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RULES FOR THE OAKLAND COUNTY BOARD OF COMMISSIONERS

2009 EDITION

I. RULES OF ORDER

Robert's Rules of Order, Newly Revised Edition, shall be the parliamentary authority of the Board of Commissioners and shall govern proceedings of the Board and its Committees. Rules adopted by the Board of Commissioners shall supersede any rules in the parliamentary authority with which they conflict.

Consistent with the Michigan Open Meetings Act and pursuant to MR #08093, the following rules and regulations shall apply for the electronic recording of Board and committee meetings by the public:

1. The use of microphones, electronic recording devices, video recording equipment or portable computers used for the purposes of recording the proceedings of Board or committee meetings are permitted, if done in a non-disruptive manner.
2. Videotaping or electronic recording shall not interfere, obstruct or otherwise disrupt the proceedings.
3. Videotaping or electronic recording shall be done in an unobstructive and non-intrusive manner, and in compliance with all safety rules and regulations.
4. Video recording or electronic recording devices are to be placed in such a manner as to not block, obstruct or hinder access in aisle ways adjacent to or leading to entry/exit doors in the auditorium or committee meeting room.
5. The Chairperson may, as circumstances dictate, otherwise direct the placement of recording equipment.
6. The Chairperson has the right to suspend taping of a meeting if these regulations are not complied with.

V. NOMINATION AND ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON OF THE BOARD OF COMMISSIONERS

- A. There shall be elected a Chairperson and Vice-Chairperson of the Board of Commissioners, as provided by State statute, these rules, and resolutions of the Board of Commissioners.
 - 1. The Chairperson shall be elected each odd numbered year for a term of two (2) years ending at twelve o'clock midnight on December 31 of each even numbered year. (Two-year term authorized per PA 392 of 2000.)
 - 2. The Vice-Chairperson shall be elected each year for a term of one (1) year ending at twelve o'clock midnight on December 31 of each year.
- B. Any member of the Board of Commissioners may place the name of another member in nomination for Chairperson or Vice-Chairperson of the Board of Commissioners.
- C. The nomination and election of the Chairperson and the nomination and election of the Vice-Chairperson of the Board of Commissioners shall be separate.
- D. Election of the Chairperson and Vice-Chairperson of the Board of Commissioners shall be by roll call vote in alphabetical order. The vote of thirteen (13) members is required to elect the Chairperson or Vice-Chairperson.
- E. If the position of the Chairperson or Vice-Chairperson of the Board of Commissioners is permanently vacated, an election to fill the remainder of the term shall be held at the next regular meeting of the Board, after which at least fourteen (14) days have elapsed since the effective date of the vacancy. The election shall be held in accordance with the adopted rules for the Oakland County Board of Commissioners.
- F. If the positions of Chairperson and Vice-Chairperson are both vacant, a temporary chairperson shall preside over the meeting of the Board of Commissioners, pursuant to section IV. Nomination and Election of Temporary Chairperson, until the election set forth in paragraph E is held.

VI. PRESIDING OFFICER

- A. The Chairperson of the Board shall preside over all sessions of the Board of Commissioners, and shall be an ex officio voting member of all Committees if the presence of the Chairperson is necessary to constitute a quorum in the Committee.

In the absence of the Chairperson, the Vice-Chairperson shall preside and be vested with all of the powers of the Chairperson. The Vice-Chairperson shall also be an ex officio member of all Committees, but shall vote in such meetings only in the absence of the Chairperson of the Board.

- B. In the absence of the Chairperson and Vice-Chairperson, the Chairperson of the Finance Committee shall preside over all sessions of the Board of Commissioners.
- C. In the absence of the Chairperson, the Vice-Chairperson shall be empowered to sign all documents and to execute contracts, unless otherwise provided by law.
- D. The administrative staff of the Board of Commissioners shall be under the Board of Commissioners and shall report to the Chairperson of the Board.

VII. CHAIRPERSON TO PRESERVE ORDER

- A. The Chairperson shall preserve and decide questions of order subject to an appeal of the Board.
- B. No literature, other than official documents coming from County Departments, shall be permitted to come before the assembly or be placed on members' desks unless signed or endorsed by or attributable to a current member of the Board of Commissioners.
- C. No resolution presented under New or Miscellaneous Business shall be read aloud except on the request of a member. Whenever a member asks for a reading of any resolution, evidently for information and not for delay, the Chairperson shall direct it to be read except upon the objection of a majority of the Board membership.

D. Authorization of Non-Members to Address the Board:

- (1) The County Executive may attend all meetings of the Board of Commissioners with the right to participate in such meetings, but shall have no right to vote.
- (2) Members of the County Executive Staff and other elected officials shall be allowed to address the Board upon matters before the Board, if requested by a Board member, unless otherwise decided by a majority of the Board present.
- (3)
 - (a) The public shall address the Board under the Public Comments portion of the agenda.
 - (b) Persons desiring to address the Board shall advise the Clerk of the Board prior to the call to order unless this requirement is waived by the Board Chairperson or by a vote of thirteen (13) members.
 - (c) Persons wishing to address the Board shall identify themselves and state their reasons for addressing the Board.
 - (d) A person shall not address the Board in excess of five (5) minutes unless the time is extended by the Chairperson or by a vote of thirteen (13) members of the Board.

VIII. APPOINTMENTS OF COMMITTEES

- A. In odd-numbered years, at the first meeting of the year, the General Government Committee shall be appointed by the Board Chairperson and confirmed by the Board.
- B. The General Government Committee shall make recommendations for membership on all standing committees at its last meeting of the year in odd-numbered years. The Board of Commissioners shall confirm the appointments, which shall be effective for the succeeding year, at the Board's last meeting in odd-numbered years.

- C. Any change in Standing Committee structure or membership, or abolition of any Standing Committee, shall require the vote of thirteen (13) members of the Board.
- D. The Board Chairperson may appoint special and Ad Hoc Committees subject to the approval of the Board. Any change in a Special or Ad Hoc Committee structure or membership shall be made by the Board Chairperson subject to the approval of the Board. Further, any Special or Ad Hoc Committee may be abolished at any time by the vote of fifteen (15) members of the Board of Commissioners. All Special and Ad Hoc Committees shall terminate with submission of their report or at the end of each Board term, whichever comes first.
- E. As the need arises, various types of other committees may be established. The creation, appointment and operation of these committees shall be in accordance with the following table of assigned committee attributes, and all such Committees shall expire at the close of the Board of Commissioners term.
- F. If the position of Chairperson, Majority Vice-Chairperson or Minority Vice-Chairperson of a Standing Committee is permanently vacated, the General Government Committee shall, within twenty-eight (28) days, recommend replacements to the Board of Commissioners for approval.

TABLE OF COMMITTEE ATTRIBUTES

COMMITTEE TYPE	APPOINTED BY	MEMBERSHIP	ATTENDANCE/ MINUTES/POST	REPORTS TO:	CREATED BY:
Standing	Board Per Rules	Commissioners	Yes	Board of Commissioners	Board Rules
Subcommittee	Committee(s) / Committee Chair(s)	Committee(s) Members Only	Yes	Committee(s)	Committee Action
Special	Board Chair & Bd. Approval	Commissioners Only	Yes	Per Direction at Formation	Board Chair & Bd. Approval
Ad Hoc	Board Chair & Bd. Approval	Unrestricted	Yes	Per Direction at Formation	Board Chair or Resolution
Task Force	Board Resolution	Unrestricted	Yes	Per Direction at Formation	Resolution
Study Group	Committee/ Committee Chair/Board Chair	Unrestricted	No	Per Direction at Formation— Responsibility is for information gathering, fact finding or advisory only.	Committee Chair or Board Chair or Committee Action

*All Committees for which minutes are taken will be posted in accordance with the Open Meetings Act.

IX. COMMITTEE OPERATIONS

A. Roberts' Rules

All Committees of this Board shall operate in accordance with Section I of the Rules for the Oakland County Board of Commissioners as last adopted and amended.

B. Quorum and Attendance

A majority of each Committee shall constitute a quorum to convene or conduct a committee meeting. The vote of a majority of those present and voting at a Committee meeting shall be necessary to report any matter to the Board of Commissioners. Every Committee member shall, before the meeting time of any Committee meeting, advise the Committee Coordinator assigned to that committee when an absence is necessary. Such absence will be recorded in official minutes. If previous notice is provided to the coordinator, the committee member shall be marked "Absent with Notice." If previous notice of an absence is not provided to the coordinator, the member shall be marked "Absent Without Notice." The minutes of each Committee meeting shall also record the vote of each member on any matter to be reported to the Board of Commissioners.

C. Notice and Meeting Date

Notice of regularly scheduled Board and Committee meetings shall be available to all Board members not less than 72 hours prior to such meeting. Such notice shall also be posted in compliance with the Open Meetings Act. Committees shall meet at the time and place set by their Chairperson or shall meet at such time and place as a majority of their members may decide. The Chairperson of a Committee may cancel a meeting with notice to the members.

D. Procedure to Bring Matters Before the Committees:

- (1) County departments or agencies shall submit matters for Committee consideration to the Committee Chairperson. For those matters which will require Board action, County departments or agencies shall submit proposed resolutions in writing to the corresponding liaison committee, per Section XI, at least one week prior to the Committee meeting.

- (2) The Committee Chairperson shall determine which items will be placed on the Committee's printed agenda. This rule may be waived or modified by a majority vote of Committee members present and voting.
- (3) The Chairperson of the Board of Commissioners may refer any matter arising between meetings of the Board to the appropriate Committee or Committees for recommendation thereon in accordance with Rule XII.
- (4) Matters brought before a standing committee shall require a motion and support prior to discussion and a vote being taken.

E. Referrals Between Committees

Any standing committee, after receiving or initiating a resolution pursuant to Rule XII, Sections A and B, may refer that resolution directly to any other committee or committees.

F. Restrictions on Board Consideration of Resolutions

The Board of Commissioners, unless it shall discharge the Committee pursuant to Rule XIII.F., shall not act upon any resolution of which it has not received recommendation from the Committee(s) to which it was referred as provided in Rule XII (Standing Committee Procedures).

G. Committee minutes shall be approved by the committee at a subsequent meeting.

X. STANDING COMMITTEE STRUCTURE

A. The Standing Committee structure shall be:

(1)	Finance Committee	11	Members
(2)	General Government Committee	12	Members
(3)	*Human Resources Committee	9	Members
(4)	Planning and Building Committee	8	Members
(5)	Public Services Committee	8	Members

*All references in State Law or the Merit Rules shall be interpreted to mean the Human Resources Committee

B. Membership of all Standing Committees shall be as follows:

- (1) The Finance Committee shall consist of seven (7) members of the majority party and four (4) members of the minority party.
- (2) The General Government Committee shall consist of seven (7) members of the majority party and five (5) members of the minority party.
- (3) The Human Resources Committee shall consist of six (6) members of the majority party and three (3) members of the minority party.
- (4) The Planning and Building Committee shall consist of five (5) members of the majority party and three (3) members of the minority party.
- (5) The Public Services Committee shall consist of five (5) members of the majority party and three (3) members of the minority party.

C. The first named member of any Committee shall be the Chairperson, the second named member shall be the Majority Vice-Chairperson, and the third named member shall be the Minority Vice-Chairperson. In the temporary absence of the Chairperson, the Majority Vice-Chairperson, the Minority Vice-Chairperson, and then the majority member next in rank in the order named, and so on, shall act as Chairperson. Subsequent members of the Committee shall be listed, majority party members listed first on the basis of their uninterrupted service with the Board of Commissioners.

In case of a permanent vacancy in the Chairmanship of any Standing Committee, the General Government Committee shall appoint another Chairperson, which appointment shall be subject to the approval of the Board of Commissioners. In the prolonged absence of a member of a Standing Committee, the General Government Committee may recommend appointment, as defined in Rule VIII-B, until the absent Commissioner returns.

D. There shall be an Oversight Committee that shall be composed of the Board Chairperson, Vice-Chairperson, and the Chairperson of each caucus. The duties and responsibilities of the Oversight Committee shall be to recommend the selection of appointed Board of Commissioners

staff and to prioritize Commissioner project requests. The administrative staff of the Board of Commissioners shall be under the Board of Commissioners and shall report to the Chairperson of the Board.

XI. STANDING COMMITTEE RESPONSIBILITIES

A. FINANCE COMMITTEE

- (1) To receive, review, and recommend to the Board of Commissioners all matters referred to it by the Chairperson, and to provide liaison to the Board with:
 - (a) Management & Budget Department
 1. Administration
 2. Fiscal Services
 3. Purchasing
 4. Equalization
 - (b) Treasurer's Office
 - (c) Risk Management
 - (d) Contracted Financial Auditors
 - (e) Contracted Performance Auditors per MR #94005 (Appendix A)
 - (f) Internal Audit
 - (g) Claims Review Committee per MR #91016 (Appendix B)
 - (h) Information Technology
- (2) To receive and review all requests for new positions and/or departmental reorganizations from liaison departments.
- (3) To receive and review recommendations from the Human Resources Committee on Commissioners' compensation.
- (4) To plan ways and means of financing the County activities, to recommend to the Board of Commissioners plans for the County activities each year to the end that there may be sufficient monies raised and available to pay the current fixed operating expenses and all approved extraordinary and/or unanticipated expenses, to receive by reference from the Board all resolutions and reports from other committees involving an appropriation of funds.
- (5) The Finance Committee shall also recommend, each year as part of the budget process, a revised five-year capital improvement program based upon review and

lease charges for the balance of the current year. See XI.D.10 for reporting requirements.

- (13) Audit Subcommittee: There shall be an Audit Subcommittee, in accordance with MR #94005 (Appendix A), of at least three Finance Committee members, one being from the minority party, appointed by the Finance Committee Chair. The Audit Subcommittee shall meet as is deemed necessary and shall report its findings to the Finance Committee.
- (14) Tax Increment Financing District Review Policy Ad Hoc Review Committee: As provided for by MR #99010, amended per MR #01002, MR #01093 and MR #08098, there shall be a Tax Increment Financing District Review Policy Ad Hoc Review Committee, consisting of the Finance Committee Chairperson, the Finance Committee Minority Vice Chair or designee, the Planning and Building Committee Chairperson, or designee, one commissioner appointed by the Board Chairperson, and one representative each of the County Treasurer, the Equalization Department, the Economic Development Department and Corporation Counsel. The Committee shall be charged with review and evaluation of new or expanded DDA, TIFA or LDFA within the County and shall make recommendations to the Finance Committee, who shall then recommend to the Board of Commissioners whether to exempt itself from the proposed district, approve negotiated terms or take no action and allow the Oakland County Treasurer to represent the County pursuant to M.R. #90144.
- (15) To review and recommend to the Board of Commissioners the annual payment of MAC Dues pursuant to MR #04298.

B. GENERAL GOVERNMENT COMMITTEE

- (1) To receive, review, and recommend all proposed revisions of the Rules of the Board of Commissioners.
- (2) To receive, review and recommend to the Board of Commissioners all matters referred to it by the Chairperson, and to provide liaison to the Board with:
 - (a) Board of Commissioners (Includes Libraries)
 - (b) Clerk/Register of Deeds

- (c) County Executive Administration (excludes: Internal Auditing Division - see FINANCE COMMITTEE; Emergency Response & Preparedness Unit - see PUBLIC SERVICES COMMITTEE)
 - (d) Corporation Counsel
 - (e) Department of Health & Human Services
 - 1. Administration
 - 2. Health Division
 - 3. Children's Village
 - 4. Medical Care Facility
 - (f) County Departments and Offices to which no Committee has been named
 - (g) Area Agency on Aging
 - (h) Community Mental Health Authority
 - (i) Oakland Livingston Human Services Agency
 - (j) Michigan Department of Human Services-Oakland
 - (k) Historical Commission
 - (l) Southeast Michigan Council of Governments
- (3) To receive and review all requests for new positions and/or departmental reorganizations from liaison departments.
- (4) Review all public transportation policies affecting Oakland County residents. Annually review the needs for funding County road improvements and recommend to the Finance Committee at the onset of its budget review process the inclusion of specific dollar amounts for County participation in funding County transportation requirements, and shall provide liaison to:
- (a) Road Commission for Oakland County
 - (b) Suburban Mobility Authority for Regional Transportation (SMART)
 - (c) 196 Public Transportation Authority
- (5) Receive and make recommendations to the full Board regarding membership and Chairpersons of Standing Committees and, pursuant to MR #05040, amended per MR #06026, and MR #05124 (Appendix F), all other appointments requiring approval of the Board of Commissioners; including boards, commissions, authorities, councils, committees except as otherwise provided by law, and make recommendations to the Board on approval or disapproval of the County Executive appointments pursuant to Public Act 139 of 1973.

- (6) Provide liaison with all Federal, State, Regional and local Agencies and governments.
- (7) Receive, review, and approve or disapprove all memorial or recognitional resolutions to be presented by the Board of Commissioners and to determine the member or members to make such presentations.
- (8) To recommend to the Board of Commissioners proposed legislation affecting Oakland County; to aid and assist in preparing and introducing bills to bring about the enactment of desired legislation.

To keep contact during legislative sessions with the Board of Commissioners' lobbyist(s); to direct the lobbyist(s) on positions taken by the full Board of Commissioners, or to contact officials or agents on a position taken by the General Government Committee when it appears time will not permit awaiting a position by the full Board.

On urgent matters where the Board of Commissioners has taken a position on legislation, and a substantive amendment has been adopted by the House or Senate which may create doubt as to whether the Board's expressed position is still reflected in the legislation, the lobbyists may be given direction by a majority of the Oversight Committee.

- (9) To recommend to the Board of Commissioners on the creation, adoption or nullification of any County Ordinance.
- (10) To examine all petitions filed with the County Clerk which involve the jurisdiction of the Board of Commissioners relative to a change of boundaries of home rule villages and report to the Board of Commissioners on the sufficiency or insufficiency of petitions for the establishment of a date for an election, and to receive resolutions from general law village councils seeking to expand or contract the village boundaries, and hold a public hearing prior to determination of such boundary changes in accordance with state statute.

- (11) To recommend to the Board of Commissioners all social services programs and policy changes to meet the needs of Oakland County citizens.
- (12) To inform the Board of Commissioners on all health matters affecting the public welfare of the County and its citizens.
- (13) Public Utility Services Subcommittee:
When specific public utility issues arise regarding gas, electricity, telephone, water or sewer, which a majority of the General Government Committee determines necessitate a greater depth of review, those issues shall be referred to the Public Utility Services Subcommittee, who shall than be charged with completing a full review of the matter and reporting back to the General Government Committee.

C. HUMAN RESOURCES COMMITTEE

- (1) To receive, review, and recommend to the Board of Commissioners all matters referred to it by the Chairperson, and to provide liaison to the Board with:
 - (a) Human Resources Department
 - 1. Administration (includes Labor Relations)
 - 2. Workforce Management
 - 3. Benefits Administration
 - (b) Oakland County Retirement Commission
 - (c) Deferred Compensation Board
 - (d) Classification Determination Subcommittee (Merit Rule 3.4)
 - (e) Job Evaluation Review Panel (Merit Rule 2.2.3)
 - (f) Personnel Appeal Board (Merit System Resolution #4606, amended per MR #08119, Section VI.K.)
- (2) To prepare specific rules and to carry out the provisions and intent of policies established pursuant to the Oakland County Merit System, and provisions of all employee fringe benefit programs.
- (3) To review and make recommendation(s) to the Board of Commissioners on Human Resources matters, including wages, fringe benefits, changes in position classifications and salary adjustments. To review and refer to the Finance Committee recommendations for

Commissioner compensation. To receive and review the annual affirmative action reports for all departments.

- (4) To review and report to the Board of Commissioners on liaison committee recommendations for new positions and/or departmental reorganizations.
- (5) To receive annually from the Human Resources Department a report indicating retirees hired as either part-time non-eligible employees or as contractual professional service contractors per MR #07252.
- (6) To receive biannually from the Human Resources Department information on the activities of the Personnel Appeal Board per MR #06028.
- (7) To meet with the Oakland County Retirement Commission concerning all matters contemplated in Section 12-a of Act 156 of the Public Acts of 1851, as amended, prescribing the duties and defining the powers of the Board of Commissioners.

D. PLANNING & BUILDING COMMITTEE

- (1) To receive and review any and all matters referred to it by the Chairperson and provide liaison to the Board with:
 - (a) Department of Facilities Management
 1. Administration
 2. Facilities Engineering
 3. Facilities Maintenance & Operations
 - (b) Department of Economic Development & Community Affairs
 1. Administration
 2. Community and Home Improvement
 3. Planning and Economic Development Services (includes Solid Waste)
 4. Workforce Development
 - (c) Economic Development Corporation
 - (d) Business Finance Corporation
 - (e) Department of Central Services
 1. Administration
 2. Support Services (includes Leased Vehicles, Mail Room, Printing, Record Retention)
 - (f) Aviation & Transportation

- (g) Airport Committee (see XI.F.(2))
 - (h) Oakland County Water Resources Commissioner
 - (i) Building Authority
 - (j) Parks & Recreation
- (2) To receive and review all requests for new positions and/or departmental reorganizations from liaison departments.
 - (3) Each year, the Planning and Building Committee shall develop a five-year capital improvement program, which shall be referred to the Finance Committee for final recommendation to the Board of Commissioners.
 - (4) Three (3) members of the Planning and Building Committee shall be appointed by the County Board of Commissioners to act as the County Coordinating Zoning Committee. Termination of membership on the Planning and Building Committee shall also terminate membership on the County Coordinating Zoning Committee.
 - (5) To, once each biennial term, inspect all County-owned buildings and grounds and file with the Board of Commissioners a detailed annual written report with recommendations as to the necessary improvement, repair, or upkeep needed to place the buildings in a reasonably sufficient condition considering the aesthetic surroundings.
 - (6) To biennially survey excess lands owned by the County or acquired by any of its subsidiary corporations and recommend either retention of the same or disposal, and, if disposal is recommended, the report shall show the concurrence of the Liaison Committee assigned to the department which was instrumental in acquiring said lands.
 - (7) To conduct the sale, purchase or lease of property in accordance with MR# 01231 (Appendix G).
 - (8) In accordance with the Building Authority Articles of Incorporation, as amended, final plans and specifications for all new construction projects and all alterations of existing structures beyond what would normally fall in the category of maintenance, including those projects referred to the Building Authority, shall be approved by the Planning and

Building Committee prior to issuance of Requests for Proposals. Any subsequent revisions to plans and specifications by the architect(s), contractor(s), county staff, the Building Authority, etc., shall require approval by the Planning and Building Committee.

- (a) Any building project, remodeling, renovation or any other projects assigned to the Oakland County Building Authority and financed by or through the sale of bonds or by appropriation from the Oakland County budget, other than the Building Projects or Projects described in the assigning resolution, the Lease Agreement between the Authority and the County, the Continuing Disclosure Certificate, the Project Description with Exhibits and Appendixes and the Declaration of Official intent on file with the Oakland County Clerk, shall not proceed without the approval of the Oakland County Board of Commissioners and its appropriate Standing Committees.
- (9) To recommend on all requests for a name change of a geological feature pursuant to procedures set for by the U.S. Department of the Interior, Board of Geographic Names and MR #00230 (Appendix H).
- (10) Pursuant to MR #93230, as amended, the County Executive shall annually submit to the Board of Commissioners, Planning & Building Committee, a report on the County Lease Vehicle program. The report shall include a listing of the number of vehicles assigned to departments, the total number of vehicles in the fleet, and a list of vehicles authorized "Home/Work" assignments, and any significant changes in the County Leased Vehicle program since submission of the previous report. See XI.A.10 for expansions to the fleet.

Pursuant to MR #8603, as amended per MR #04109, the Drain Commissioner shall report annually to the Planning and Building Committee on or before April 2 of each year to cover the preceding fiscal year, which report shall include a full financial statement of each Drainage District.

E. PUBLIC SERVICES COMMITTEE

- (1) To receive, review and recommend to the Board of Commissioners all matters referred to it by the Chairperson, and to provide liaison to the Board with:
 - (a) Department of Public Services
 1. Administration
 2. Animal Control
 3. Community Corrections
 4. MSU Cooperative Extension
 5. Veterans' Services
 6. Circuit Court Probation
 7. Medical Examiner
 - (b) Prosecuting Attorney
 - (c) Sheriff Department
 - (d) Local Law Enforcement Agencies
 - (e) Emergency Response & Preparedness
 - (f) All Courts (including Circuit, Probate, District and all divisions thereof)
- (2) To receive and review all requests for new positions and/or departmental reorganizations from liaison departments.
- (3) To coordinate efforts of the Sheriff, Prosecutor, Courts, Probation Department, Office of Community Corrections and other necessary departments to address the status of jail overcrowding.

F. OTHER COMMITTEES

(1) CLAIMS REVIEW COMMITTEE

Pursuant to MR #91016 (Appendix B), there shall be a Claims Review Committee consisting of five members, two members appointed by the Chairman of the Board of Commissioners, two (2) members appointed by the County Executive, and the Risk Manager. (See FINANCE COMMITTEE.)

(2) AIRPORT COMMITTEE

Pursuant to MR #89043 (Appendix E), there shall be an Airport Committee consisting of five members, four appointed by the Board of Commissioners, three of which shall be from the majority party and one of which shall be

a minority party member, and the County Executive or his/her designee. (See GENERAL GOVERNMENT COMMITTEE)

XII. PROCEDURE TO BRING MATTERS BEFORE THE BOARD

A. Commissioner Initiated Resolutions Introduced on the Board Floor

Following presentation of a written resolution to the caucuses, a commissioner may then introduce the written resolution on the Board floor. If it is the intent of that commissioner to request suspension of the Board Rules to immediately consider the resolution, a written notice of that request must accompany presentation of the resolution to the caucuses. A copy of said resolution shall be presented to the Clerk of the Board upon its introduction. A resolution introduced on the Board floor shall first be referred to the liaison committee and may be referred to other committees as determined by the Chairperson of the Board. The resolution shall not be substantively debated until its referral and action by the appropriate liaison committee. Objections to the referral shall be sustained upon 13 affirmative votes.

B. Standing Committee Initiated Resolutions

A liaison committee may initiate a resolution for presentation to the Board. The committee shall coordinate referral of the resolution to the Board. (see IX.E. for Direct Referrals Between committees.)

C. Referral of Resolutions from the Board

1. Every resolution impacting Human Resources matters, when reported favorably to the Board by a Committee other than the Human Resources Committee, shall, together with all amendments thereof, and prior to adoption of the resolution, be referred to the Human Resources Committee. The Human Resources Committee shall report concurrence, recommended amendments or opposition to the resolution.
2. Every resolution impacting County finances, when reported favorably to the Board by a Committee other than the Finance Committee, shall, together with all amendments thereof, and prior to adoption of the resolution, be referred to the Finance Committee. The Finance Committee shall report on the availability of funds and the means of providing financing if funds are available. A fiscal note

reporting such determination shall be attached to each resolution requiring such review. The Finance Committee may separately report concurrence, recommended amendments or opposition to the resolution.

D. Reporting Referred Resolutions Back to the Board

Resolutions shall be reported back to the Board when all Committee referrals have been acted upon, and shall be placed on the agenda under the originating committee, or in the case of a commissioner-introduced resolution, under the liaison committee. A resolution shall be reported back upon an affirmative recommendation by a majority vote of a quorum of a liaison committee.

E. Effective Date of Resolutions

All adopted resolutions and ordinances shall become effective in accordance with MR #93171 (Appendix I).

F. Validation of Board Chair Referrals Between Meetings

The Chairperson of the Board of Commissioners may refer any matter arising between meetings of the Board to the appropriate Committee or Committees for recommendation thereon, or to the appropriate County department or agency for required action. He/she shall report all such referrals to the Board at its next meeting as a matter of New and Miscellaneous Business. Such referrals shall be valid unless altered by a vote of thirteen (13) members at the meeting in which they are so reported by the Chairperson.

XIII. BOARD OF COMMISSIONERS' MEETING PROCEDURES

A. Previous Question

The Previous Question shall be ordered upon thirteen (13) affirmative votes. After the Previous Question has been affirmatively voted, each Commissioner who has not previously spoken on the question before the body shall be given the opportunity to address the Board on the question only.

B. Suspension of Rules

The Rules and any rules in the parliamentary authority shall be suspended upon the affirmative vote of thirteen (13) members.

C. Changes in Agenda or Order of Business

Changes in the Agenda or Order of Business shall be made upon the affirmative vote of thirteen (13) members under Approval of Agenda.

D. Amendment of Rules

Amendments to the Rules shall be adopted upon the affirmative vote of thirteen (13) members provided that written notice of any proposed amendment is given to all members at least five (5) days prior to the vote thereon.

E. Appeal from Decision of the Chair

The vote of 3/5 of the members present and voting shall be required to reverse a decision of the Chair, with exception to referral of resolutions as noted in Section XII.C.

F. Discharge of a Committee

The vote of thirteen (13) members shall be required to discharge a Committee from consideration of any matter, provided notice of intent to discharge the Committee is given at a previous regular meeting of the Board. The Notice of Discharge will appear on the subsequent agenda under Special Order of Business. A vote of 17 members shall be required to discharge a committee when no previous notice of intent has been given.

G. Roll Call

Ayes and Nays by roll call shall be ordered when demanded by any member prior to the announcement of the vote. The Clerk of the Board shall call the names of each Commissioner in alphabetical order, and the name called first shall be advanced one position alphabetically in each successive roll call.

H. Recess

In addition to the procedure for a recess set forth in the parliamentary authority, a meeting of the Board of Commissioners may be recessed for a fixed time by the Chair. Such recess shall not exceed one (1) hour unless approved by a majority of those present.

I. Meetings of the Board of Commissioners

Regular meetings of the Board shall be held the second and fourth Thursday of each month at 9:30 A.M. or as established by the Board of Commissioners. Meetings will be adjourned to the next regularly scheduled meeting or to the call of the Chair. A special meeting shall be held only upon the written petition of thirteen (13) members of the Board, which petition shall be filed with the County Clerk at least ten (10) days before the meeting in accordance with MCL 46.10. Public notice of all meetings shall comply with the Open Meetings Act.

J. Term and Disposition of Business at Year End

The Board of Commissioners' session is from the first board meeting of an odd-numbered year until the last board meeting of the following even-numbered year. Any business before the board that is unfinished after the last board meeting held in an odd-numbered year shall be carried over to the next calendar year. Any business that is unfinished at the last board meeting held in an even-numbered year shall not be carried over to the next calendar year.

K. Annual Meeting

The annual meeting of the Board of Commissioners shall be held each year after September 14, but before October 16.

L. Present and Voting

Each Commissioner shall be present during every meeting of the Board, unless excused or necessarily prevented from attending, and shall vote on each question put unless he/she has a direct personal or pecuniary interest in the question. When the Chairperson is putting any question or while the roll is being called by the Clerk, no member shall leave his seat or entertain private discussion. When a member is speaking, he/she shall not be interrupted except for points of order. A majority of the members of the County Board of Commissioners shall constitute a quorum for the transaction of the ordinary business of the County. Questions which arise at its meetings shall be determined by the votes of the majority of the members present. A majority of the members elected and serving is required for the final passage or adoption of a measure or resolution, or the allowance of a claim against the County, unless the law specifies a different voting requirement.

M. Limitation of Debate

When a member is about to speak, he/she shall respectfully address the Chair. When two or more members rise at the same time, the Chairperson shall name the member who is first to speak. The member recognized by the Chair shall be limited to the question under debate and shall avoid personalities. No member shall be recognized to speak more than once on any question until every member of the Board has had an opportunity to speak once on the subject matter under debate. No member shall speak for more than ten (10) minutes at any one time without leave from the Board by a majority vote of members present.

N. Conflict of Interest

No member shall be interested directly or indirectly in any contract or business transaction with the County or any Board, Office, or Commission thereof during the time for which he/she is elected or appointed nor for one (1) year thereafter, except as provided by law.

No member shall be eligible to receive or shall receive any appointment from or be employed in any capacity whatsoever by any Officer, Board, Committee, or other authority of the County except as provided by law.

O. Amendments of Resolutions or Other Matters

All amendments to a resolution or other matter to be voted on shall be in writing and copies distributed to the Clerk and all commissioners present before a vote is taken on such amendment. If necessary, the Board Chairperson shall recess the meeting until an amendment is reduced to writing.

APPENDIX

1

MISCELLANEOUS RESOLUTION #94005

APPENDIX A

BY: Larry Crake, District #4; Sue Douglas, District #8; Ruth A. Johnson, District #1; and John P. McCulloch, District #22

IN RE: BOARD OF COMMISSIONERS - PERFORMANCE AUDITS

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS in 1993, the Oakland County Board of Commissioners took corrective action to eliminate a budget shortfall for 1994 of approximately \$21 million; and

WHEREAS the Oakland County Board of Commissioners has been advised that the economic climate will continue to negatively impact Oakland County in 1995; and

WHEREAS the Board of Commissioners is committed to continuing the fiscally sound practices it initiated in 1993 in order to ensure a sound financial future for Oakland County by increasing efficiencies in departments and maintaining budget reserves at a healthy level; and

WHEREAS the Board of Commissioners is interested in conducting various performance audits to focus more clearly on individual departments, activities and functions in an effort to identify areas where efficiencies can be increased and thus effect additional savings while continuing to provide quality services to Oakland County residents and businesses; and

WHEREAS Oakland County's *Request for Proposals for Professional Auditing Services* issued in May, 1992, indicated that several performance audits may be conducted over the next few years.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners begin an ongoing evaluation of the selected departments, activities and functions through the engagement of outside auditors.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners direct the Audit Subcommittee to establish criteria for selecting departments, activities and functions to undergo performance audits, commencing in 1994 and that all professional audit firms engaged in performance auditing for Oakland County shall be hired by, report to, and be directly responsible to, the Board of Commissioners.

BE IT FURTHER RESOLVED that the Audit Subcommittee shall report the recommendation of the professional auditors to the Board of Commissioners for referral of the recommendations to the appropriate Board committees for review and possible implementation.

BE IT FURTHER RESOLVED that the process for performance audit, as delineated in this resolution, be implemented for one audit; and that after the completion of the first audit, the Audit Subcommittee will report to the Finance Committee to determine the merits of continuing performance audits under these precepts.

Chairperson, I move the adoption of the foregoing resolution.

Larry Crake, Sue Douglas,

Ruth A. Johnson, John P. McCulloch

BY: FINANCE COMMITTEE, G. William Caddell, Chairperson

IN RE **BOARD OF COMMISSIONERS - CLAIMS REVIEW COMMITTEE -
LIABILITY CLAIMS POLICY AND PROCEDURES**

TO THE OAKLAND COUNTY BOARD OF COMMISSIONERS:

Mr. Chairperson, Ladies and Gentlemen:

WHEREAS, by Miscellaneous Resolution 88205, the Oakland County Board of Commissioners established a Claims Procedure; and

WHEREAS, the Finance Committee has requested the Claims Review Committee to review and re-evaluate its policy and procedure and report its recommendations; and

WHEREAS, the Claims Review Committee has recommended revisions to the Liability Claims Procedures and Policies, which report and recommendation is attached; and

WHEREAS, as part of this revision, the Finance Committee recommends delegating to the Claims Review Committee all requests for representation by lawyers/firms other than those approved.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners adopts the Liability Claims Policy and the Liability Claims Procedure, which shall supersede all others previously passed by this Board.

Mr. Chairperson, on behalf of the Finance Committee, I move the adoption of the foregoing resolution.

COUNTY OF OAKLAND
LIABILITY CLAIMS POLICY AND PROCEDURES

A primary requisite for a successful claims management program is the implementation of a uniform methodology in the handling and management of claims. This is essential in conveying the philosophy developed, on behalf of the County, to its defense attorneys.

Successful case management is dependent upon direct control and management of cases by the professional employed by an organization. The primary management of litigation and settlement of claims by Corporation Counsel and Risk Management shall embrace a "firm but fair" posture. If a case is to be defended, the County shall maintain an aggressive defense philosophy. Conversely, should a case be deemed meritorious for settlement, a prompt and equitable settlement shall be attempted.

I. Claims Settlement Authority

A. 0 to \$10,000

Joint approval of Corporation Counsel and the Risk Manager.

B. \$10,000 to \$100,000

Approval of the Claims Review Committee comprised of five (5) members: Two (2) members appointed by the Chairman of the Board of Commissioners, two (2) members appointed by the County Executive, and the Risk Manager.

C. \$100,000 & Above

Approval of the Finance Committee of the Board of Commissioners after recommendation of the five voting members of the Claims Review Committee.

II. Defense Counsel

A. Assignment of Defense Counsel

The three current law firms handling defense work shall continue to be retained. Assignment of cases shall be on an equitable rotation basis in order to develop further expertise in these firms in the various unique liability exposure areas of the County, such as, prisoner civil rights, employment discharge cases, judges liability, etc. The maximum number of firms retained at any one time shall be three (3).

Assignment of special cases to firms, not done on the above basis, should be done on a joint basis (agreement between Corporation Counsel and the Risk Manager) as to the appropriate firm to handle a case. This is subject to further modification in the event that an insurance or reinsurance program is implemented. In those situations, counsel will be subject to the further approval of the insurers and/or reinsurers.

All lawsuits involving employee allegations arising out of the course of their employment, such as, wrongful discharge, sexual harassment, etc., shall be assigned to outside counsel to avoid any appearance of conflict.

B. Selection of Replacement Defense Firms

Selection of replacement and additional attorneys shall be based only upon the recommendation of the Claims Review Committee to the Chairperson of the Board of Commissioners and the County Executive, who shall thereupon jointly have authority to act upon the recommendation.

III. Requests for Counsel Other Than the Claims' Committee Approved Firms

Any elected official, appointee, employee or any other person or persons coming under the protection of the "Employee Indemnification" (Resolutions #85339, 86124 and Merit System Rule) who requests representation by an attorney/law firm other than one which is an "approved firm" shall first present their request to the Claims Review Committee only. The Claims Review Committee shall make all decisions regarding such requests, which decisions are final.

The Claims Review Committee may grant this request only when circumstances indicate that the interests of justice are best served due to special or exceptional circumstances.

MISCELLANEOUS RESOLUTION #01320

APPENDIX C

BY: Finance Committee, Sue Ann Douglas, Chairperson

IN RE: BOARD OF COMMISSIONERS - AMENDMENT TO GRANTS PROCEDURE

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS pursuant to Miscellaneous Resolutions #89105, #93020, #95098, #97277, #99252, and #01030, the Board of Commissioners established and modified procedures for the application and acceptance of grants and reimbursement agreements; and

WHEREAS operating departments have expressed concern that the current grant procedures are difficult to implement; and

WHEREAS staff members from the Board of Commissioners, Corporation Counsel, Fiscal Services, the Sheriff Department and the Health Division (representing operating departments) met and recommend revision to the current grant procedures to make them easier to implement while still protecting the County's interest; and

WHEREAS the attached grants procedures reflect that recommendation.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby adopts the grant procedures, in accordance with Attachment A entitled "Grant Application and Acceptance Procedures", effective for all grant processing beginning January 1, 2002. Said action supercedes all previously approved grant procedures.

BE IT FURTHER RESOLVED that the County Executive, along with the Board Chairperson, is requested to notify all County Elected Officials and Departments of the modification of the Grant Procedures.

Chairperson, on behalf of the Finance Committee, I move adoption of the foregoing resolution.

FINANCE COMMITTEE

Copy of Attachment A, Grant Application, Grant Acceptance, and Grant Amendment Process on file in County Clerk's office.

GRANT APPLICATION

(Never requires a resolution)

Step #1

Upon notification of grant opportunity, operating department immediately notifies the Grant Administrator.

Step #2

Grant Administrator will notify Financial Planning Unit of Fiscal Services re: grant application. Fiscal Services staff, including financial analyst, Grant Administrator, Grant Accounting Supervisor and Grant Writer, will offer assistance to operating department in completion

Step #3

Operating department provides Grant Administrator with four (4) copies of completed grant application as well as other paperwork required by Fiscal Services. Grant Administrator provides copies of application to Corporation Counsel, Personnel, Facilities Management, and Risk Management. Grant Officer retains the Management and Budget copy,

Step #4

Reviewing departments (listed in Step #3), review the grant application and report comments, via e-mail to applying department, the applying department's financial analyst, Grant Administrator, Board of Commissioners' Program Analyst and department's liaison committee coordinator. When possible, reviewing departments work to resolve issues of concern.

Please note that, although the review of the grant application will not stop an application from being submitted to a grantor agency, this review is extremely important. Typically the assurances included in a grant application will become part of the grant agreement, should an award be offered. Therefore, unless concerns raised at the application review can be addressed prior to contract acceptance, Administration may recommend that a grant be rejected. It is incumbent for all applying departments to work with the reviewing departments and pay particular attention to the comments of those departments before submitting a grant application.

Step #5

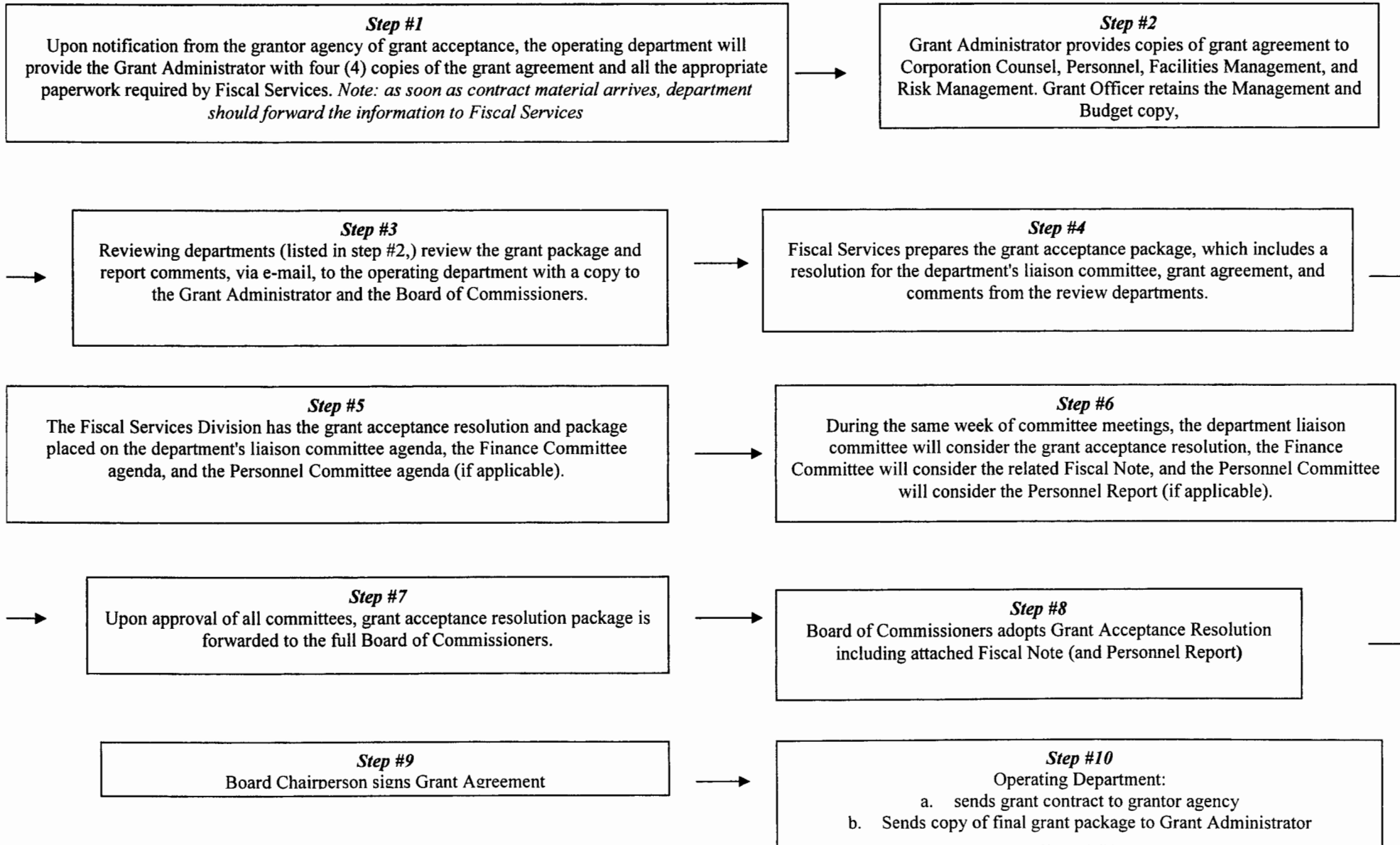
Fiscal Services will prepare a report, addressed to the Board Chairperson, providing basic information regarding the grant application. Fiscal Services forwards report, grant application, and any reviewer comments to the Board Chairperson. Copies of package are provided to applying department, applying department's liaison committee, the Finance Committee, the Personnel Committee (if applicable), and the Grant Administrator.

Step #6 (may be conducted simultaneously)

- a. Board Chairperson Signs Application after receiving Fiscal Services report
- b. Applying Department's liaison committee, the Finance Committee, and the Personnel Committee (if applicable) receive and file the Fiscal Services report (no formal committee action required).
- c. Operating Department sends grant application to grantor agency

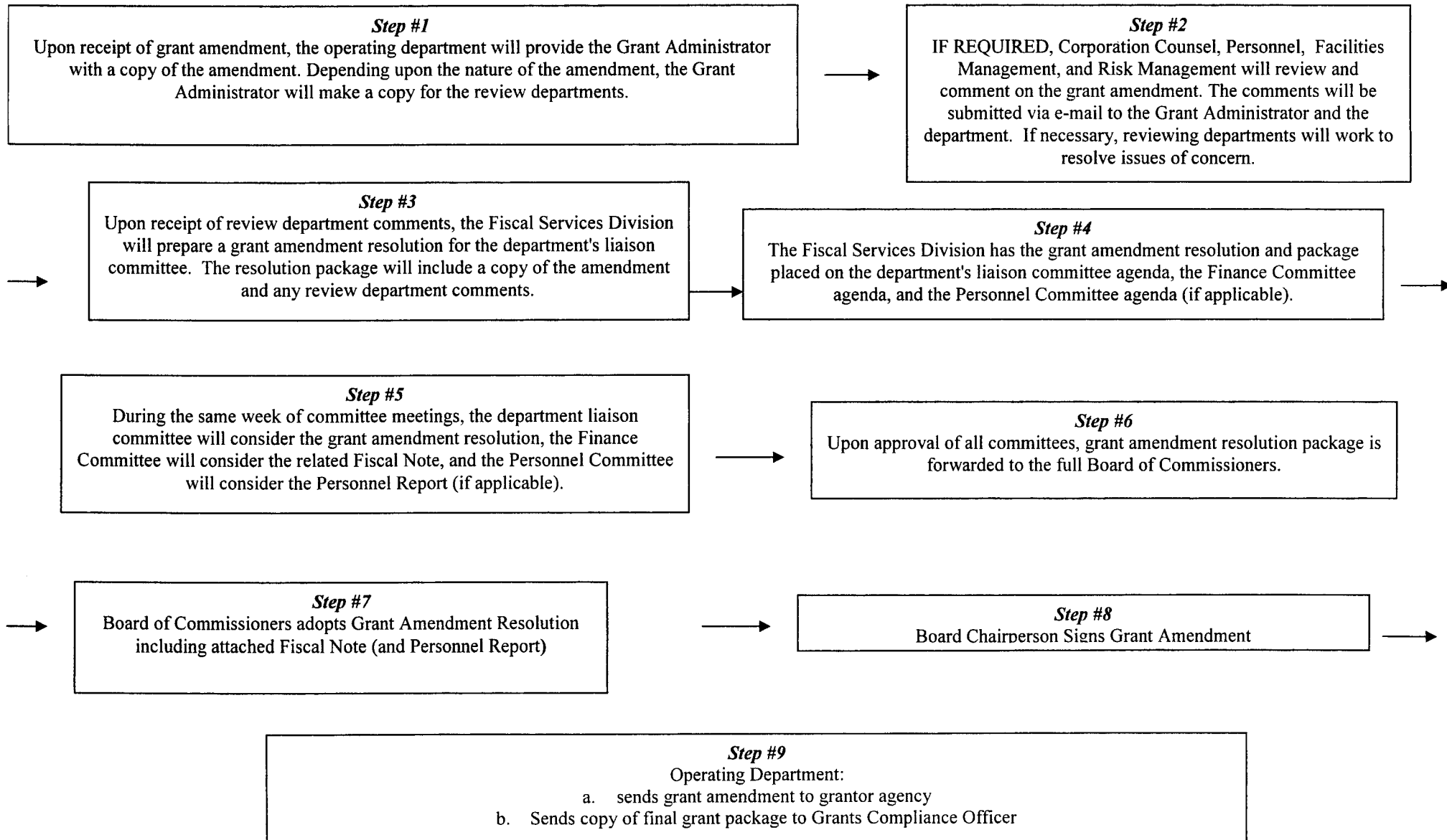
GRANT ACCEPTANCE

(Always requires a resolution)



GRANT AMENDMENT PROCESS

Amendment with 15% or Greater Variance from Current Award and/or Requiring Additional Personnel



GRANT AMENDMENT PROCESS

Amendment Less than 15% Variance from Current Award

Step #1

Upon receipt of grant amendment, the operating department will provide the Grant Administrator with a copy of the amendment. Depending upon the nature of the amendment, the Grant Administrator will make a copy for the review departments.



Step #2

IF REQUIRED, Corporation Counsel, Personnel, Facilities Management and Risk Management will review and comment on the grant amendment. If necessary, reviewing departments will work to resolve issues of concern. The comments will be submitted via e-mail to the Grant Administrator and the department.



Step #3

Upon receipt of review department comments (if required), or after review of the amendment, the Grant Administrator will e-mail the department and the Board of Commissioner's staff, comments concerning the grant amendment.



Step #4

Department obtains signature of Board Chairperson on grant amendment and forwards to grantor agency with a copy to the Grants Compliance Officer.

MISCELLANEOUS RESOLUTION # 83204

July 14, 1983

BY: FINANCE COMMITTEE, DR. G. WILLIAM CADDELL, CHAIRPERSON

IN RE: APPROVAL OF PROCEDURE FOR ACCEPTANCE OF A GIFT DONATION
AND/OR GIFT ITEM FROM PRIVATE SOURCES

TO THE OAKLAND COUNTY BOARD OF COMMISSIONERS

Mr. Chairperson, Ladies and Gentlemen:

WHEREAS Miscellaneous Resolution #8145, Approval of Revised Federal and State Grants Application Procedure, established written procedures for the application and the acceptance of Federal and State Grants; and

WHEREAS private individuals and organizations periodically donate gifts in the form of financial resources and/or capital equipment to Oakland County government that are important additions to the continuation and improvement of services and programs provided to Oakland County citizens; and

WHEREAS the Finance Committee has requested and received from the Department of Management and Budget written procedures for recognition and acceptance of gifts from private donors, entitled Acceptance of a Gift Donation and/or Gift Item From Private Sources Procedure, copy of which is attached herein; and

WHEREAS in such procedures it is recommended that gift donations be categorized, such that gifts with a value of \$9,999.99 or less, with no match requirement or other financial implications to the County, be accepted administratively; and

WHEREAS it is recommended that gift donations with a value of \$10,000 or greater, with no match requirement or other financial implications to the County, be reviewed by the Department/Division Liaison Committee and acknowledged by the Board of Commissioners via signed resolution; and

WHEREAS it is recommended that gift donations of any amount containing matching requirements or other financial implications to the County be formally approved by the Board of Commissioners through signed resolution; and

WHEREAS it is further recommended that all gift donation amounts be accounted for in the appropriate departmental donation fund account (201) and gifts other than cash be recorded as general fixed County assets; and

WHEREAS the Finance Committee has reviewed and recommends the adoption of the proposed Acceptance of A Gift Donation and/or Gift Item From Private Sources Procedure.

NOW THEREFORE BE IT RESOLVED that, effective immediately, the Acceptance of a Gift Donation and/or Gift Item From Private Sources Procedure, as presented, be and are hereby adopted.

The Finance Committee, by Dr. G. William Caddell, Chairperson, moves the adoption of the foregoing resolution.

FINANCE COMMITTEE

Miscellaneous Resolution # 89043

APPENDIX E

BY: GOVERNMENT & TRANSPORTATION COMMITTEE, Richard G. Skarritt, Chairperson

RE: **AIRPORT COMMITTEE RESTRUCTURING**

TO THE OAKLAND COUNTY BOARD OF COMMISSIONERS

Mr . Chairperson, Ladies and Gentlemen :

WHEREAS the County of Oakland owns and operates two public airports, whose operation is overseen by an Airport Committee, pursuant to Act 90 of 1913; and

WHEREAS the adoption of the Optional Unified Form of County Government by the electorate of Oakland County eliminated all Boards and Committees not specifically exempted from elimination, including the Airport Committee; and

WHEREAS there is a continuing need for a liaison committee to carry out the duties and responsibilities previously undertaken by the Airport Committee.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby replaces the Airport Committee under Act 90 of 1913 with an Airport Committee appointed by the Board of Commissioners, consistent with Public Act 139, of 1973, as amended, with the understanding that policy decisions shall be referred to the Board of Commissioners through the appropriate standing committee.

Mr. Chairperson, on behalf of the Government & Transportation Committee, I move the adoption of the foregoing resolution.

REPORT

February 23, 1989

BY: GOVERNMENT & TRANSPORTATION COMMITTEE, Richard G. Skarritt,

Chairperson

RE: **AIRPORT COMMITTEE RESTRUCTURING**

TO THE OAKLAND COUNTY BOARD OF COMMISSIONERS

Mr . Chairperson, Ladies and Gentlemen :

On January 5, 1989 the Board of Commissioners referred Miscellaneous Resolution #89001, Abolition of Airport Committee, to the Government & Transportation Committee for its review. Upon completion of such review and in discussion with that resolution's sponsor, Commissioner Anne M. Hobart, the Government & Transportation Committee offers and recommends the adoption of the attached resolution.

Mr. Chairperson, on behalf of the Government & Transportation Committee, I move the acceptance of the foregoing report.

APPENDIX F-1a

MISCELLANEOUS RESOLUTION #05040

BY: Commissioners Hugh D. Crawford, District #9 and Tim Melton, District #11

IN RE: BOARD OF COMMISSIONERS - PUBLICATION OF OAKLAND COUNTY BOARD OF COMMISSIONER APPOINTMENTS

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Oakland County Board of Commissioners is empowered under Public Act 139 of 1973 to appoint members of a board, commission, or authority; and

WHEREAS the Oakland County Board of Commissioners is responsible for making appointments to numerous boards, committees and commissions; and

WHEREAS the giving of one's time, talent and resources to serve on one's civic boards and commissions is a significant contribution and outstanding way for citizens to give back to the community; and

WHEREAS it is in the best interest of the residents of Oakland County that the Board of Commissioners earnestly seek the most qualified individuals to serve on boards and commissions; and

WHEREAS in order to ensure that the widest audience is reached, while seeking qualified candidates for open appointments, efforts need to be enhanced to maximize the publication of openings for Board of Commissioners' appointments.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby establishes a policy to advertise Board of Commissioners' appointed positions which are open to the public.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners hereby declares the following mechanisms of communication be implemented to enhance a widely circulated announcement of Board of Commissioners' appointed positions:

- All openings for Board of Commissioners' appointments are to be posted on the Oakland County website.
- All openings for Board of Commissioners' appointments are to be publicized in the form of a press release to local newspapers of major circulation and local newspapers.
- All Commissioners are to be provided information about upcoming appointed positions in a format that can be shared within their district.
- All openings for Board of Commissioners' appointments are to be sent to the cities, villages and townships within Oakland County in the form of a communication from the respective Commissioner(s) that can be read at a local meeting of the municipality.
- All openings for Board of Commissioners' appointments are to be sent to local cable stations, including community access and government access.
- All communications relative to openings for Board of Commissioners' appointments should include an explanation of what the position entails, frequency of meetings, time and location of meetings, specialized qualifications - if applicable, and any per diem.

(The following language was added per MR 06026 – see Appendix F-1b)

BE IT FURTHER RESOLVED that the General Government Committee has the discretion to waive the above-cited publication and interview requirements when they are considering the re-appointment of an individual, who was previously interviewed and appointed, to fill an unexpired portion of a term in which the time remaining in that unexpired term is less than one (1) year.

Chairperson, we move the adoption of the foregoing resolution.

HUGH CRAWFORD, TIM MELTON,
GREG JAMIAN, MATTIE HATCHETT,
ERIC WILSON, VINCENT GREGORY,
WILLIAM MOLNAR, DAVID
WOODWARD, WILLIAM PATTERSON,
MARCIA GERSHENSON, CHUCK
MOSS, DAVID COULTER, EILEEN
KOWALL, BILL BULLARD, JOHN
SCOTT, GEORGE SUAREZ

MISCELLANEOUS RESOLUTION #06026

BY: Commissioner Eileen T. Kowall, District #6

IN RE: BOARD OF COMMISSIONERS - AMENDMENT TO MISCELLANEOUS RESOLUTION #05040 - PUBLICATION OF OAKLAND COUNTY BOARD OF COMMISSIONER APPOINTMENTS TO ALLOW FOR A DISCRETIONARY WAIVER FOR RE-APPOINTMENTS

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS on March 10, 2005, the Oakland County Board of Commissioners adopted Miscellaneous Resolution #05040 to provide for the publication of all openings for which the Board of Commissioners make appointments; and

WHEREAS on July 28, 2005, the Oakland County Board of Commissioners adopted Miscellaneous Resolution #05124 to provide for candidate questionnaires and allowing the General Government Committee to determine which, if any, candidates would be scheduled for an interview; and

WHEREAS on occasion, the Board of Commissioners must make appointments to fill positions that are vacated prior to the ending of the unexpired term; and

WHEREAS the General Government Committee could find itself publishing for appointments and conducting interviews within a very short period of time following the original appointment to fill an unexpired term; and

WHEREAS in an effort to expedite the appointment process when the original appointment was for a period of less than one (1) year, in order to fill an unexpired term, the General Government Committee should be permitted to waive the publishing, posting and advertising requirement for appointments under these circumstances.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby amends the previously adopted Miscellaneous Resolution #05040 - The Publication of Oakland County Board of Commissioner Appointments by adding the following as the last paragraph:

BE IT FURTHER RESOLVED that the General Government Committee has the discretion to waive the above-cited publication and interview requirements when they are considering the re-appointment of an individual, who was previously interviewed and appointed, to fill an unexpired portion of a term in which the time remaining in that unexpired term is less than one (1) year.

Chairperson, we move the adoption of the foregoing resolution.

EILEEN KOWALL, CHRISTINE LONG, BILL BULLARD, SUE ANN DOUGLAS, GREG JAMIAN, MICHAEL ROGERS, JEFF POTTER, ERIC WILSON, WILLIAM MOLNAR, JOHN SCOTT, GEORGE SUAREZ, TIM MELTON, MARSHA GERSHENSON, JIM NASH, HELAINE ZACK, DAVID COULTER, ERIC COLEMAN, MATTIE HATCHETT

APPENDIX G (previously Appendix C)

MISCELLANEOUS RESOLUTION #01231

BY: Planning and Building Committee, Charles E. Palmer, Chairperson

IN RE: DEPARTMENT OF FACILITIES MANAGEMENT - REVISION OF APPENDIX "C"
PROCEDURES FOR THE SALE, PURCHASE AND LEASING OF PROPERTY

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS pursuant to Miscellaneous Resolution #91090, #93048, and #95213, the Oakland County Board of Commissioners established procedures for the sale, purchase, and leasing of property; and

WHEREAS the present real estate transaction procedures for the Oakland County Board of Commissioners require amending and/or updating to meet current accepted real estate transaction practices; and

WHEREAS current generally accepted real estate transaction practices dictate real estate appraiser licensing and proper environmental testing prior to the consummation of the sale or purchase of property; and

WHEREAS the Departments of Facility Management and Corporation Counsel recommend that the Board of Commissioner's Procedures for the Sale, Purchase or Lease of Property (Appendix "C") be revised and adopted as follows:

Appendix C

PROCEDURE FOR SALE AND PURCHASE OF PROPERTY

(Adopted Per Miscellaneous Resolution #91090, as amended per Miscellaneous Resolution #93048 and Miscellaneous Resolution #95213)

(SUPERSEDES ANY PREVIOUSLY ADOPTED RESOLUTIONS)

SALE OF PROPERTY

1. If there are no statutory restrictions on the sale, it may be conducted as follows:
 - (a) The County Executive, with the concurrence of the Planning and Building Committee, shall perform or obtain an appraisal, and shall employ properly licensed and qualified real estate appraisers, and pay the standard fee thereof, or as an alternative, the properly licensed and qualified County appraisal staff may be utilized by the County Executive if authorized by the Board of Commissioners Planning and Building Committee.
No land shall be sold at less than the lowest appraised value unless such appraised value is waived by the Board of Commissioners.
 - (b) No formal negotiations for the sale of any interest in real property, shall be undertaken until such time as the Planning and Building Committee has authorized negotiations.
 - (c) All recommendations regarding sales of land shall be made in one of the following ways at the discretion of the Planning and Building Committee:
 - (1) Sale to Local Public Agencies: Prior to offering the property for sale to the general public or via private sale the County Executive, with the concurrence of the Planning and Building Committee, may first offer the property for sale to the local public agency in which the property is located. The sale price shall not be less than the lowest appraised value in accordance with Paragraph 1.(a) above. The Local Agencies shall be provided written notification of available property and be given thirty (30) days to respond.
 - (2) Private Sale: The County Executive, with the concurrence of the Planning and Building Committee, may sell at private sale for not less than the lowest current appraised value placed upon the property in accordance with Paragraph 1. (a) above.

- (3) Public Sale: The County Executive, with the concurrence of the Planning and Building Committee, may advertise once each week for two successive weeks (unless otherwise prescribed by statute) to either hold a public auction or accept sealed offers for the sale of the property up to, but not later than, the time fixed for opening of same in accordance with the Oakland County Purchasing Division Procedures. The Planning and Building Committee shall fix a minimum acceptable value at which said property can be sold. The minimum value shall not, unless otherwise authorized by the Board of Commissioners, be less than the lowest appraised value under Paragraph 1.(a) above.
 - (4) In the case of limited use parcels (non-conforming parcels) acquired for water, sewer and County Drains, the County Executive, with the concurrence of the Planning and Building Committee, shall notify the local units of government, public agencies and adjacent property owners that the County is proposing to sell said parcel. If the local units of government, public agencies and adjacent property owners are interested the County Executive shall advise them of all information that the County has in regard to said properties' easements being retained, soil conditions, etc. and shall advise the local units of government, public agencies and adjacent property owners of the deadline to make purchase offers. If no offers to purchase are received from the local units of government, public agencies or adjacent property owners, the County Executive will then advertise for public sale of such limited use property in accordance with Paragraph 1.(c)(3) above. The Planning and Building Committee shall make their recommendations for the disposal of the property to the Board of Commissioners.
 - (5) Whenever the requirements of Paragraphs 1.(c)(1), 1.(c)(2), 1.(c)(3), or 1.(c)(4) above have been fulfilled and no sale made thirty (30) days thereafter, the Planning and Building Committee may authorize the County Executive to notify the licensed brokers in the area that the lands are for sale at not less than the lowest appraisal or highest offer received. The County Executive shall be authorized to pay from the proceeds of the sale the customary broker's fee.
- (d) The Planning and Building Committee shall determine the amount and type of advertising to be done, the time and place of sale, provide for such terms as it deems reasonable, the manner in which it is to be conducted and make reasonable rules and regulations pertaining to the same not in conflict with the requirements of the *Rules for Oakland County Board of Commissioners*.
 - (e) In all cases, the Planning and Building Committee may withdraw any land authorized for sale up to the time the County Executive shall have received a commitment thereon. At any public sale, the Planning and Building Committee reserves the right to reject any or all offers received.

LEASE AND PURCHASE OF PROPERTY

2. All leasing and purchasing of property shall be under the jurisdiction of the Planning and Building Committee and shall be as follows:
 - (a) No formal negotiations, for the acquisition of any interest in real property, including lease and options to purchase, shall be undertaken until such time as the Planning and Building Committee has authorized such negotiations.

- (b) For property acquisition under \$500,000 in value, the Planning and Building Committee may rely upon the properly licensed and qualified county appraisal staff of the County Equalization Division or the Property Management Unit of the Department of Facilities Management or as an alternative a properly licensed and qualified real estate appraiser.
- (c) For property acquisition over \$500,000 in value the County Executive, with the concurrence of the Planning and Building Committee, shall employ two properly licensed and qualified real estate appraisers or as an alternative the properly licensed and qualified County appraisal staff, who shall appraise the property under consideration and submit a written report concerning the appraisal to the Planning and Building Committee.
- (d) No written offer to acquire property may be made prior to the receipt of the necessary appraisals, and no offers to acquire property shall be made in an amount more than the highest appraised value, except by the Board of Commissioners' approval. A written Offer to Purchase property contingent upon Paragraphs 2.(b) - 2.(e) may be made with approval of the Planning and Building Committee.
- (e) Purchases for Public Utility Easements shall follow procedures in Paragraphs 2.(b) and 2.(c).
- (f) Any offer to purchase real property shall contain an environmental due diligence period and associated contingency that would allow the County to terminate the purchase agreement without penalty in the event that adverse environmental conditions were encountered during the due diligence period. During the due diligence period, at a minimum, a written Phase One Environmental Site Assessment shall be prepared consistent with applicable American Society of Testing and Materials standards by a qualified professional. If the Phase One Environmental Site Assessment identified adverse environmental conditions, a Phase Two Environmental Site Assessment shall be prepared and submitted. Real property rights for sewer, water, drainage, and utility easements, and/or rights of way may be obtained without a Phase One or Phase Two Environmental Site Assessment if waived by the Planning and Building Committee (and the Office of Corporation Counsel.)

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby revises its Procedures for the Sale, Purchase and Lease of Property (Appendix "C") as described above.

BE IT FURTHER RESOLVED that the said procedures as described above shall supersede all previous procedures relative to the sale, purchase, or lease of property.

Chairperson, on behalf of the Planning and Building Committee, I move the adoption of the foregoing resolution.

PLANNING AND BUILDING COMMITTEE

MISCELLANEOUS RESOLUTION #00230

APPENDIX H

BY: Charles E. Palmer, District #16

IN RE: BOARD OF COMMISSIONERS - NAMING/RENAMING GEOGRAPHICAL FEATURES

To the Oakland County Board of Commissioners
Chairperson, Ladies and Gentlemen

WHEREAS Michigan law does not set forth a procedure for the Board of Commissioners to follow when they are requested to either name or approve a commemorative name change for a geographical feature; and

WHEREAS in recent months there have been attempts to either name or rename geographical features in Oakland County; and

WHEREAS the United States Department of the Interior, Board of Geographic Names has developed standards by which such name changes can be considered; and

WHEREAS within those standards is a requirement that an applicant for a name change demonstrate approval from a local governing body for such a name change; and

WHEREAS there are costs associated with advertising a public hearing.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners adopts the attached procedure for requests to name or rename a geographical feature within Oakland County.

BE IT FURTHER RESOLVED that costs associated with the process for approval be paid by the petitioner prior to a public hearing being held.

Chairperson, I move adoption of the foregoing resolution.

Charles E. Palmer,

District #16

Copy of Oakland County Board of Commissioners Procedure for Naming/Re-Naming a Geographic Feature, Revised Procedure - October 9, 2000, on file in County Clerk's office.

REPORT (Misc. #93171)

APPENDIX I

BY: General Government Committee, Donald W. Jensen, Chairperson

IN RE: **BOARD OF COMMISSIONERS - EFFECTIVE DATE OF ORDINANCES AND RESOLUTIONS POLICY**

To the Oakland County Board of Commissioners
Chairperson, Ladies and Gentlemen:

The General Government Committee, having reviewed the above referenced resolution, reports with the recommendation that the resolution be adopted with the following amendment in the NOW THEREFORE BE IT RESOLVED paragraph:

that upon adoption of an ordinance or resolution by the County Board of Commissioners, the County Clerk shall record the exact date and time of adoption of the ordinance resolution, which shall be considered to be the time of adjournment of the meeting at which the resolution or ordinance is adopted, and shall...

Chairperson, on behalf of the General Government Committee, I move the acceptance of the foregoing report.

GENERAL GOVERNMENT COMMITTEE

MISCELLANEOUS RESOLUTION #93171

BY: Marilyn Gosling, District #14

IN RE: **BOARD OF COMMISSIONERS - EFFECTIVE DATE OF ORDINANCES AND RESOLUTIONS POLICY**

To the Oakland County Board of Commissioners
Chairperson, Ladies and Gentlemen:

WHEREAS the Optional Unified Form of County Government Act (Act 139) outlines the effective dates of ordinances and resolutions in Section 11, subsection 2, and provides that an adopted ordinance or resolution shall become effective on approval of the County Executive; or without approval or veto by the County Executive on expiration of 10 days from the time, measured in hours and minutes, that the ordinance or resolution is presented to the County Executive; or on the overriding of a veto by the Board of Commissioners; and

WHEREAS the procedure for a County Executive veto of an adopted ordinance or resolution is provided for in Section 11, subsection 2 of Act 139, requires the County Executive to certify such veto message to the Board of Commissioners within 10 days after the date of adoption of the adoption of the ordinance or resolution; and

WHEREAS Section 11, subsection 1 of Act 139 allow for the override of a veto by a 2/3 vote of all County Board of Commissioners members elected and serving by the second meeting following deliverance of the veto message to the County Board of Commissioners; and

WHEREAS to eliminate any confusion on the procedure to be followed in the process of approval, veto and override, the following procedure is hereby established and the Rules for the Oakland County Board of Commissioners are hereby amended to include this procedure.

NOW THEREFORE BE IT RESOLVED that upon adoption of an ordinance or resolution by the County Board of Commissioners, the County Clerk shall record the exact date and time of adoption of the ordinance or resolution, and shall present such adopted ordinance or resolution to the County Executive's Office within 24 after hours of adoption and shall further receive from the County Executive's office a signed receipt for the deliverance of such adopted ordinance(s) or resolution(s), which shall include the exact date and time of delivery and a list of the ordinance(s) or resolution(s), by number and title, which were received. The County Clerk shall immediately give a copy of the receipt for the deliverance of the adopted ordinance(s) or resolution(s) to the Chairperson of the County Board of Commissioners.

BE IT FURTHER RESOLVED that all resolutions and ordinances shall become effective upon:

1. adoption by the Board of County Commissioners and approval by the County Executive; or
2. adoption by the Board of County Commissioners and the expiration of ten (10) days from the time of presentation of the ordinance or

- resolution to the County Executive, measured in hours and minutes, without approval or veto of the County Executive; or
3. upon adoption by the Board of Commissioners and veto by the County Executive, on an override of the County Executive veto by a 2/3 vote of all members of the Board of Commissioners elected and serving.
 - A. In order to be timely and effective, a County Executive veto must be certified to the County Commissioners by deliverance of the veto message to the County Clerk within 10 days after the date of the adoption of the ordinance or resolution.
 - B. In computing of the ten-day time period, the first day is excluded and the last day is included. If the last day is a Saturday, Sunday or legal holiday, the period is extended to include the next day which is not a Saturday, Sunday or legal holiday.

BE IT FURTHER RESOLVED that in accordance with Act 139, the County Board of Commissioners shall override a veto by the second meeting following the deliverance of the veto message to the County Board of Commissioners the message of veto.

Chairperson, I move the adoption of the foregoing resolution.
Marilynn E. Gosling, District #14

Moved by Jensen supported by Gosling the General Government Committee Report be accepted.

A sufficient majority having voted therefor, the report was accepted.

Moved by Jensen supported by Gosling the resolution be adopted.

Moved by Jensen supported by Gosling the resolution be amended to coincide with the recommendation of the General Government Committee Report.

A sufficient majority having voted therefor, the motion carried.

Discussion followed.

Moved by Jensen supported by Gosling the resolution be amended in the first BE IT FURTHER RESOLVED paragraph to add "**Chairperson or Chairperson designee**".

A sufficient majority having voted therefor, the motion carried.

Vote on resolution, as amended:

AYES: Huntoon, Jensen, Johnson, Kaczmar, Kingzett, Law, McCulloch, McPherson, Miltner, Moffitt, Oaks, Obrecht, Palmer, Pernick, Powers, Schmid, Taub, Wolf, Aaron, Crake, Dingeldey, Douglas, Garfield, Gosling. (24)

NAYS: None. (0)

A sufficient majority having voted therefor, the resolution, as amended, was adopted.

County Executive Patterson vetoed Resolution #93171 on October 13, 1993.

Moved by Gosling supported by Douglas to reconsider Resolution #93171 - BOARD OF COMMISSIONERS-EFFECTIVE DATE OF ORDINANCES AND RESOLUTIONS POLICY, for the purpose of amending the resolution.

A sufficient majority having voted therefor, the motion carried and Resolution #93171 was before the board.

Moved by Gosling supported by Moffitt the resolution be amended in the first BE IT FURTHER RESOLVED paragraph by deleting Section 3.A. and inserting the following:

"A County Executive veto of an ordinance or resolution must be certified to the County Commissioners by deliverance of the veto message to the County Clerk within 10 days, measured in hours and minutes, from the time presented to the County Executive."

A sufficient majority having voted therefor, the amendment carried.

Vote on resolution, as amended:

AYES: Price, Schmid, Taub, Wolf, Aaron, Crake, Dingeldey, Douglas, Garfield, Gosling, Huntoon, Jensen, Johnson, Kaczmar, Kingzett, McCulloch, McPherson, Miltner, Moffitt, Oaks, Obrecht, Palmer, Pernick, Powers. (24)

NAYS: None. (0)

A sufficient majority having voted therefor, the resolution, as amended, was adopted.