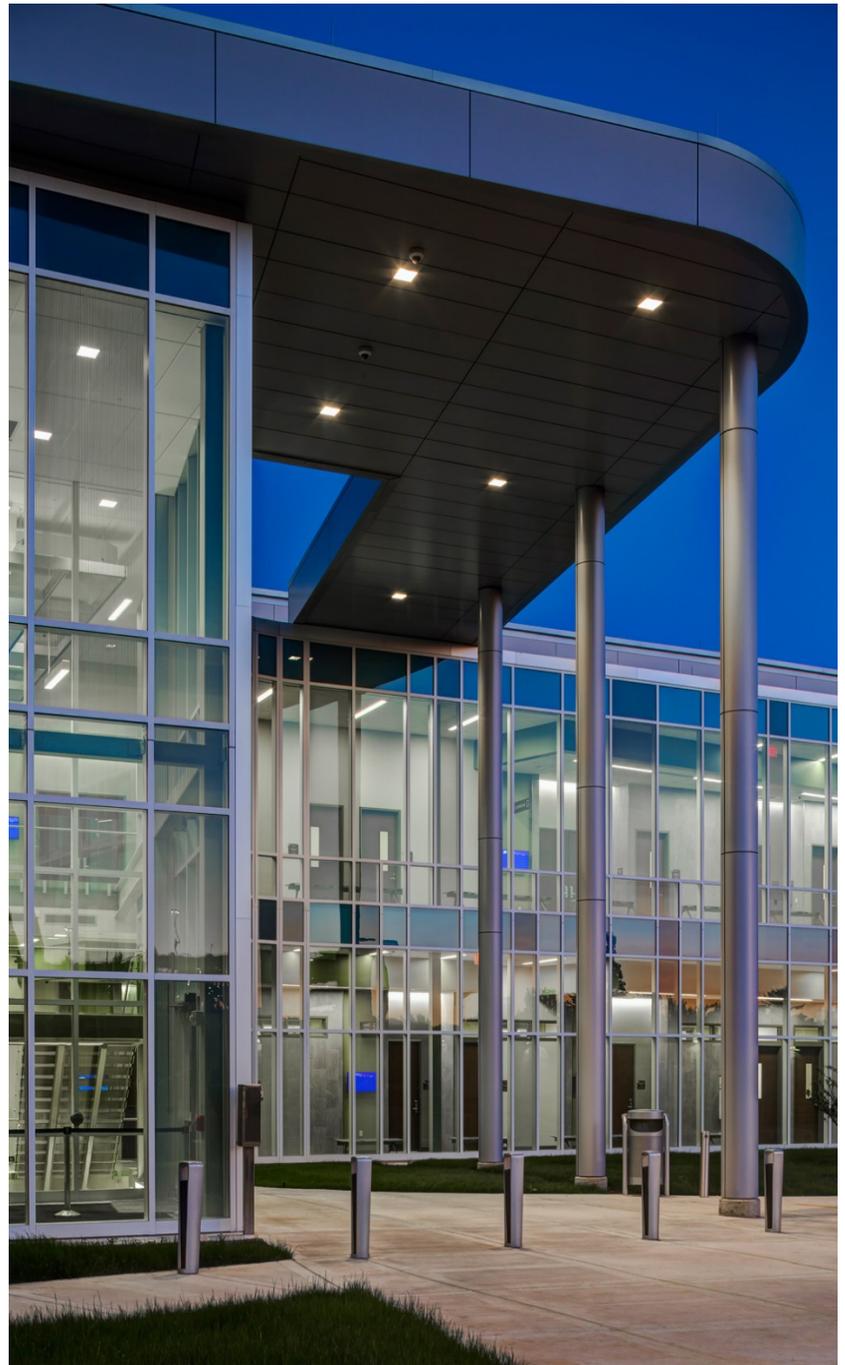




# KALAMAZOO COUNTY GOVERNMENT

In the Pursuit of Extraordinary Governance...

## GUIDELINES FOR KALAMAZOO COUNTY GOVERNMENT ADVISORY BOARDS AND COMMISSIONS



Revised January 2018

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# Introduction

This document will serve as a guide to help members of Kalamazoo County Government's advisory boards and commissions understand their role, become more familiar with using parliamentary procedures during these meetings and to conduct committee business in an efficient manner.

As a member of a Kalamazoo County Government advisory board or commission you have been appointed by and serve at the pleasure of the Kalamazoo County Board of Commissioners. Advisory boards and commissions are an essential part of county government. Please keep in mind, advisory boards do work on behalf of the Board of Commissioners and the Board of Commissioners has final authority in committee matters.

**Appointment:** Once appointed you should review the bylaws which created your advisory board or commission to determine your objective. New members can request copies of past minutes from staff assigned to the particular advisory board or commission, and/or contact the committee chairperson to receive an update on the committee's activities and goals.

In your role as an advisory board or commission member there are certain expectations:

**General Rules of Conduct:** Committee members shall adhere to the Kalamazoo County Government Board of Commissioners Bylaws and Rules of Procedure, Article IV: General Rules of Conduct ([copy attached page 12](#)). As representatives of Kalamazoo County Government, it is important to become familiar with these policies as you carry out your duties as an advisory board or commission member.

**Expiration of Terms:** Advisory board and commission members are appointed to a specific term. Several weeks before your term expires, you will be contacted via mail or telephone to see if you want to continue serving as a committee member. Reappointments are not automatic and policy varies from committee to committee. Members whose terms have expired may continue to serve until the time an alternate member has been appointed.

**Communicating with the Board of Commissioners:** Kalamazoo County Government's advisory boards and commissions serve as advisors to the Kalamazoo County Board of Commissioners. Advisory boards can update Commissioners on their activities, ask for guidance, submit requests or recommendations to the Board of Commissioners by:

1. Sending a letter to the Board of Commissioners through appropriate Commission Liaison
2. Submit an Annual, Semi-Annual or Quarterly Report to the Full Board or appropriate Commission Liaison
3. Contact the Staff Representative of your committee to work with Administration

The following pages will serve as a resource to assist you during meetings of your committee. Most committees have regular meetings scheduled for a certain day and time each month. Others meet on a quarterly basis, or every other month. All advisory boards and commissions must comply with the [Open Meetings Act](#).

# Common Parliamentary Terms

The **Agenda** is the order of business to be followed in the meeting.

**Bylaws**, although not required, are the basic rules of an organization. Bylaws may include the following elements (articles), but again there is variation from committee to committee: Preamble; Name; Membership; Officers (Duties of Officers); Meetings; Executive Committee; Committees; Parliamentary Authority; Amendment of Bylaws.

The **Chair** is the person presiding over the meeting. It also can designate the place or station of the presiding officer.

**Closed Session** is a meeting (usually of a legislative body) that is closed to the public. Those attending are required to keep the information discussed confidential. A separate set of minutes are kept for closed sessions. Closed session minutes are distributed to committee members at the next meeting for approval and are then collected prior to the end of the meeting. These minutes are not to be made available to the public and can be destroyed one year after the meeting. Closed session can only be held in strict compliance with the Open Meetings Act. County Legal Counsel must be present for all advisory or committee closed session meetings.

**Majority Vote** means more than half of the votes cast. Abstentions are not counted in determining the vote.

**Minutes** are the official record of the proceedings in a meeting. Each committee is required to keep minutes of each meeting whether closed or open to the public in compliance with the Open Meetings Act.

**Motion** formal proposal for consideration and action of an agenda item.

**Parliamentary Authority** refers to the specific procedural book adopted by an organization. The Kalamazoo County Board of Commissioners follows *Robert's Rules of Order, Newly Revised*.

**Quorum** refers to the number of members an organization requires to be present at a meeting in order to legally transact business. A quorum is the majority of all members unless stated otherwise in the bylaws, or the resolution establishing the advisory board or commission. In the absence of a quorum, no business can be legally transacted except to fix the time in which to adjourn, recess, seek to obtain a quorum by contacting absent members during a recess, or adjourn.

**Two-Thirds Vote** means two-thirds of the votes cast. Abstentions are not counted in determining the vote.

# Committee Meetings

## **Public Meetings**

Committee meetings are open to the public as required by the [Open Meetings Act, Act 267 of 1976](#). Each Committee must have a prepared agenda at least two days prior to the Committee meetings, which includes, as far as is practicable, all items to be considered by the Committee. Notices need to be posted in the public body's principal office (Kalamazoo County), in the department affiliated with the Committee and on the [Kalamazoo County Government website](#). Committees which have regular meeting schedules must post the schedule for the year within ten days after the first meeting of the public body in each calendar year. The notice is required to state the dates, times, and places of the regular meetings, the committee, its address, and telephone number. At the bottom of the schedule the following statement must be included: "This meeting is open to all members of the public under Michigan's Open Meetings Act. Meetings are open to all without regard to race, sex, color, age, national origin, religion, height, weight, marital status, political affiliation, sexual orientation, gender identity or disability. Reasonable auxiliary aids and services will be provided to individuals with disabilities at the meeting upon four (4) business days' notice." If there is a change in the regular meeting schedule, within three days after the meeting at which the change is made, a public notice must be posted stating the new dates, times and places of its regular meetings. The Committee will become familiar with and comply with all sections of the Open Meetings Act with regard to public notice requirements, being Section 15.265.

## **Agendas and Minutes**

The Chairperson should either prepare an agenda in cooperation with the department heads, or should delegate that authority to the appropriate staff. All Committees must keep minutes of their meetings which will be kept permanently kept on file. The minutes should include the date, time, place, members present, members absent and any decisions made and votes taken at the meeting. Corrections to the minutes are required to be made not later than the next meeting after the meeting to which the minutes refer. The corrected minutes must show both the original entry and the correction. Minutes are public records open for public inspection, with the exception of closed session minutes (refer to section on closed sessions). Proposed minutes of meetings shall be available for public inspection within 8 business days after the meeting to which the minutes refer. Approved minutes are required to be available for public inspection within 5 business days after the meeting at which the minutes are approved by the public body ([Open Meetings Act, Act 267 of 1976](#)). The Committee will become familiar with and comply with all sections of the Open Meetings Act with regard to meeting minutes, being Section 15.269.

## **Order of Business**

Listed below is a sample committee agenda which lists the typical order or business.

### Agenda

1. Call to Order and Roll Call
2. Approval of the Minutes
3. Addition of Items to the Agenda
4. Petitions and Communications

5. Limited Public Comment (limit four minutes per person)
6. Committee Reports
7. New and Miscellaneous Business
8. Late Committee Reports and Late Resolutions
9. Special Orders of the Day
10. Adjournment

**Late Agenda Items:**

Late agenda items can be added to the agenda under Additions to the Agenda.

**Comments From the Floor**

Only members of the Committee are given the floor to speak during any meeting except:

1. County officials and/or staff may speak with the consent of the majority of the members.
2. Any person who, with the consent of the chairperson and/or the chairperson and/or a majority of any committee, has been given permission to be listed in an appropriate place on the agenda for the purpose of that presentation at the meeting.

**Public Comment**

Each Committee should provide an opportunity for public comment at the beginning and/or end of each agenda for four (4) minutes. If it appears a large number of people wish to speak at a meeting the chairperson may ask those wishing to speak to identify themselves and if there are more than 20, may announce that the allotted time per person will be two (2) minutes, except where extended privileges are granted by the chairperson. Members of the public desiring to speak will be required to identify themselves. Committee members should not enter into discussion or debate with speakers during public comment.

**Quorum**

A majority of the members of the committee constitutes a quorum for the transaction of the business of the committee. A quorum is required to conduct business. In order for a Committee to act take action on a matter before them, a majority of those voting is required but there shall always be a requirement of not less than the numbers noted in the below chart:

Number of Committee Members Appointed and Serving	Quorum Requirement	Minimum Number of Affirmative Votes Necessary to Recommend Action to Board	Number of Affirmative Votes Necessary to Take Final Action**
3	2	2	2
4	3	2	3
5	3	2	3
6	4	3	4
7	4	3	4
8	5	4	5
9	5	4	5

# Committee Business

## How is business brought before the Committee?

To get business before the committee a member must make a motion. A main motion is a formal proposal for consideration and action. The item is not officially before the committee unless a motion is made and supported. No motion shall be debated or voted on unless seconded. It should then be stated by the chairperson before debate. Any motion, with the permission of the person who moved and seconded it, may be withdrawn at any time before it has been adopted. All motions, resolutions, committee reports and amendments or substitutes are to be entered into the minutes.

## How to Make a Motion and Initiate Debate:

1. Before speaking, each member addresses himself/herself to the chairperson. For example "Mr. Chair." or "Madame Chair." If two or more members seek recognition to speak at the same time, the chairperson will designate the order in which they will speak.
2. The chairperson recognizes the member by stating the member's name or nodding at the member. The member then has the right to speak.
3. The member states his/her motion. "I move that we pay the bills"
4. Another member seconds the motion (without recognition). "Second."
5. The sponsor of any properly moved and seconded motion, resolution, or report, has the right to speak for up to three (3) minutes, after the formal introduction but prior to any discussion of the matter on the floor.
6. The chair states the motion and places it before the committee for discussion. "It is moved and seconded that we pay the bills. Is there any discussion?"
7. All members have the right to be recognized and debate the motion. Those wishing to be recognized must raise their hand and wait for the chair to call on them.
8. If members desire to ask a question of other members, they may do so through the chairperson, it is discourteous and a strict violation of parliamentary to ask a question directly of a member.
9. While addressing the committee, no member will be interrupted, except to be called to order, at that point he/she will immediately cease talking.
10. When discussion is finished, the chair puts the motion to a vote. "The question is on the adoption of the motion to have ..... All those in favor say yes." (pause) "All those opposed say no".
11. Every committee member will vote on all questions unless excused by the chairperson. The chairperson will vote on all questions unless excused by the committee.
12. The chair announces the results of the vote. "The yes (nays) have it and the motion is adopted (failed). We will (not) pay the bills. The next business in order is..."

## **Decorum in Debate**

From time to time controversial issues will arise during discussions. It is important to maintain civility and fairness during discussion. Below is a list of guidelines that may be helpful during debate.

1. Confine remarks to the merits of the motion before the Committee. Remarks must be germane to the question before the committee.
2. Do not attack a member's motives. When a question is pending, a member can condemn the nature or likely consequences of the proposed measure in strong terms, but must avoid personalities, and under no circumstances should a member attack or question the motives of another member. The measure, not the member, is the subject of debate. Any personal remark must be ruled out of order by the chair.
3. All remarks must be addressed through the chair. Committee members cannot address one another directly, but must address all remarks through the chair. During debate, if a member is speaking and another member wishes to address a question to him or her, the member desiring to ask the question should raise his or her hand to address the chair, proceeding as a Point of Information.
4. Avoid the use of members' names. As much as possible, the use of names of members should be avoided in debate. It is better to describe a member in some other way, as by saying "the previous speaker", a member's debate is expected and intended to be partial.
5. Refraining from speaking adversely on a prior action not pending: During debate a member cannot reflect adversely on any prior act of the committee that is not pending at that time, unless a motion to reconsider, rescind, or amend it is pending, or unless he or she intends to conclude his or her remarks by making or giving notice of one of these motions.
6. Avoid speaking against your own motion. During debate, the maker of a motion can vote against his own motion, however, should not speak against his or her own motion. He or she need not speak at all, but if he or she does, he or she is obliged to take a favorable position. If a speaker wishes, he or she may make a request to withdraw the motion.

# Understanding Motions

## Using Motions to Help Run an Effective Meeting

There are a variety of motions that can be used under parliamentary authority. To help you better understand motions and their uses below is a guide of the major types of motions as listed in *Robert's Rules of Order, Newly Revised*. Please note that all of the motions indicate the following: whether secondable/type of vote/whether debatable.

## Common Motions

**Adjourning:** (needs 2<sup>nd</sup>, majority vote, no debate).

**Amend:** (needs 2<sup>nd</sup>, majority, debatable) allows a motion to become more specific when it is unclear or broad. An amendment must be **germane**, that is, it must have bearing on the subject of the motion being amended.

**"Call for the Question":** (needs 2<sup>nd</sup>, majority vote, no debate) when members wish to bring a motion to an immediate vote they may "call the question" to limit discussion.

**Division of a Question:** (needs 2<sup>nd</sup>, majority vote, no debate) When a motion contains several parts which may be individually debated, a motion may be **divided** (known as "division of the question" or to "divide the question.").

**Recess:** (needs 2<sup>nd</sup>, majority vote, no debate) allows for a short intermission. Acts as a privileged motion only if a main motion is pending. If no motion is pending, this motion is actually a main motion to recess.

**Reconsider:** (needs 2<sup>nd</sup>\*, majority vote, debatable only if original motion was debatable) allows a group to reconsider the vote on a motion. There is a time limit on any motion to reconsider, generally during the same or next session.

**Refer:** (needs 2<sup>nd</sup>, majority, debatable) allows the motion to be sent to a committee for further study or redrafting. (Permissible debate is restricted to the pros and cons of making the referral and not to whether the main motion has merit).

**Rescind:** (needs 2<sup>nd</sup>, majority vote if all the members who voted in favor of the motion to be rescinded or amended are present or received adequate notice. Otherwise, the two-thirds vote requirement applies to the vote to rescind, debatable) a motion used to nullify a previously adopted resolution, motion, that has been adopted at some previous time. There is an explicit right of any member to make the motion, without time limit, unlike the case in take from the table.

**Suspending the Rules:** (needs 2<sup>nd</sup>, 2/3, no debate) a motion that is used when the committee wants to discuss an issue in a way that violates standing rules or rules of order; may not interfere with the organizational bylaws and may not be made when a question is pending.

**"Table":** (needs 2<sup>nd</sup>, majority, no debate) when members wish to set aside a motion without specifying a time to resume debate on the issue, the majority of the committee has the power to immediately halt debate on the question. A question that has been laid on the table may be removed from the table with a motion to **take from the table** in the same or subsequent session through a majority vote. If the question is not taken from the table by the next meeting of the committee, it dies but may be reintroduced later as a new question.

**Remove from the Table:** (needs 2<sup>nd</sup>\*, majority vote, no debate) The motion must be made at the appropriate time in the order of business.

### **Order of Precedence of Motions**

When a motion is seconded and before the Committee, no other motion shall be received except the following:

- a. To fix the time to which to adjourn
- b. To adjourn
- c. To lay on the table
- d. For the previous question
- e. To postpone to a certain time
- f. Commit or refer
- g. To amend
- h. To postpone indefinitely

These motions have precedence in the order as listed above.

### **Voting**

Every Committee member will vote on all questions unless excused by the chairperson. The Chairperson will vote on all questions unless excused by the Board. The chair announces the results of the vote.

### **Cancellation of Meetings**

At times it is necessary to cancel a committee meeting for various reasons. Cancellation notices need to be posted in the same manner as a meeting notice where it can be viewed by the public and sent out to those who normally receive meeting notices. If a meeting is canceled on the day of the meeting due to the lack of a quorum or inclement weather, a cancellation notice should be posted at the location of the meeting, committee members, those on the agenda and those who would be attending the meeting, if known, should be contacted and made aware of the cancellation.

### **Bylaws**

In addition to establishing the use of parliamentary rules in the committee, although not required, some groups also have bylaws. Bylaws may include the following elements (articles), but again there is variation from committee to committee: Preamble; Name; Membership; Officers (Duties of Officers); Meetings; Executive Committee; Committees; Parliamentary Authority; Amendment of Bylaws.

## Committee Chairperson

At the first meeting of each calendar year, the committee should elect from its members a chairperson and vice-chairperson. Officers will hold these positions for one year or until their successors are selected.

### Role of the Chair

It is the responsibility of the chair of any committee/board to run the meetings. A chair should act as a facilitator, being as fair and neutral as possible. A chair that keeps a committee on track and on time will run a more productive and efficient meeting. Chairs that are too flexible run the risk of conducting meetings that are unstructured resulting in meetings where nothing is accomplished, and in essence a waste of the Committee's time. It is important to stick to the agenda and the business before the committee.

Here are the general duties of the Chair as listed in the *Robert's Rules of Order, Newly Revised*:

- a. To call the committee together to properly perform its functions.
- b. To preside over meetings and to put all questions before the body to a vote.
- c. To maintain order and decide all questions of order subject to appeal.
- d. To prepare, or direct the preparation of reports.

### Role of the Vice-Chair

The vice chairperson shall perform all duties of the chairperson in the absence of the chairperson.

### Tips for the Chair

Some of the most significant things a chair can do are very simple things. These include:

1. **Starting the meeting on time:** Starting a meeting late can signify to the body that you do not care.
2. **Being prepared for the meeting:** You should come prepared with information specific to the agenda. This information may help expedite the discussion.
3. **Adapting:** Much of the role of being an effective chair involves adapting to the needs of the committee. Your members will let you know when you are moving in a direction contrary to their wishes.
4. **Sticking to the agenda:** Remember that the agenda is set to allow the most efficient completion of business before the committee.
5. **Remaining neutral:** The chair should always attempt to stay clear from direct discussion of issues and any indication of partiality. Likewise, if the chair only calls on members speaking in favor of a motion, the chair may appear to be partial. A good idea is to ask for the opposite view in this case and to generally alternate between pro and con positions in debate.
6. **Staying focused:** Particularly when discussing political and controversial issues, the chair should keep the committee on task and he or she should help members maintain their focus. Discussion of a resolution often goes off track. In such cases the chair should advise the committee to confine its remarks to the pending question.

7. **Controlling the floor:** Although a chair should be flexible and attentive to the needs of the committee, a chair should not let things get out of control. By assigning the floor and controlling the procedures and demeanor of debate, an effective chair will assure that business is conducted in a fair and efficient manner.
8. **Don't be afraid to teach:** A chair should help members out when there is a question about parliamentary procedure or another matter. If the committee seems to be moving in one direction, the chair can help expedite matters. Likewise, if a member makes a long speech, the chair can ask the member if he or she would like to make a motion. A chair should also explain any decision that he or she makes. If a member is called out of order or if an amendment is declared to not be germane, a good chair will state the reasoning behind the parliamentary decision.
9. **Let the committee do the work:** The most effective chair will facilitate, not dominate. In so doing a chair must keep in mind the needs of the members. It is they who direct the course of action; a chair should only keep things running smoothly.

## **Role of Committee Members**

### **Rights of Members**

1. Receive notices of meetings
2. Attend meetings
3. Make motions
4. Second motions (when applicable)
5. Debate motions (when applicable)
6. Vote on motions (except on those on which the person has a conflict of interest)
7. Nominate persons for office and be nominated for office
8. Elect people to office and be elected to office
9. Know the meaning of the question being debated
10. Object when rules are being violated
11. Appeal the decision of the chair
12. Not have to suffer personal abuse and attack
13. Have access to all minutes of meetings

### **Duties of Members**

1. Attend meetings
2. Be on time
3. Stay until the end of meetings
4. Be ready to talk knowledgeably and intelligently on a topic
5. Be attentive and open-minded
6. Treat everyone with courtesy
7. Speak openly, but allow everyone to have their turn to speak
8. Follow the rules of debate
9. Make a point concisely
10. Attack issues, not people

11. Insist on law and order at meetings
12. Work to create dignity and decorum
13. Actively participate in meetings
14. Work with others in a cooperative fashion
15. Be familiar with the basics of parliamentary law
16. Obey the rules of the organization
17. Respect the rights of others in the organization
18. Abide by the final decision of the majority
19. Be familiar with the bylaws
20. Select qualified officers
21. Participate in committees
22. Respect the chair's rulings
23. Promote the organization's growth and influence

## Rules Of General Conduct

This **Code of Ethics** is intended to serve as the minimum standards of conduct members should follow in all of their actions as elected officials:

A committee member should:

- ✦ Properly administer the affairs of the county
- ✦ Promote decisions which benefit the public interest
- ✦ Actively promote public confidence in county government
- ✦ Keep safe all property of the county
- ✦ Conduct and perform the duties of the office diligently and promptly
- ✦ Maintain a positive County image under constant public scrutiny
- ✦ Evaluate all decisions ensuring fiscal responsibility without sacrificing quality
- ✦ Maintain professionalism in everyday dealings with the public, employees, and associates
- ✦ Maintain a respectful attitude toward employees, other public officials, Colleagues, and associates
- ✦ Comply with all laws and regulations applicable to the county

A committee member should not:

- ✦ Engage in outside interests that conflict with the impartial performance of his or her duties
- ✦ Influence or attempt to influence other officials to act in his or her own benefit
- ✦ Accept anything of value which is offered to influence his or her action as a County official



# KALAMAZOO COUNTY GOVERNMENT

In the Pursuit of Extraordinary Governance...

## ACKNOWLEDGMENT OF RECEIPT

I have read and understand the Guidelines for Kalamazoo County Government Advisory Boards and Commissions. I have received a copy of the Guidelines for Kalamazoo County Government Advisory Boards and Commissions and agree to abide by the guidelines.

Member Signature: \_\_\_\_\_

Member Printed Name: \_\_\_\_\_

Advisory Board: \_\_\_\_\_

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

Please return this form to the Committee's staff representative, who will forward to Dina Sutton in the Administrative Services office.