


KALKASKA COUNTY ROAD COMMISSION		GENERAL ADMINISTRATION APPLICATION: All Employees			
TITLE: 2019 Procedural Rules			EFFECTIVE DATE: 1/3/2019		

**2019 PROCEDURAL RULES  
OF THE  
KALKASKA COUNTY ROAD COMMISSION  
KALKASKA, MICHIGAN**

**ARTICLE I — RULES**

**Section A PROCEDURAL RULES:**

The Commission shall have the right to adopt and amend policies, by majority vote of the members appointed and serving, governing their procedures. The policies shall not conflict with the terms of any statute.

**Section B RULES OF ORDER:**

Any person disturbing a meeting shall be asked to be seated and remain quiet. Failing this, the Chairperson shall ask the person to leave; if he or she refuses, the Chairperson will call a brief recess. Final step to order would be asking the sheriff or deputy to remove the person.

The Open Meetings Act confirms the right of a public body to establish rules for addressing that body (PA 267 of 1976 as amended by PA 256 of 1978, Section 15.263(5)).

**NOW THEREFORE BE IT RESOLVED**, that the following rules governing Public Input be adopted and enforced unless amended by a future County Road Commission Board:

1. Public input at the regular or special meeting of the Kalkaska County Board of Road Commissioners shall be welcomed.
2. During Public Input, those individuals wishing to speak shall raise their hand to be recognized by the Chairperson. Once recognized the individual shall state their name for the record.
3. Three-minute limit be allocated to each speaker.
  - a. No allocation may be for more than three minutes unless the Board grants additional time to the speaker.
  - b. The Chairperson shall recognize all persons who wish to speak during public comments per Section 3(a), 4(c), 4(d).

- c. Allocated time to persons recognized by the Chairperson may not be traded away to other members of the public either recognized or not.
- d. Allocated time to persons recognized by the Chairperson may speak 3 (three) minutes during first Public Comment and 3 (three) minutes during the second Public Comment for a total of 6 (six) minutes. (Adopted: 04/14/08)

**Section C QUORUM:**

A majority of members shall constitute a quorum for the ordinary business of the road commission. There is a required two-thirds roll call vote of the members of the public body elected or appointed and serving needed to go into Closed Session meetings pursuant to the Open Meetings Act 1976 PA 267, MCL 15.261.

**Section D ROLL CALL VOTES:**

The names and votes of members shall be recorded on all actions of the Board. Roll call votes may be called at the request of 1/3 of the members present.

**ARTICLE II — THE BOARD OF ROAD COMMISSIONERS**

**Section A BOARD MINUTES:**

The Clerk of the Board must record all the proceedings of the Board in a book provided for that purpose.

**Section B TERM OF OFFICE:**

Begins on January 1<sup>st</sup>, upon appointment by the Board of Commissioners/As soon as practicable upon appointment following the election/appointment. Oath of office and signing the Constitutional Oath of Office shall be done before the January 1<sup>st</sup> date or when predecessor is in place.

**Section C VACANCIES ON BOARD OF ROAD COMMISSIONERS:**

Shall be filled according to statute by the County Board of Commissioners.

**Section D COMMISSION COMPENSATION AND MILEAGE:**

Commissioners shall receive a compensation and mileage reimbursement fixed by resolution of the County Board of Commissioners. Change in compensation shall become effective only when commissioners begin their term of office after the general election. Mileage shall not exceed the standard amount per mile as set by the Internal Revenue Services.

**Section E COMMISSIONERS CONFLICTS OF INTEREST AS TO CONTRACTS:**

A commissioner shall not be interested directly or indirectly in any contract or other business transaction with the county, or a board, office, or commission thereof, during the time for which (s)he is elected or appointed, nor for one year thereafter unless the contract has been approved by 2/3rds of the members of the County Board of Road Commissioners and shown on the minutes of the board.

**Section F      SEALED BIDS:**

Sealed bids shall be requested on any item, equipment or service, unless this requirement is specifically withheld from applying by action of the Board. Specifications will be submitted by the department head or elected official making the request. All requests for bids must contain the statement that: "The Board of Road Commissioners reserves the right to accept or reject any or all bids submitted, and to accept the bid that is in the best interest of the County Road Commission." All bids will be opened at the time and place stated in the bid request and acted on at a meeting of the Board of Road Commissioners (regular or special).

**Section G      SIGNING OF DOCUMENTS:**

The Chairman of the Board of Road Commissioners is authorized to sign all documents that have been approved by the Board of Road Commissioners, except when a resolution has been approved, all members shall sign.

**Section H      PUBLIC MONIES:**

No public monies shall be used for funeral flowers or memorial contributions.

**ARTICLE III-BOARD OFFICERS**

**Section A      CHAIRPERSON:**

The Chairperson shall be selected by the majority of the Board at the first meeting of each year.

**Section B      VICE CHAIRPERSON:**

The Vice Chairperson shall be chosen by the majority of the Board at the first meeting of each year.

**Section C      CLERK:**

The Clerk of the County shall be clerk of the Board of County Road Commissioners and shall keep the records and accounts of the Board. When the record keeping is of sufficient volume, the Board may appoint a secretary, with the consent of the County Board of Commissioners, who shall act as clerk of the board, and whose salary, together with the salaries of the members of the Board of County Road Commissioners, shall be paid by the Board of County Road Commissioners from county road funds.

**ARTICLE IV - BOARD COMMITTEES**

**Section A NUMBER AND JURISDICTION:**

The number and jurisdiction of committees will vary depending on the needs of the Road Commission. A Road Commissioner shall chair each committee and report back to the full Board.

**Section B FINANCE COMMITTEE:**

The Finance Committee shall be composed of two commissioners, the manager, and finance director. They shall meet and review all bills prior to submission to the Board for their approval.

**Section C TERMS OF COMMISSION APPOINTMENTS:**

Appointments to standing committees of the Board of Road Commissioners shall be for a term of one year and may be eligible for reappointment.

**ARTICLE V - BOARD MEETINGS**

**Section A ORGANIZATION:**

The organizational meeting shall be the first meeting of the year.

**Section B MEETINGS:**

All meetings of the Kalkaska County Road Commission shall be held in compliance with Act 267 of 1976, as amended, known and cited as the "Open Meetings Act."

1. All meetings shall be open to the public and shall be held in a place available to the general public.
2. All persons shall be permitted to attend any meeting except as otherwise provided in this act.
3. All decisions shall be made at a public meeting.
4. No person shall be required to register or otherwise provide his/her name or other information as a condition of attendance.

**Section C REGULAR/SPECIAL/CLOSED MEETING POSTINGS:**

The Road Commission shall designate an individual to be responsible for implementing the notice provisions of the "Open Meetings Act."

**1. REGULAR MEETINGS:**

- a. A notice of the schedule of regular meetings shall be posted within ten (10) days after the first meeting of the Kalkaska County Road Commission at which the schedule is adopted.

- b. The meeting schedule shall be posted at the office of the Kalkaska County Road Commission and at the office of the Kalkaska County Clerk.
- c. The notice shall contain the name of the public body, telephone number, and address.
- d. If there is a change in the schedule of the regular meetings, there shall be posted within three (3) days after which the change is made, a public notice stating the new dates, times, and place of the regular meetings.

## **2. RESCHEDULED/RECESSED/SPECIAL MEETINGS**

- a. If a Regular Meeting is rescheduled or recessed for more than thirty-six (36) hours, or if a Special Meeting is called, prior notice of at least eighteen (18) hours must be posted at the offices of the Kalkaska County Road Commission and the Kalkaska County Clerk.
- b. A Special Meeting will be held at the “Call of the Chair” or upon written request of any two Road Commissioners.
- c. The public notice shall contain the name and address of the Kalkaska County Road Commission, the date, time, place of meeting, phone number, the date, time and name of person posting notice, time notice was removed and placed on file after special, recessed, rescheduled meeting.
- d. The Road Commission may meet in an emergency session in the event of a severe and imminent threat to the health, safety or welfare of the public when 2/3 of the members serving on the Road Commission decide that a delay would be detrimental to efforts to lessen or respond to the threat.

### **Section D - PUBLIC ATTENDANCE AT BOARD MEETINGS:**

All Road Commission meetings shall be open to the public except for those closed sessions as permitted by 15.268, Section 8:

1. To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing. A person requesting a closed hearing may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open session.
2. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.
3. To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.

4. 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 public body.
5. To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting.
6. To consider material exempt from discussion or disclosure by state or federal statute.

#### **ARTICLE VI — INDEMNIFICATION**

*This section shall not conflict with the terms of any statute.* The Board of the Kalkaska County Road Commission shall abide by any applicable laws and/or statutes. The Road Commission shall also follow the standards and procedures set forth by the Road Commission Liability Insurance and Errors and Omissions Policies provided by the Road Commission insurance carrier, MCRCSIP. Any Commissioner operating within the authority of the Board shall be covered. Any Commissioner operating outside the authority of the Board will not be covered.

Adopted: January 5, 2009

Revised: July 13, 2009

Adopted: January 4, 2010

Revised/Adopted: January 4, 2011

Revised/Adopted: January 2, 2012

Revised/Adopted: January 4, 2013

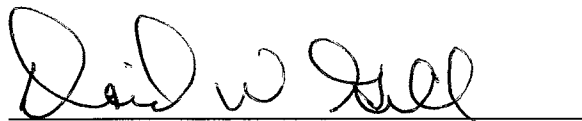
Revised/Adopted: January 2, 2014

Revised/Adopted: January 4, 2016

Revised/Adopted: January 4, 2017

Revised/Adopted: January 9, 2018

**Revised/Adopted: January 3, 2019**



David W. Gill

Kalkaska County Road Commission Chair