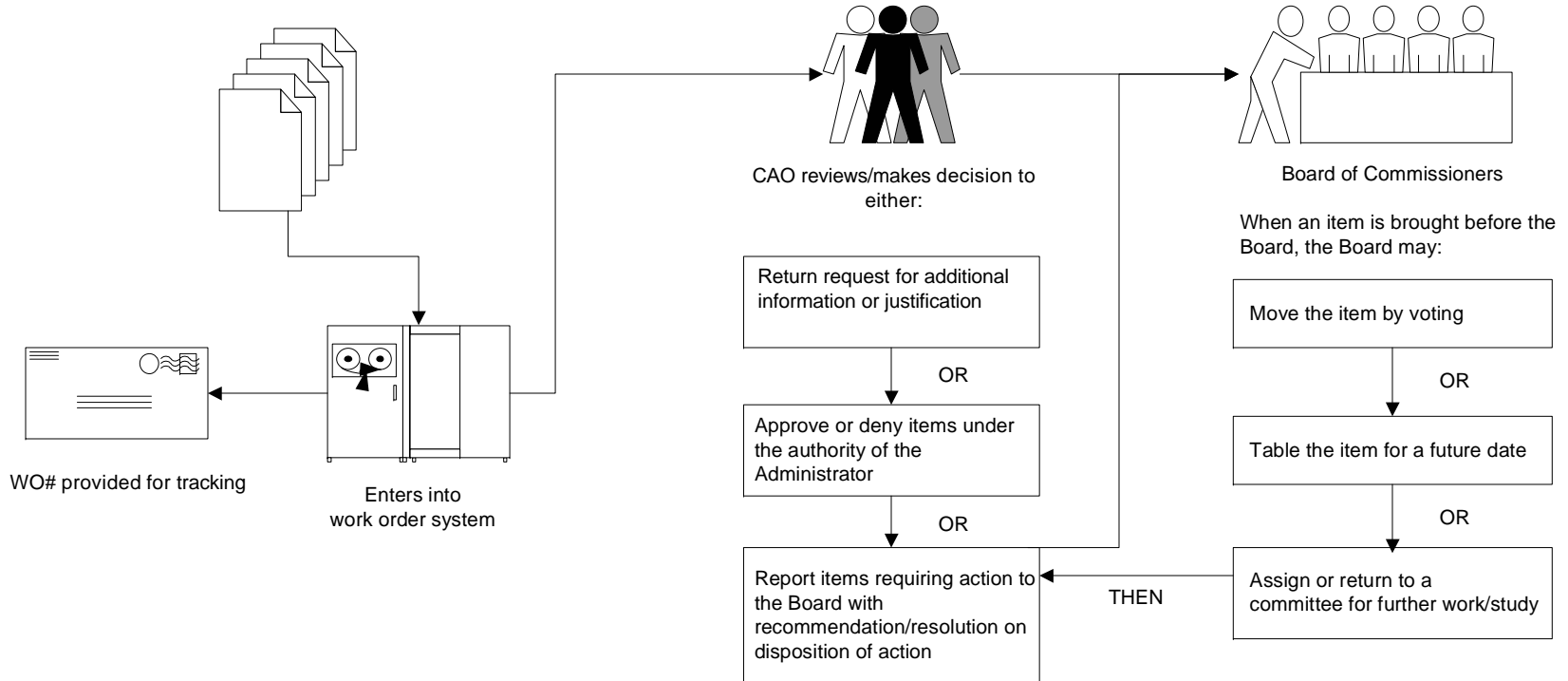
ATTACHMENT D

Allegan County Board of Commissioners

Board Procedure and Action Flow

Revised January 5, 2023

Items for consideration by BOC should be submitted with a Request for Action Form through the work order system. Must be not less than 10 business days prior to the next scheduled Regular and Board Committee Meetings to be placed on the agenda.



ATTACHMENT E - SAMPLE



ALLEGAN COUNTY REQUEST FOR ACTION FORM

BUDGET ADJUSTMENTS OR TRANSFERS

Completed RFA form must be attached to a work order request through the Work Order system. If you have any questions regarding this process, please contact Finance @ext. 2658.

Date _____

Department Requesting _____

Submitted by _____

Contact Information _____

Fund, Activity: _____

Describe the requested change, and why it is needed:

	ACCOUNT	AMOUNT
<input type="checkbox"/> Revenue Increase:		
<input type="checkbox"/> Revenue Decrease:		
<input type="checkbox"/> Expenditure Increase:		
<input type="checkbox"/> Expenditure Decrease:		

ATTACHMENT F
S T A T E O F M I C H I G A N

BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEGAN

FY 2023-24 COMMISSIONER COMPENSATION

BE IT RESOLVED, that the Allegan County Board of Commissioners does hereby approve the 2023-24 compensation package for Board of Commissioners to be as follows:

- Commissioner Chairperson annual salary:
 - 2023 - \$25,500.00
 - 2024 - \$26,280.00
- Commissioner Vice Chair annual salary:
 - 2023 - \$24,750.00
 - 2024 - \$25,530.00
- Member annual salary:
 - 2023 - \$24,000.00
 - 2024 - \$24,780.00
- Life Insurance - County Policy of \$50,000,
- County Municipal Employee Retirement System (MERS) Defined Contribution Plan with 7% County base contribution and a Commissioner contribution of 3%, or access to a 457 Deferred Compensation Plan with the same county contribution as the MERS Defined Contribution plan,
- Access to additional 457 Deferred Compensation Plans and Roth plan options with no County contribution,
- Eligible to receive \$300 annual payment for participation in the Wellness Program as defined by County policy,
- Eligible to receive longevity/retention payments to the extent the County offers such a program to county employees and other elected officials; and

BE IT FURTHER RESOLVED that the Board of Commissioners shall be offered:

- PPO 70% Plan - deductibles are \$500/\$1,000 with 70% co-insurance provided after deductible,
- HDHP HSA Plan 100% - deductibles are \$3,300/\$6,600 with 100% co-insurance provided after deductible. Deductibles represent an amount required to qualify this High Deductible Health Plan (HDHP) for a Health Savings Account (HSA) subject to IRS requirements. The HDHP for this HSA shall meet and continue to meet all IRS requirements,
- HDHP HSA Plan 80% - deductibles are \$3,300/\$6,600 with 80% co-insurance provided after deductible. Deductibles represent an amount required to qualify this High Deductible Health Plan (HDHP) for a Health Savings Account (HSA) subject to IRS requirements. The HDHP for this HSA shall meet and continue to meet all IRS requirements; and

BE IT FURTHER RESOLVED that Commissioners shall not be eligible to receive per diem for meetings; and

BE IT FINALLY RESOLVED that this action shall supersede any previous action.

Moved by Commissioner Cain, seconded by Commissioner Kapenga to approve the resolution as presented. Motion carried by roll call vote. Yeas: Kapenga, Storey, DeYoung, Jessup and Cain. Nays: Thiele and Dugan.

ATTEST, A TRUE COPY



_____, Clerk-Register

APPROVED: November 10, 2022

cc: Admin. - Finance - Human Resources