Lapeer County Board of Commissioners



255 Clay Street, Suite 301 Lapeer, Michigan 48446 Phone: (810) 667-0366 Fax: (810) 667-0369

Fax: (810) 667-0369 www.lapeercountyweb.org

COMMITTEE OF THE WHOLE

COMMISSION CHAMBERS
October 27, 2022
9:00 A.M.

A-G-E-N-D-A

***Attendance Roll Call; Opening Prayer; and Pledge of Allegiance**

1) CONSIDERATION OF THE DRAFT **MINUTES** FROM THE **OCTOBER 13, 2022** COMMITTEE OF THE WHOLE MEETING

and

REVIEW OF **OVERNIGHT TRAVEL REQUESTS, GRANT APPLICATIONS** AND **BUDGET AMENDMENTS** (distributed and reviewed throughout the meeting)

(As pooded No Action Dea

DEPARTMENT HEAD UPDATES – (As needed, No Action Required)

- 2) **PUBLIC TIME** Citizens Comments (maximum of 3 minutes per person)
- **PROBATE/FAMILY COURT** Request to Adopt the Revised Court Appointed Fees Schedule Effective January 1, 2023
- **4) COMMUNITY CORRECTIONS** Request to Approve the Applicant Fingerprint Transmission Fee Collection Agreement with the Michigan State Police for the Livescan Fingerprint Machine
- 5) ADMINISTRATION/FINANCE DEPARTMENT/BOC
 - A. Proposed Staff Stipend Pursuant to Motion #87-22 for those that have not Received Region 10 Pass-Through Funding Stipends (referred from the October 20th Full Board with the authority to act)
 - B. Request to Adopt the Revised BOC Rules of Procedure *(referred from the Policies and Procedures Committee)*
- **6) FY 2023/2024 BIENNIAL BUDGET UPDATE** (Ongoing Through Adoption)
- **7) PUBLIC TIME** Citizens Comments (maximum of 3 minutes per person)
- 8) **CLOSED SESSION-** If Needed

ADJOURN -

Upcoming Meetings/Public Hearings/Events:

NEXT FULL BOARD MEETING - 11/03/2022

NEXT C.O.W MEETING - 11/10/22

FOLLOWING FULL BOARD - 11/17/2022

Personnel Committee Meeting – 10/27/2022 Following Tentative Personnel Meeting – 11/10/2022 Tentative Properties Meeting-10/27/2022, if needed



COMMITTEE OF THE WHOLE October 13, 2022 9:00 a.m.

Vice-Chair Henning called the meeting to order at 9:03 a.m. in the Commission Chambers on the lower level of the County Complex Building. Commissioner Miller opened the meeting with prayer. The Pledge of Allegiance was recited.

Present:

Commissioners Brendan Miller, Dyle Henning, Lenny Schneider, Bryan

Zender

Others:

Quentin Bishop, County Controller/Administrator, Jackie Arnold, Chief

Financial Officer, Lynette Stanford, Secretary/Deputy County Clerk

Absent:

Commissioner Gary Roy, Rick Warren, Linda M. Jarvis

Motion by Schneider, supported by Zender, to approve the agenda with the addition of a discussion regarding nominations/appointment process, and the deletion of a closed session. Motion carried.

Motion by Zender, supported by Schneider, to approve the minutes from the September 29, 2022 Committee of the Whole Meeting. Motion carried.

Elected Official/Department Head Updates

No comments were received.

Public Time - 2 people spoke during public time.

Motion by Schneider, supported by Miller, to recommend to the Full Board, to approve the contract between the Thumb Area Regional Community Corrections Advisory Board (TARCCAB) and Career Directions Inc. for Community Corrections Services in the amount of \$6,750.00, for the period of October 1, 2022 through September 30, 2023, as submitted; and further, to authorize the Chair/Vice-Chair to sign said contract. Motion carried.

Motion by Schneider, supported by Miller, to recommend to the Full Board, to approve the contract between the Thumb Area Regional Community Corrections Advisory Board (TARCCAB) and the Lapeer County Health Department Alcohol Information and Counseling Center (AICC) for Community Corrections Services, in the amount of \$38,000.00, and Intensive Outpatient Program in the amount of \$54,600.00 and Thinking Matters Program in the amount of \$14,004.00, for the period of October 1, 2022 through September 30, 2023, as submitted; and further, to authorize the Chair/Vice-Chair to sign said contract. Motion carried.

Motion by Schneider, supported by Miller, to recommend to the Full Board, to approve the contract between the Thumb Area Regional Community Corrections Advisory Board (TARCCAB) and List Psychological Services PLC, for Community Corrections Services, for Substance Abuse Program, in the amount of \$20,000.00, and Thinking Matters Program in the amount of \$8,446.00, for the period of October 1, 2022 through September 30, 2023, as submitted; and further, to authorize the Chair/Vice-Chair to sign said contract. Motion carried.

Motion by Schneider, supported by Miller, to recommend to the Full Board, to approve the contract between the Thumb Area Regional Community Corrections Advisory Board (TARCCAB) and Tri Cap for Community Corrections Services, for Opiate/Meth Specific Program, in the amount of \$54,000.00, for the period of October 1, 2022 through September 30, 2023, as submitted; and further, to authorize the Chair/Vice-Chair to sign said contract. Motion carried.

Motion by Schneider, supported by Zender, to recommend to the Full Board, to approve the Fiscal Year 2023 Grant, so that Thumb Area Regional Community Corrections Advisory Board (TARCCAB) can provide Community Corrections Services, for the period of October 1, 2022 through September 30, 2023, as submitted; and further, to authorize the Chair/Vice-Chair to sign said Grant. Motion carried.

Motion by Miller, supported by Schneider, to recommend to the Full Board, to approve the Fiscal Year 2023 Substance Use Disorder Contracts between Region 10 Prepaid Inpatient Health Plan (PIHP) and Lapeer County Health Department d/b/a Alcohol Information and Counseling Center (AICC) for Treatment and Prevention services, at no additional cost to the County General Fund; and further, to authorize the Chair/Vice-Chair to sign said contracts. Motion carried.

Motion by Miller, supported by Zender, to recommend to the Full Board, to accept the 2023 Access and Visitation Grant Contract (CFDA#93.597); and further, to authorize the Chair/Vice-Chair to sign said Grant. Motion carried.

Motion by Zender, supported by Miller, to recommend to the Full Board, to adopt the revised 2022 L-4029 (tax rate request) as prepared by the Equalization Director; and to authorize the report to be signed by the Chairman/Vice-Chair of the Lapeer County Board of Commissioners and the Lapeer County Clerk; and further, to authorize the report to be submitted to the State of Michigan. Motion carried.

Motion by Miller, supported by Zender, to recommend to the Full Board, to adopt the 2022 Lapeer County Apportionment Report (L-4402) as prepared by the Equalization Director; and further, to authorize the report to be sent to the State of Michigan. Motion carried.

Motion by Zender, supported by Miller, to recommend to the Full Board, to adopt the following Resolution, as submitted by Emergency Management:

RESOLUTION

WHEREAS, The County of Lapeer, Michigan, is a political subdivision within the State of Michigan with an official Emergency Operations plan in compliance with Section 19 of the Emergency Management Act, Act 390, Public Acts of 1976, as amended; and,

WHEREAS, The County of Lapeer, sustained severe losses of major proportions brought on by the Great Lakes Water Authority water main break resulting in the following conditions: communities forced to boil water, filter for lead contamination receive bottled water for safe consumption; and,

(Resolution Continued)

WHEREAS, The County of Lapeer certifies that the municipal Emergency Operations

Plan was implemented at the onset of the disaster on August 13, 2022 and all applicable disaster relief forces identified therein were exhausted; and,

WHEREAS. As a direct result of the disaster, public damage and expenditures were

extraordinary and place an unreasonable great financial burden on the

County of Lapeer totaling \$250,000.

NOW, THEREFORE, BE IT RESOLVED, that the County of Lapeer requests the Governor authorize a grant to the County of Lapeer from the State Disaster Contingency Fund pursuant to Section 19, Act 390, Public Acts of 1976, as amended.

FURTHERMORE, Executive Director Jeffrey Satkowski is authorized to execute for and in behalf of the County of Lapeer the application for financial assistance and to provide to the State any information required for the purpose.

Motion carried.

Motion by Miller, supported by Zender, pursuant to motion 310-22 of the October 6, 2022 Regular Board Meeting, giving the Committee of the Whole the authority to act, which shall include forwarding the motion to the next regular meeting to be entered into the record, to allow the Sheriff's Office to apply for and accept the Secondary Road Grant (416); and further, to authorize the Chair/Vice-Chair and/or County Controller/Administrator to sign said Grant. Motion carried.

Motion by Schneider, supported by Zender, to recommend to the Full Board, to approve the Independent Contractor Agreement for any future Health Care Service from a provider not employed by the County of Lapeer, to provide services to the Lapeer County Jail; and further, to authorize the Chair/Vice-Chair to sign said agreement. Motion carried.

Motion by Schneider, supported by Miller, to recommend to the Full Board, to authorize payment to Shifman Fournier, in the amount of \$2,715.00, for labor related legal services rendered through September 30, 2022, to be paid from line item 101-239-801.020. Motion carried.

Motion by Zender, supported by Schneider, to refer the discussion and proposed Resolution regarding Health Care costs, to the October 20, 2022 Regular Board Meeting. Motion carried.

Motion by Miller, supported by Schneider, to recommend to the Full Board, to authorize the County Administration/Finance Office to instruct the Municipal Employees' Retirement System (MERS) to process an adjustment as of December 31, 2021 to the following groups Post Employment Health Care Savings Plan (PEHP) from the "investment results" of the pooled funds for any eligible employee actively and on payroll as of the date implemented by the County Controller/ Administrator:

\$ 39,760.00
\$ 17,660.00
,
\$ 14,600.00
\$ 2,430.00
\$ 17,500.00
\$ 30,600.00
\$ 33,700.00
\$ 18,970.00
\$ 6,100.00
\$ 29,760.00
\$ 33,340.00
\$ 29,740.00
\$ 17,530.00
\$ 14,900.00
\$ 8,940.00
\$ 5,930.00

Motion carried.

Motion by Miller, supported by Zender, to refer a discussion regarding the proposed stipend to the October 20, 2022 Regular Board Meeting.

It was the consensus to have another discussion regarding the process/policy regarding appointments to committees/boards at the October 20, 2022 Regular Board Meeting.

A brief update was given regarding the Proposed Budget Process.

Public Time - No comments were received.

The Commissioners gave brief reports on upcoming meetings and events.

The meeting adjourned. 10:49 a.m.



DATE:	10/13/22
	xx REQUEST FOR ACTION
	FOR YOUR INFORMATION
	REQUEST FOR INFORMATION
TO:	LAPEER COUNTY BOARD OF COMMISSIONERS
FROM:	Lori E. Curtiss
attorneys rep	OF REQUEST / INFORMATION: Requesting for the court appointed presenting matters on Probate and Family Court cases receive an increased See Attachment - current rate is \$60.00 an hour and has been the same rate
individuals t adult/minor	IND INFORMATION: Court appointed attorneys have been representing hrough Probate Court and Family Court. These cases would involve guardianships, conservatorships, developmental disability and mental y Court would be delinquency and child protection proceedings.
The amounts	being requested is comparable to Indigent Counsel rate.
The Probate courts.	and Family Courts make every effort in recouping the expenses in both
	sed costs was taken into consideration for 2023 budget requests. solely determined by the number of new cases.
SUPPORTIN	IG DOCUMENTS: Court Appointed Attorneys Fee Schedule
CONTACT P	ERSON(S): Lori Curtiss
Court Appo	TION:supported byto recommend to the Full Board to adopt the inted Attorneys Fee Schedule for Probate and Family Courts, as flecting the new rates effective beginning January 1, 2023.
	ATTACHMENTS YES xx NO



PROBATE/FAMILY COURT

COURT APPOINTED ATTORNEY

FEE SCHEDULE

EFFECTIVE BEGINNING JANUARY 1, 2023

FAMILY COURT

Delinquency \$100.00 hourChild Protection Proceedings \$100.00 hour

PROBATE COURT

Combination of flat and hourly rates. Invoices at 10-minute increments

•	Mental Deferral	\$85.00 Flat Rate
•	Hearing	\$150.00 Flat Rate
•	Trial	\$100.00 an Hour
•	Guardianship GAL	\$100.00 an Hour
0	Conservator GAL	\$100.00 an Hour

^{**}Mileage for Guardian Ad Litem visits reimbursed at the County Approved Rate (currently .56/mile)

OTHER MATTERS

• Civil/Domestic/Probate not mentioned above \$100.00 an Hour

^{**}Mileage for Guardian Ad Litem visits reimbursed at the County Approved Rate (currently .56/mile)

	•	



REQUEST FOR ACTION

DATE:	October 18 ^{th,} 2022
	X REQUEST FOR ACTION
	FOR YOUR INFORMATION
	REQUEST FOR INFORMATION
TO: LAPE	ER COUNTY BOARD OF COMMISSIONERS
FROM: Dav	vid Stevens – Community Corrections Coordinator
******	******************
enter into a	OF REQUEST / INFORMATION: Request authorization to an Fee Collections agreement with the Michigan State Police as to Applicant Fingerprint Transmission.
ADDITION	AL INFORMATION:
CONTACT P Coordinato	PERSON(S): David Stevens Community Corrections
Police via e	IND INFORMATION: I was contacted by the Michigan State mail stating that our Fee Collection Agreement with them be update. I was unable to find any documentation of when st updated.
	NG DOCUMENTS: APPLICATION FINGERPRINT SION FEE COLLECTION AGREEMENT.
recommend Transmission Police and	TION: Motion by, supported by, to it to the Full Board, to approve the Applicant Fingerprint on Fee Collection Agreement between the Michigan State the County of Lapeer, for the Live Scan Fingerprint Machine, I of MI44144L3
	ATTACHMENTS YES X NO

APPLICANT FINGERPRINT TRANSMISSION FEE COLLECTION AGREEMENT

between the

MICHIGAN STATE POLICE

and

Lapeer County

This "Agency" hereinafter shall be known as "Live Scan Agency."

This Live Scan Agency is defined as a 🔀 Governmental Agency or a 🗌 Private Vendor (select one).

I. PURPOSE

This Agreement outlines the terms the Live Scan Agency shall follow for reimbursing fees accumulated from the utilization of Live Scan devices for submitting applicant fingerprints to the Michigan State Police (MSP) for processing during an indefinite period.

II. DEFINITIONS

- A. "Agency Code" means a unique alphanumeric identifier assigned to a Live Scan Agency by the MSP and used for identification purposes related to billing and asset tracking.
- B. "Governmental Agency" means any federal, state, or local agency established by government at the federal, state, or local level.
- C. "Live Scan" means the technique and technology used to capture finger and palm prints electronically. The Live Scan device is the computer equipment that collects the applicant data and fingerprint images to electronically submit to the MSP.
- D. "Live Scan Agency" means the agency where the Live Scan device is located and used for electronic submission to the State of Michigan.
- E. "Michigan State Police" or "MSP" means the Michigan Department of State Police. It is a department within the government of the State of Michigan established by 1935 PA 59, as amended.
- F. "Private Vendor" means an agency NOT established by government at the federal, state, or local level.

III. RESPONSIBILITIES

- A. The Live Scan Agency will:
 - 1. Reimburse the MSP for fees associated with the processing of fingerprints via Live Scan per the billing schedule that will be provided to the Live Scan Agency by the MSP.
 - 2. Submit payment directly to the MSP made payable to the State of Michigan via check or money order only.
 - 3. Submit payment within 30 days of receipt of the invoice if defined as a Phate vertex.
 - 4. Submit payment within 45 days of receipt of the invoice if defined as a Governmental Agency.

RI-029 (02/2021) Michigan State Police Page 2 of 2

5. Send all payments via U.S. Mail to:

Michigan State Police Cashier's Office P.O. Box 30266 Lansing, Michigan 48909

6. Have financial responsibility to pay for all fingerprint transactions, including errors resulting in duplicate transmission to the MSP or fingerprints processed with incorrect fingerprint codes or reasons.

B. The MSP will:

- 1. Reserve the right to change the fees within the billing schedule upon 30 days' notice to the Live Scan Agency.
- 2. Assign the Live Scan Agency an Agency Code.
- 3. Generate an invoice on a monthly basis for the agreed upon fees due from the Live Scan Agency.
- 4. Reserve the right to suspend service with 30 days' notice if the Live Scan Agency is delinquent in payment.

C. The Live Scan Agency and the MSP will:

- 1. Agree the storage of data is limited to the billing schedule as defined in Section III.A.3 (Private Vendor) or Section III.A.4 (Governmental Agency).
- 2. Agree all demographic and biometric data must be destroyed at the end of each billing schedule.
- 3. Agree the release of collected demographic and biometric data is prohibited, unless requested by the MSP.

IV. TERMS OF RESPONSIBILITIES

The responsibilities are effective upon signature of both parties and remain in effect until either party terminates this Agreement in writing with 30 days' notice to the other party.

Live Scan Agency (Reso of Agency).	
Signature/Title	Date
Print or Type Name	
Contact Person Name David Lee Stevens	Contact Person Email dstevens@lapeercounty.org
Agency Address/City/State/ZIP Code 255 Clay Street Rm 83, Lapeer, MI 48446	Contact Person Telephone Number 810-245-4744

Wienlyan State-Prailing	
Signature	Date
Print or Type Name	
Division	
CRIMINAL JUSTICE INFORMATION CENTER	

FINGERPRINT REASON (FPR) CODES FOR APPLICANT PRINTS

Please indicate applicable applicant fingerprint reason/s your agency intends to submit and reimburse the MSP per the RI-029 Applicant Fingerprint Transmission Fee Collection Agreement.

Description	FPR	Y/N
EMPLOYMENT		
Criminal Justice Employment/Training (MCL 28.214)	CJ	
Terminal Operator - CJIS Security Policy	NCJ	
Head Start Act (PL 110-134)	HSA	
Consumer & Industry SVCS, Insurance Bureau (MCL 500.249a)	IB	
Indian Child Protection & Family Violence Prevention Act (PL 101-630)	ICP	
Head Start Act (PL 110-134)	HAS	
Lawful Internet Gaming (MCL 432.319)	LIG	***************************************
Licensed Health Care Professional (MCL 333.16174)	LHP	
Lawful Sports Betting (MCL 432.419)	LSB	***************************************
Michigan School Volunteer	SV	
(NCPA/VA - Child Protection Volunteer, PL 103-209)		
Michigan School Employment	SE	
(NCPA - Child Protection Employment, PL 103-209)		
Licensee Contractor- Private Security Guard (MCL 338.1068)	PSC	
Private Detective (MCL 338.837) - Licensed Employees/Investigators	PSD	
Private Security Guard (MCL 338.1068) Private Security Police and Alarm Systems	PSG	
Private Security Police (MCL 338.1068)	PSP	···
Third Party Tester (MCL 257.309(1))	TPT	***************************************
LICENSE		· · · · · · · · · · · · · · · · · · ·
Carry Pistol License NEW (MCL 28.425b)	CW	HR.W
Carry Pistol License RENEWAL (MCL 28.425l)	CWR	
Adult Foster Care Licensing (MCL 400.713)	FCL	
Consumer & Industry SVCS, Debt Mgmt (MCL 451.416)	DM	
Consumer & Industry SVCS, Liquor License (R 436.1525)	LL	
Consumer & Industry SVCS, Securities Bureau (MCL 451.602)	CS	
Child Care Institution (MCL 722.115c)	CCI	
Dept of Agriculture, Racing Commission (MCL 431.316) Horse Racing License	RC	
Dept of State, Bureau of Auto Reg (MCL 257.248f) - Salvage Dealer License	AR	
Dept of State, Driver Education Certification (MCL 256.649)	LDE	
Home For the Aged Licensing (MCL 333.21313)	HAL	
Polygraph License (MCL 338.1710)	PO	
Home Health Agency and Suppliers (ACA, Section 6401 Medicaid)	HAS	
Law Enforcement Academy (MCL 28.609b)	LEA	
Medicaid Providers (ACA, Section 6201)	MP	
Medical Marijuana Licensing (MCL 333.27402)	MML	
Licensee Contractor - Private Security Guard (MCL 338.1068)	PSC	
Private Security & Investigator License (MCL 338.837 & .1068) Owner License	PSI	
Retired Law Enforcement (MCL 28.515)	RLE	
State Bar License (MCL 600.949)	SB	

VULNERABLE POPULATION	
Federal Child Care Act (PL 101-647)	CC
Serve America Act (PL 111-13)	SAA
NCPA - Child Protection employment (PL 103-209)	CPE
NCPA/VCA - Child Protection volunteer (PL 105-251)	CPV
Vulnerable and Impaired Person (MCL 28.274)	VIP

If you wish to print for all fingerprint reason codes, please check here _______Please complete and return to SelfB1@michigan.gov.



Proposed Stipend Payment Draft Motion For Employees NOT Receiving Region 10 Pass-Through Funding October 28, 2022

1.	Motion by	, supported by	, to recommend to
	the Full Boar	d, pursuant to Motion #87-22 from the Marc	ch 24, 2022 Regular Board
	Meeting, to a	authorize a one-time stipend payment in the	amount of \$3,000, for all
	full-time emp	ployees <i>(50% for all RPT and PT employee</i>	es, or full-time employees
		will be retiring during the month of Octob	
	received Reg	ion 10 pass-through payments in 2022, and	d have met a minimum of
	560 paid wor	rk hours (280 for RPT and PT) , actively emp	oloyed, and on the payroll
		period ending November 4, 2022, to be pa	
	operating rev	venue and other funding sources as deeme	ed appropriate, excluding
		ARPA Funding).	

84-22

Motion by Schneider, supported by Warren, to accept the Fiscal Year 2022 Round 1 Valley Area Agency on Aging (VAAA) Contract Amendment, at no additional cost to the County General Fund; and further, to authorize the Chair/Vice-Chair to sign said Amendment. Motion carried.

85-22

Motion by Schneider, supported by Warren, to approve the software update for the Jail LiveScan machine, at a cost of \$2,934.00 to comply with Windows-10, to be paid from line item 266-351-944.000. Motion carried.

86-22

Motion by Schneider, supported by Warren, to authorize payment to Attorney Howard L. Shifman P.C., in the amount of \$34.50, for labor related legal services rendered through February 28, 2022, to be paid from line item 101-210-801.020. Motion carried.



87-22

Motion by Schneider, supported by Warren, to authorize a Region 10 wage pass-through stipend payment in the amount of \$2,000.00 to those eligible Community Mental Health and Alcohol Information and Counseling Center (AICC) employees no-later-than August 31, 2022 who are actively on payroll as of August 1, 2022, and at no cost to the County's General Fund; and further, that all employees not receiving wage pass-through funding by November 1, 2022, will receive a County issued stipend by November 18, 2022 at an amount and funding source to be determined by the Board of Commissioners. Motion carried.

<u>88-22</u>

Motion by Schneider, supported by Warren, hereby to enact a Policy, effective immediately, that any wage pass-through funding must be fully funded and each provision must be approved by the Board of Commissioners. Motion carried.

89-22

Motion by Schneider, supported by Warren, pursuant to the previously approved Board of Commissioners motion #73-22 from March 10, 2022 authorizing the purchase of digital budget book service, approval of the quote from Open Gov, at a cost of \$39,973.89, as submitted; and further, to authorize the County Controller/Administrator to sign any necessary documents related to this purchase. Motion carried.

90-22

Motion by Schneider, supported by Warren, to approve the "cap" for the seasonal County Park Lifeguard and Pool Attendant positions to a total of \$2.00 per hour regardless of the number of years the Park employees return for employment. Motion carried.

91-22

Motion by Schneider, supported by Warren, to adopt the updated Pay Scale for annual seasonal Lifeguard and Pool Attendant positions beginning FY 2022, as attached, which shall remain in effect until such time as the wage scale is amended and approved by the Board, to be paid from budgeted funds in the Parks 208 Fund, and at no increase to the County's General Fund. Motion carried.

·		



DATE	October 20, 2022	
	XX REQUEST FOR ACTION	
	FOR YOUR INFORMATION	
	REQUEST FOR INFORMATION	
то:	Lapeer County Board of Commissioners	
FROM:	Doreen Clark Assistant to the County Controller/Administrator	
******	*******************	
SUMMARY C	F REQUEST / INFORMATION:	
2022 to upda are adopted a implementatio to Michigan deemed appro	te the Lapeer County Board of Commissioners' Rules of Procedure, which annually. This was a very thorough process which required research and of language that incorporated previously related adopted motions, Guid County Government, the Open Meetings Act, and other references appriate. All proposed changes that came from the committee are noted in	h d e s
ADDITIONA	L INFORMATION:	
		e
BACKGROU	ID INFORMATION:	
SUPPORTIN	G DOCUMENTS: Revised Rules of Procedures	
DRAFT MOT	IONS:	
attached, Fina VII, Amendme thirds vote of	ancial Goals, Policies and Practices, as attached, pursuant to 7.1 of Articlents to the Rules of Procedure), of said document which requires a two the Board members elected and serving, provided a statement of the	e)- e
ATTACHMEN	TS: YESX or NO	
	TO: FROM: ********** SUMMARY O The Board's " 2022 to update adopted a implementation of the attached of the attached, Finally II, Amendmentation of the attached, Finally II, Amendmentation of the attached of the attach	

County of Lapeer

Rules of Procedure

for the Lapeer County Board of Commissioners



2022

Adopted on: January 6, 2022, Motion #06-22

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LAPEER COUNTY BOARD OF COMMISSIONERS RULES OF PROCEDURE

ARTICLE I

BOARD ORGANIZATION

- 1.1 <u>Board Membership</u>: The Board of Commissioners shall consist of *seven* (7) members elected from single member districts, apportioned on the basis of population as provided by law.
- 1.2 <u>Term of Office</u>: The term of each Commissioner shall be for two (2) years, concurrent with that of State Representatives.
- 1.3 <u>Vacancies on the Board</u>: Pursuant to MCLA 46.412, vacancies caused by death, resignation, removal from the district or removal from office shall be filled by appointment by the Board of Commissioners, within thirty (30) days, by a resident and registered voter of the district in which the vacancy occurred. If the vacancy occurs in an odd numbered year, the appointee shall serve until the vacancy is filled at a special election which the Board shall call. If the vacancy should occur in an election year, the appointee shall serve the remainder of the un-expired term. If the vacancy is not filled within thirty (30) days, it shall be filled by special election regardless of the year, as consistent with State law.
- 1.4 Reapportionment: With sixty (60) days after the publication of the latest United States Official Decennial Census figures, the Board shall be reapportioned, in the manner prescribed by law.
- 1.5 <u>Compensation:</u> Each member of the Board of commissioners shall receive a salary as adopted in the prior term plus any percentage increases awarded to all non-union personnel paid bi-weekly (26 pays annually). Mileage shall be reimbursed at a rate set by the Board of Commissioners.
 - Mileage and/or other related expenses shall be submitted on the County Travel Expense Voucher (GC-6). All reimbursement of mileage and other expenses shall follow current policy. County Commissioners' mileage/expense sheets (GC6 forms) are to be included in the Regular Board Meeting agenda packets.
- 1.6 Officers, Agents, and Employees: The Board shall elect at its Organizational Meeting each year a Chairperson and Vice-Chairperson, and may appoint at such other times other representatives, agents, and employees as necessary and desirable. The Board may elect a chairperson (but not a vice chairperson) by secret ballot.

- 1.7 <u>Powers and Duties</u>: The Board shall have such powers and duties as shall from time to time be provided by law. The authority of the Board of Commissioners is a collective one, and according to state law, no individual member can assume any action, decision, or endeavor on behalf of or in lieu of Board action. The Board meetings will be guided by Roberts Rules of Order.
- Indemnification: The County shall indemnify and save harmless all board members against any damages incurred by them, or any judgment rendered against them, in connection with the defense of any action, suit, or proceeding in which they are made parties as the result of acting in the scope of their duties for the County of Lapeer as a member or a past member of the Board, except in relation to matters as to which any such member shall be adjudged liable due to a criminal act, for actions taken outside the scope of his or her authority, and to such matters as shall be settled by agreement predicated on the existence of such liability. The foregoing right to indemnification shall be exclusive of other rights which a member may be entitled.
- 1.9 <u>Committees</u>: The Board may create such standing and special committees as deemed necessary to accomplish the work of the Board. Said committees shall remain in effect as long as deemed necessary by the Board of Commissioners. (This does not include Commissioners getting together for educational and/or informational tasks). All committees shall keep minutes. All subcommittee agendas and minutes are to be submitted to the County Clerk's Office for filing.

ARTICLE II

OFFICERS AND EMPLOYEES

- 2.1 <u>Chairperson</u>: The Chairperson shall be elected for a one-year term by and from the membership of the Board; If the Chairperson shall for any reason be unable to fulfill his/her duties on a permanent basis, a new election shall be held. The statutory duties and powers of the Chairperson shall include the following:
 - 1. Preside at all Board Meetings;
 - 2. Administer oaths and issue subpoenas for witnesses and to compel attendance as provided by law;
 - 3. Sign all contracts, bonds, and other documents requiring signature of the Chairperson, including Board minutes;
 - Certify the tax rolls;
 - 5. Appoint a F.O.I.A. Representative to handle requests under the Freedom of Information Act, with the consent of the Board;
 - 6. Serve on an intra-county and inter-county Drain Boards, or designate another Commissioner to do so.

Other duties and powers of the Chairperson shall include the following:

- 1. Serve ex-officio on all Board Committees;
- 2. With the advice and consent of the Board, appoint members to all standing and special committees on the Board, and appoint the chairperson of each committee;
- With the advice and consent of the Board, appoint representatives to attend national, state, and district conferences, or to serve on national, state, and district committees and other commissions and committees requiring the appointment of commissioners;
- 4. Preside over the Committee of the Whole except when otherwise designated:
- 5. Shall decide all questions on procedure under the Board rules of procedure and general parliamentary practices, subject to appeal by the Board;
- 6. Shall vote on all questions taken by ayes and nays except on appeal from his/her own decision;
- 7. May refer any communication to a standing committee;
- 8. Shall be the ceremonial representative of the County;
- 9. Shall perform other such duties as specified by law, the Board, or by custom.
- 2.2 <u>Vice-Chairperson</u>: The Vice-Chairperson shall be elected by and from the members of the Board for a one-year term. The duties and powers of the Vice-Chairperson shall include the following:
 - 1. Preside at meetings in the absence of the Chairperson, or when the Chairperson desires to address the Board;
 - Sign all contracts, bonds, and other documents requiring the signature of the Chairperson when the Chairperson is unable to do so because of illness or other emergency which, in the opinion of the Board, prevents them from performing such functions of his/her office:
 - 3. Perform other duties as may be from time to time assigned by the Chairperson or by the Board;
 - 4. In the absence of the Chairperson, assume the duties and responsibilities of the Chairperson.

- 2.3 <u>County Clerk</u>: The County Clerk, or in his/her absence a Deputized Clerk, shall perform such duties as required by law or as assigned from time to time by the Board including, but not limited to, the following:
 - 1. Record all official Board proceedings when a quorum is present in a book provided for that purpose; Minutes shall be prepared in a manner as prescribed in Motions #236-00 and #757-01; in the Michigan Open Meetings Act;
 - Make regular entries of all Board Resolutions and decisions upon all questions, including maintaining a chronological file of all formal resolutions and ordinances adopted by the Board. All such resolutions shall be numbered beginning each year;
 - 3. Record the vote of each commissioner on any question submitted to the Board, if required by any member present;
 - 4. To preserve and file all documents acted upon by the Board, and on no account to allow such documents to be taken from his/her office.
 - 5. To certify copies of any and all resolutions or decisions on any of the proceedings of the Board when requested by the Board or any member thereof;
 - 6. File all communications as directed by the Board of Commissioners;
 - 7. Publish all approved ordinances and other matters required by Law or otherwise directed by the Board of Commissioners in coordination and review with the Administration Office;
 - 8. Receive and transmit to the Board recommendations of persons for appointments to the Elections Scheduling Committee and the Board of Canvassers;
 - 9. Shall furnish a list setting forth the name of any appointee on any board, commission, or agency whose term is expiring, and the expiration date of said term, at least thirty days prior to the expiration of their term.
 - 10. Obtains signature by Chairman (or appropriate official) for all contracts, grants, or other documents, etc. that have been approved by the entire Board following each regular board meeting.
- 2.4 <u>County Controller/Administrator</u>: The County Controller/Administrator, in addition to statutory responsibilities, shall carry out duties as assigned by the Board and shall provide general staff assistance to the Board and its Committees. The County Controller/Administrator shall approve the following, pursuant to the corresponding motions of the Lapeer County Board of Commissioners: Training Registration/Overnight Travel Requests (Motion #520-02); Hardship Withdrawals from the Employee Deferred Compensation Plan (Motion #362-03); Vacation Extension Requests (Motion #91-03); Family Medical Leave Requests (Motion #116-02); and Livestock Claims (Consensus of BOC on March 8, 2001); Grant Application Initial Submissions (Motion #55-21); Inclement Weather Building Closures (#121-00 in coordination with the Chief Judge).

ARTICLE III APPOINTMENTS TO BOARDS AND COMMISSIONS

- 3.1 <u>Notice of Expiring Terms</u>: At least thirty (30) days prior to the expiration of any appointee's term on any board, commission, or agency, a list shall be furnished by the County Clerk's Office to the Board setting forth the name of the person(s) whose term(s) are expiring and the expiration date of such term(s).
- 3.2 <u>Applications and Appointments</u>: The Chairperson shall put the Board on notice that nominations will be accepted to fill said terms at a specified meeting and shall schedule an election for a Board Agenda. Persons desiring to serve on a committee may submit an Application for Appointment or resume to the Board of Commissioners' Office.
 - Additional nominees may be submitted from the floor for nominations. A majority vote of the members elect shall appoint unless otherwise provided by law.
 - Applicants are encouraged to attend and introduce themselves to the Board prior to the appointment being made.
- 3.3 <u>Compensation</u>: Compensation for such appointive positions shall be set by the Board of Commissioners;
- 3.4 **Quorum Required for Per Diem Payment:** No commissioner nor appointee of the Board shall receive per diem pay without a quorum of the committee, commission, or board present at a scheduled meeting, unless approved by the Chairperson of the Board of Commissioners.
- **Frequency of Meetings** The Board reserves the right to set the number or frequency of meetings of all Committees/Boards under its authority.

ARTICLE IV MEETINGS

- 4.1 Organizational Meeting: The Board of Commissioners shall convene for its first meeting at a time set by the County Clerk within the first three five business days of each year. This meeting shall be known as the Organizational Meeting and the Board shall transact such business of said meeting, or at the adjourned date of such meeting, as shall be provided by these rules or by laws, including the election of a Chairperson and the Vice-Chairperson and scheduling regular Board Meetings throughout the session. The County Clerk shall preside over the Organizational Meeting until a Chairperson of the County Board has been duly elected by a majority vote of the members elect.
- 4.2 <u>Regular Meetings</u>: The Board shall meet in regular session on scheduled days as determined at the organizational meeting, except when otherwise set by adjournment, by law, or by Board motion.

4.3 <u>Special Meetings</u>: Special Meetings of the Board shall be held only when requested by one-third of the Board to the County Clerk or the Chairperson of the Board and shall comply with the eighteen (18) hour posting required by Law. The request for a special meeting shall specify the time, place and purpose of such meeting. Upon receipt of such a request, the County Clerk shall deliver notice of said meeting to the County Controller/Administrator and contact each Commissioner in person or by telephone. Adjourned meetings at the call of the Chair shall not be considered special meetings. The attendance by any commissioner at a special meeting waives that commissioner's objection to notice of the meeting.

ARTICLE V MEETING PROCEDURES

- General Conduct at Meetings: Meetings of the Board of Commissioners are to be presided over by the Chairperson, or in his absence the Vice-Chairperson, in general accordance with Robert's Rules of Order, except as specified by State statute or these rules. In the absence of both the Chairman and Vice-Chair, the Commissioner with the most seniority on the Board will act as Chair for that meeting.
- 5.2 **Quorum:** A majority of the members elect shall constitute a quorum. No business shall be considered without the presence of a quorum, except to adjourn or recess.
- 5.3 Order of Business: The business of all regular meetings of the Board of Commissioners shall be considered and transacted in a manner prescribed by the Chairperson as approved by the Board of Commissioners. Meetings of the Board of Commissioners are established and conducted for all seven (7) members of the body to perform their elected legislative and administrative responsibilities. Motions for action will be permissible at any time in any meeting where the motion-maker has the floor. After a second/support is added by any member, the motion may then be debated as to its validity.
- Online Broadcasting: The County Controller/Administrator, at the approval of the Board of Commissioners, may operate/maintain a social media account with the sole purpose of uploading live and/or pre-recorded weekly county commissioner meetings (Committee of the Whole and Regular Full Board).
- 5.5 Agenda: The County Controller/Administrator (in conjunction with the Chairperson) shall prepare the Agenda for all meetings of the Board except for the Agenda for the Regular Full Board Meetings, which is prepared by the County Clerk. The County Administrator shall will ensure that the Agendas and related information be placed in office mailbox of each Commissioner two (2) three (3) days or sooner prior to each scheduled meeting. All original contracts, grants, resolutions, or other agenda documents will be provided to the County Clerk's Office in preparation of signature by the Chairman prior to the regular board meeting.

Appointed/Elected Department Heads shall ensure that all Requests for Actions are submitted in a timely manner according to the adopted Annual Meeting Calendar but no less than one week prior to the meeting date, and all RFA's must include a draft motion and line item number for purchases. Failure to meet the submission deadline(s) will result in the item being held until the following appropriate meeting date.

5.6 **Vote Required for Board Action:**

- 1. Three-fifths (3/5) vote of members elected and serving to alter township boundaries;
- 2. Two-thirds (2/3) vote of members elected and serving:
 - a. Call a closed session:
 - b. Move the County seat;
 - c. Adopt the Annual Operating Budget in the October session;
 - d. To select building sites, erect county buildings, to abolish or revise distinction between county and township property;
 - e. Authorize the making out of a new tax roll;
 - f. Authorize township borrowing to build or repair roads and bridges;
 - g. Acquisition and disposal of county property and business where no other provision shall be made;
 - h. Establish a Department of Public Works;
 - i. Transfer funds from the Budget Stabilization Fund.
- 3. Majority vote of members elected and serving:
 - a. Final passage or adoption of a measure or resolution;
 - b. Allowance of a claim against the county.
- 4. Majority vote of members present all other questions which may arise at a meeting. A unanimous vote of all the members shall be deemed a roll call vote.
- 5.7 **Roll Call Vote:** The Chairperson shall entertain a call for Roll Call Vote made by any member present on any question submitted to the Board.
- 5.8 <u>Seeking Recognition</u>: When two (2) or more members seek recognition, the Chairperson shall designate the member who is first called to speak; but in all cases the member who shall first address the Chair shall speak first.
- 5.9 <u>Interruptions</u>: When a member is speaking on any question before the Board, he or she shall not be interrupted except to be called to order by the Chair.

- 5.10 <u>Call to Order:</u> When a member is called to order, he or she shall immediately cease speaking. The Board, if appealed to, shall decide the propriety of the Chair's call to order. If there is no appeal, the ruling of the Chair shall be final.
- 5.11 <u>Debate</u>: After a motion is stated by the Chair, it shall be deemed to be in possession of the Board, but it may be withdrawn at any time before amendment or decision is made, with the consent of the supporting member.
- 5.12 <u>Un-Debatable Motions</u>: When any question is under debate, no motion shall be received but the following un-debatable motions, and they shall have precedence in the following order:
 - a. To adjourn;
 - b. To rise to a Point of Order;
 - c. To table:
 - d. To call for the previous question;
 - e. To limit or extend limits of debate;
 - f. To postpone to a certain day;
 - g. To commit or refer, or re-commit, to a committee;
 - h. To amend;
 - i. To postpone indefinitely;
- 5.13 Open Meetings: Members of the public shall be encouraged to attend all open meetings and address the Commission at the meeting. To protect the rights of all people attending such meetings and to maintain reasonable order, the following rules are established in accordance with P.A. 267 (1976), as amended:
 - 1. All public meetings shall be posted in the County Complex at the Board of Commissioners Office in accordance with the Open Meetings Act of 1976, as amended.
 - No person shall be excluded from a public meeting except for a breach of peace committed at that meeting. However, members of the public who intend to attend an open meeting in groups of twenty (20) persons or more shall should notify the County Clerk Administration of their intention in order that the Board may make all efforts to secure adequate accommodations.
 - 3. Members of the public may address the Board after receiving recognition from the Chair and giving his or her name and township, city or village of residence. Public comments shall be limited to a period set aside at each meeting for such purpose and each speaker shall have the floor for not more than three (3) minutes unless the Board grants an extension.

- 4. In the event that a person desires to address the Board in an extensive manner, that person shall contact the Chairperson of the Board with a request to be placed on the agenda, no less than seven (7) days prior to the scheduled meeting; and further, following approval from the Chairperson, shall provide the County Clerk's Office with the date, time, and subject to be placed on the agenda.
- Closed Meetings: Pursuant to the Open Meetings Act (PA 267 of 1967, section 15.263), there are eleven (11) purposes in which Closed Meetings may be called, such as for collective bargaining (union) negotiations; in order to consider the purchase or lease of real property, up to the time an option to purchase or lease for that real property is obtained; to consult with legal counsel regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting could have a detrimental financial effect on the litigation or settlement position of the public body. In addition, a meeting may be closed by two-thirds (2/3) vote to review an employment application when requested by a candidate, and to consider material exempt from discussion or disclosure by state or federal statute, or for any other reasons allowed under the Open Meetings Act.
- Attendance of Closed Meetings: The Board has sole discretion to determine who may be permitted to attend a Closed Session pursuant to the Open Meetings Act, particularly MCL 15.267 and 15.268. Routine attendance beyond the Board members, Administrator, Finance Director, and Clerk or Deputy Clerk, or exclusion of the Administrator or Finance Director, must be approved by the majority of the Board.
- Board Meeting, the Committee of the Whole shall have the authority to act on resolutions regarding commendation, congratulations, retirement, and appreciation; and further, that the Committee of the Whole be given authority to act on any other Resolution, when directed to other elected officials, and requiring immediate action, when two-thirds (2/3) of the members elected are present, which shall include forwarding the motion to the next regular meeting to be entered into the official record (effective January 17, 2019).

ARTICLE VI COMMITTEES

- 6.1 <u>Standing Committees</u>: There shall be eight (8) standing committees of the Board:
 - Committee of the Whole
 - 2. County Properties
 - 3. Personnel
 - 4. Negotiations
 - 5. Public Safety
 - 6. Human Services
 - 7. Strategic Planning
 - 8. Policies, Procedures & Bylaws

6.2 <u>General Duties of Committees</u>: The general duties of each committee shall be making recommendations to the Board on issues of County business, act as liaison between the Board and departments and agencies, and to coordinate interrelated activities and to act on other items of business placed on the agenda by the Chairperson of that Committee.

6.3 Specific Duties of the Committee of the Whole:

1. All policy, financial, and other topics for Board of Commissioners consideration shall generally be brought to the Committee of the Whole prior to final decision at Regular Board Meetings. In addition, if a scheduled Committee of the Whole meeting is canceled or not held for any reason, topics on that agenda may be brought to the next Regular Board meeting for action.

6.4 **Specific Duties of the Personnel Committee:**

- 1. Make recommendations with regards to interviewing and hiring Department Heads;
- 2. Make recommendations with regard to employee relations, including personnel policies, employee negotiations, fringe benefits, job classifications and salaries;
- 3. At the request of the Full Board of Commissioners, evaluate and review the performance of County Department Heads and the County Controller/ Administrator for Board approval;
- 4. Consider vacation extension requests and employee requests for leave of absence denied by the County Controller/Administrator.
- 5. Develop and revise the County's Personnel Policy for Board Approval.
- 6. Perform the process of Job Review and Analysis in compliance with the job analysis procedure.

6.5 **Specific Duties of the Negotiations Committee:**

- 1. Negotiate Labor Agreements as directed by the Board of Commissioners;
- 2. Make recommendations with regard to collective bargaining to the Board of Commissioners;
- 3. Hold grievance hearings as prescribed by respective labor contracts.

6.6 **Specific Duties of the County Properties Committee:**

- 1. Recommend office space allocations in county buildings;
- 2. Recommend policies to the Board related to purchasing, inventory of county property, placement and use of county property, and disposal of county property.
- 3. Recommend policies on maintenance of county buildings, grounds, and other properties.
- 4. Recommend alterations and additions to county buildings and grounds and oversee such construction, including procurement and recommendations on bids.
- 5. Make recommendations related to major capital outlays;
- 6. Recommend short and long term planning needs regarding capital improvements, office space needs and storage space needs;
- 7. Review needs regarding Real Property Capital Improvements for Board approval.

6.7 **Specific Duties of the Public Safety Committee:**

- 1. Enhance and encourage interagency collaboration and cooperation of Courts, law enforcement services, community corrections, and emergency response services.
- 2. Act as liaison between the Board and the Courts, law enforcement services, community corrections, and emergency response services.

6.8 **Specific Duties of the Human Services Committee:**

- 1. Enhance and encourage interagency collaboration and cooperation of human service agencies.
- 2. Act as liaison to health and human service agencies.

6.9 Specific Duties of the Strategic Planning and Review Committee:

- 1. Provide leadership to the Board to plan for a process to periodically (3-5 years) engage the County (Board, Administration, Department Heads) in establishing longtime goals and objectives for the County.
- 2. Help the Board annually review established goals and objectives to determine progress and modify plans as needed.
- 3. Ensure that County departments: (a) submit annual written and oral reports to the Board; and (b) annual programs/services performance measures furnished for the budget process are submitted and reviewed.

6.10 Specific Duties of the Policies, Procedures & Bylaws Committee:

1. To review and update items at least annually.

ARTICLE VII AMENDMENTS TO THE RULES OF PROCEDURE

7.1 <u>Amendments</u>: These Rules of Procedure may be amended or repealed in whole or in part, at any regular or duly called special meeting of the members at which a Quorum shall be represented, by two-thirds vote of the Board members elected and serving, provided a statement of the character of such proposed amendments has been included in the notice of the meeting.