

**RULES OF THE CLARE COUNTY
BOARD OF COMMISSIONERS**

Adopted April 11, 2007

TABLE OF CONTENTS

ARTICLE 1 – MEETINGS.....	6
1. Board Meetings – Time and Place.....	6
1.1 Meeting Location.....	6
1.2 Organizational Meeting	6
1.3 Regular and Adjourned Regular Meetings	6
1.4 Annual Meeting	7
1.5 Special Meetings.....	7
1.6 Meetings on Legal Holidays	7
1.7 Change of Regularly Scheduled Meetings.....	7
ARTICLE 2 – ORGANIZATION	7
2.1 Chairperson and Vice Chairperson	7
2.11 Election	7-8
2.12 Secret Ballot.....	8
2.13 Duties	8
2.14 Seating	8
2.2 Conduct of Board Meeting.....	9
2.21 Form of Address	9
2.22 Disorderly Conduct.....	9
2.23 Quorum	9
2.24 Attendance	9
2.3 Order of Business.....	9
2.31 Order of Business at the Board Meetings	9-10

2.32 Agenda Deadline.....	10
2.33 Agenda Items	11
2.34 Consent Calendar Agenda	11
2.4 Rights and Duties of Commissioners.....	11
2.41 Rights and Duties.....	11-12
2.5 Statement by Chair, Motions and Resolutions.....	12
2.6 Roll call Votes	12
2.7 Order and Precedence of Motions	12
2.8 Order and Precedence of Motions continued.....	12
2.9 Motions to Reconsider	12-13
2.10 Appeal of a Decision of the Chairperson.....	13
2.11 Comments from the Public	13
2.12 Motion to Clear the Floor	13
ARTICLE III. - CLERK OF THE BOARD.....	13
3.1 Official Clerk and Duties.....	13-14
3.2 Open Meetings Act Posting Requirements	14
3.3 Minutes and Official Records	14
3.4 Record of Discussion	14
3.5 Request for Remarks to be Included.....	14
3.6 Public Access to Meeting Records	15
ARTICLE IV. – COMMITTEES.....	15
4.1 Standing Committees	15
4.11 Justice.....	15

4.12 Health and Human Services.....	15-16
4.13 Physical Resources and Economic Development	16
4.14 Finance and Administration.....	16
4.15 Each Committee shall provide an oversight	17
4.16 Statutory Finance Committee	17
4.2 General Duties of Standing Committees.....	17
4.21 Each committee shall meet	17
4.22 All matters presented	17
4.23 All information to be placed on standing committee agenda	17
4.24 Each committee shall act as liaison	17
4.25 The County Administrator shall attend.....	17
4.26 Each standing committee shall have and perform	17
4.3 Special Committees	18
4.4 Work Session (Committee of the Whole).....	18
ARTICLE V – ADMINISTRATION	18
5.1 Signing of Documents.....	18
5.2 Publication of Procedures	18-19
ARTICLE VI – BOARD OF COMMISSIONERS SALARIES	19
6.1 The salary of each Commissioner.....	19
6.2 Board of Commissioners Per Diem Payments.....	19
ARTICLE VII. – AMENDMENTS, RULES AND SUSPENSION CHANGES	19
7.1 These rules may be amended,	19

7.2 Parliamentary Authority 19

ARTICLE VIII. – BOARD AND COMMISSION VACANCIES..... 19

8.1 Board and Commission Vacancies (Citizens/Non-Commissioners) 19-20

8.2 Commissioner Vacancy 20-21

**RULES OF THE
CLARE COUNTY BOARD OF COMMISSIONERS**

ARTICLE I – MEETINGS

1. BOARD MEETINGS – TIME AND PLACE

1.1 Meeting Location The Board of Commissioners shall convene for the purpose of holding meetings in the Clare County Building in the City of Harrison, or any other location within the boundaries of Clare County, provided proper notice is given to the public, pursuant to the Open Meetings Act, 1976 PA 267, as amended.

1.2 Organizational Meeting The Board of Commissioners shall meet on the **second Wednesday of the new year at 9:30 a.m.** after a general election to conduct an “Organizational” meeting. In a non-election year, the first meeting in each calendar year shall be the organizational meeting. At the organizational meeting following the general election, the County Clerk shall preside. As the first item of business, the County Clerk shall administer the oath of office to the Commissioners if the oath has not previously been administered. The second item of business shall be the election of the Chairperson of the Board. The third item shall be the election of the Vice-Chairperson. The fourth item of business shall be scheduling the year’s regular meeting.

1.3 Regular and Adjourned Regular Meetings The Board of Commissioners shall meet on the **second Wednesday at 9:30 a.m. of each month** unless another scheduled meeting has been approved. Unless the Board provides otherwise, the motion to adjourn any meeting of the Board of Commissioners, whether regular, special or emergency shall mean to adjourn to the next succeeding regular meeting.

1.4 Annual Meeting The Annual Meeting as required, under MCL 46.1, shall be the **second** Wednesday in October, (recess from meeting to meeting if necessary).

1.5. Special Meetings The Board of Commissioners may also convene for the purpose of holding special meetings upon the written request of at least one-third (1/3) of the commissioners elected and serving. Special meeting requests must be submitted to the County Clerk, specifying the time, date, location and purpose of such meetings. When a special meeting is called as provided above, the County Clerk shall immediately give written notice to each Commissioner at least twenty-four (24) hours before the time of such meeting by fax, personal delivery or leaving a notice at the Commissioner's residence. The Clerk shall post at least eighteen (18) hours before the meeting, a public notice, as required by 1976 PA 267.

1.6. Meetings on Legal Holidays

Any regular or adjourned meetings of the Board which fall on a legal holiday shall automatically be set over to the next working day following that is not a legal holiday, at the same time and place indicated for the original meeting.

1.7 Change of Regularly Scheduled Meetings

Whenever the Board of Commissioners shall change a regularly scheduled meeting, a posting notice of the change will take place as required by the Open Meetings Act.

ARTICLE II ORGANIZATION

2.1 CHAIRPERSON AND VICE CHAIRPERSON

2.11 Election

The County Board of Commissioners shall elect 1 member as chairperson and 1 member as vice-chairperson. The chairperson shall be elected each odd numbered year for a 2-year term, unless the county board of commissioners provides by resolution that the chairperson shall be elected annually for a 1-year term. The vice-chairperson shall be elected annually for a 1-year term. The election of a chairperson or vice-chairperson shall take place at the first meeting of the county board of commissioners in a year in which a chairperson or vice-chairperson, respectively, is to be elected. The term of a chairperson or vice-chairperson shall begin upon his or her election. A

resolution providing for a 1-year term for the chairperson does not shorten the term of office of a sitting chairperson elected for a 2-year term.

Section 2.3 If the Commissioners present shall not cast a majority for one nominee, the County Clerk shall continue to preside until a majority of Commissioners elects one of its members to be Chairperson. The Board of Commissioners may proceed onto other agenda items, as they shall decide.

Section 2.4 The newly elected Chairperson shall assume that office and proceed with the election of the office of Vice-Chairperson, which shall be conducted by roll call vote.

Section 2.5 The Chairperson of the Board shall appoint members of the Standing Committees and designate the members serving on a Standing Committee. The Chairperson of the standing committee shall rotate every four (4) months.

2.12 Secret Ballot:

The election of the Chairperson may be conducted by use of a Secret Ballot, as provided by state statute. No other matter may be decided by the use of a Secret Ballot.

2.13 Duties

The Chairperson shall preside at all meetings of the Board of Commissioners and decide all questions of order, subject to appeal to the full Board. In the absence of the Chairperson, the Vice-Chairperson shall fulfill the responsibility of the Chairperson.

The Chairperson shall arbitrate all jurisdictional disputes between committees, subject to these Rules and subject to an appeal to the full Board.

2.14 Seating

Following the elections of the Chairperson and of the Vice Chairperson of the Board of Commissioners, the County Administrator shall take the chair to the immediate left of the Chairperson.

2.2 CONDUCT OF BOARD MEETINGS

2.21. Form of Address

Board members wishing to speak shall first obtain the approval of the chair and each person who speaks shall address the chair. Other persons at the meeting shall not speak unless recognized by the chair.

2.22 Disorderly Conduct

The chair may call to order any person who is being disorderly by speaking or otherwise disrupting the proceedings, by failing to be germane, by speaking longer than the allotted time, or by speaking vulgarities. Such person shall thereupon be seated. If the person shall continue to be disorderly and to disrupt the meeting, the chair may order the sergeant-at-arms or the Sheriff to remove the person from the meeting. No person shall be removed from a public meeting except for an actual breach of the peace committed at the meeting.

2.23 Quorum

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, and questions which arise at meetings shall be determined by the votes of a majority of the members present, except upon the final passage or adoption of a measure or resolution, or the allowance of a claim against the County, in which case a majority of the members elected and serving shall be necessary.

2.24 Attendance

As a matter of courtesy, it is requested that no member of the County Board absent himself or herself without first notifying leave from the Chairperson of the Board of Commissioners or the County Administrator's Office.

2.3 ORDER OF BUSINESS

2.31 The following shall be the order of the business at the Board meetings

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Approval of Agenda
- V. Approval of Minutes
- VI. General Public Comment (limited to three minutes per speaker)
- VII. Communications List

- VIII. Public Hearings/Special Presentations
- IX. **Committee of the Whole** Reports/Consent Calendar
 - A. Justice Committee
 - B. Health and Human Services
 - C. Physical Resources and Economic Development
 - D. Finance and Administration
- X. Chairperson Report (Limited to five minutes.)
- XI. Vice Chairperson Report (Limited to five minutes.)
- XII. Commissioner Report (Limited to five minutes each Commissioner.)
- XIII. Administrator Report (Limited to three minutes.)
- XIV. Public Comment (limited to three minutes per speaker)
- XV. Unfinished Business
- XVI. New Business
- XVII. Adjournment

Note: Agenda may be varied to accommodate the requirements of evening meetings or upon the majority vote of those Commissioners seated.

2.32. Agenda Deadline

All information to be placed on the agenda for the Board of Commissioners must be submitted to the County Administrator by 12:00 noon on the Wednesday prior to the regular meeting date. However, a County Commissioner may request to add an item to the agenda at any meeting and may only be considered at that meeting by a majority vote of the Board. Such items shall be considered under "New Business", and acted upon or referred to the appropriate committee, whichever action is the pleasure of the Board. The agenda, including all reference and support documents, shall be delivered to each Commissioner in the most effective manner available. Copies of the agenda will also be made available to the public and the news media. No committee report or regular item of business, other than routine claims or reports will be considered for action unless a copy of it has been given to each Commissioner with the agenda or delivered to each Commissioner no later than the starting time of the meeting.

Any late item may be added to the agenda as allowed by a vote of the Board of Commissioners. They shall be distributed to Commissioners at the beginning of the Board meeting. A five (5) minute recess may be granted at the request of the Commissioner prior to the consideration of late agenda items.

2.33 Agenda Items The item of "Approve the expenditures for the month" shall automatically be placed **on the Board agenda.**

2.34 Consent Calendar Agenda: The Board may use a Consent Calendar Agenda under the following conditions:

- A. The Board Chairperson and/or Board Vice Chairperson shall, with input from the County Administrator, determine which items on the Board Agenda shall be considered on the Consent Calendar Agenda. The Consent Calendar Agenda items shall be designated with an asterisk (*) to the immediate left of the agenda item.
- B. After announcing that a motion has been made for the approval of the Consent Calendar Agenda items, the Board Chairperson shall announce if a Commissioner wishes to remove an item from the Consent Calendar Agenda. If a request is made, then the item will be removed from the Consent Calendar Agenda and voted on separately.

2.4. RIGHTS AND DUTIES OF COMMISSIONERS

2.41 Every motion or resolution must be properly seconded prior to any discussion of the question. The sponsor shall have the right to speak for up to five (5) minutes in support of the motion or resolution. Each Commissioner shall then have the right to speak for up to five (5) minutes on the issue at hand with the prior recognition of the Chairperson. No Commissioner may speak more than once on the same question, except upon special permission by the Chairperson or the Board. The Board should also have the authority to allow one (1) of its members to speak for more than five (5) minutes and not just the Chairperson. There shall be no interruption of a speaker once he/she has been recognized by the Chairperson. The Chairperson may preserve the privilege of speaking last on every motion or resolution. Every Commissioner shall vote on all questions unless there is a conflict and the Commissioner requests to abstain and the Chairperson excuses the Commissioner. The Chairperson shall vote on all questions unless there is a conflict and the Chairperson requests to abstain and the Board excuses the Chairperson. The Chairperson will maintain order at all times pursuant to these rules.

2.5. Statement by Chair, Motions and Resolutions

All motions and resolutions except procedural motions may be required to be in writing upon the demand of any member. A request to recess for the purpose of writing out a motion or resolution shall be in order. No motion or resolution shall be considered until the motion is stated by the moving Commissioner or repeated as presented by the County Clerk or that individual recording the minutes of the meeting.

2.6. Roll call Votes

The names and votes of commissioners shall be recorded on board actions to adopt ordinances, motions, resolutions, fiscal matters and the appointment or election of officers. Upon the demand of any Commissioner seated, a roll call vote shall be taken on any motions and actions. (Also see Section 3.3.)

2.7. Order and Precedence of Motions

1. To adjourn – No debate.
2. To call the previous question – No debate.
3. To limit or extend limits of debate.
4. To postpone to a certain day.
5. To table.
6. To refer to committee.
7. To amend.

2.8. Order and Precedence of Motions continued:

1. A motion to adjourn shall not be in order while a vote is being taken.
2. Any motion or resolution may be amended prior to calling the previous question if the amendment is properly seconded. In such cases, the amendment will be voted on prior to the main question.

2.9. Motions to Reconsider

A motion for the reconsideration of any question shall be in order if made on the same day or at the Board meeting next succeeding that on which the decision proposed to be reconsidered was made; providing, however, that a second reconsideration of any question or a reconsideration at a later date may be had with the consent of two-thirds (2/3) of the members elected and serving, but in such event, the moving member shall file written notice of his/her intention to move for a

reconsideration in the office of the Clerk of the Board at least one day before making such a motion, or upon the approval of two-thirds (2/3) of those Commissioners elected and serving if a reconsideration is made without written, prior notification.

2.10. Appeal of a Decision of the Chairperson

When an appeal is taken from the decision of the Chairperson, the member taking the appeal shall be allowed to state his/her reason for doing so. The question shall be then immediately put in the following form: “Shall the ruling of the Chairperson be sustained?” The question shall be determined by a majority vote of the members present except the Chairperson shall not preside over such a vote.

2.11. Comments from the Public

Only members of the Clare County Board of Commissioners will be allowed to speak while a meeting is in session unless permission is granted by the Chairperson, or the majority of the Board of Commissioners, for another person to speak, except during Public Comment. Public comment will be limited to three (3) minutes per individual.

2.12. Motion to Clear the Floor

If, in the judgment of the Chairperson, there is confusion on a parliamentary procedure, the Chairperson shall have the right to request “a Motion to Clear the Floor” which motion, made and seconded, shall be forthwith put by the Chair, and if carried, shall clear the floor completely and with the same effect as if all matters on the floor were withdrawn.

ARTICLE III. CLERK OF THE BOARD

3.1. Official Clerk and Duties

The duly elected or appointed Clerk of Clare County shall be the Clerk of the Board of Commissioners. The Clerk, or a duly appointed deputy, shall perform all duties pertaining to such office as required by law.

3.2 Open Meetings Act Posting Requirements

The Clare County Clerk shall perform all posting functions required by the Open Meetings Act, 1976 PA 267. Meeting notices shall be posted on the **bulletin board at the main South entrance of the Clare County Building.**

3.3 Minutes and Official Records

The County Clerk shall be clerk of the Board and shall be responsible for maintaining the official record and minutes of each meeting of the Board. The minutes shall include all the decisions of the Board. The minutes shall include the names of the mover and seconder and the vote of each member of the Board. (Also see Section 5.2 Publication of Proceedings.)

3.4. Record of Discussion

The Clerk shall not be responsible for maintaining a written record or summary written record of the discussion or comments of the board members nor of the comments made by members of the public. The Clerk, however, shall be responsible for making an electronic tape recording of each meeting of the Board of Commissioners (other than a closed session), and each such recording shall be maintained in the office of the Clerk until the minutes have been formally adopted. In accordance with state statute, an electronic tape recording of each CLOSED SESSION meeting of the Board of Commissioners shall be maintained for a period of not less than twelve (12) months and one day following the date of the meeting. Thereafter, the recording shall be erased unless directed by the Board.

3.5. Request for Remarks to be Included

Any Commissioner may have his or her comments printed as part of the record upon the concurrence of a majority of the other members. Such comments to be included in the record shall be provided in writing by the Commissioner making the request.

3.6. Public Access to Meeting Records

The Clerk shall make available to members of the public the records and minutes of the board meetings in accordance with the Freedom of Information Act and the Open Meetings Act. Board minutes, prepared but not approved by the Board, shall be available for public inspection not more

than eight business days following the meeting. Minutes approved by the Board shall be available within five business days of the meeting at which they were approved. The Clerk shall also promptly mail copies to persons who have requested them as required by the Freedom of Information Act and the Open Meetings Act.

ARTICLE IV. COMMITTEE OF THE WHOLE

4.1 Committee of the Whole

The Board of Commissioners shall meet as a Committee of the Whole, which shall consist of all seven (7) members. The Committee of the Whole shall conform to the requirements of the Open Meetings Act. The Committee of the Whole agenda items shall fall under the following major categories:

4.11 JUSTICE – Responsible for the following Offices/Services

Ambulance
Medical Control
911
Animal Control
Civil Defense
Courts
Medical Examiner
Prosecutor
Sheriff/Jail
Child Care Fund

4.12 Health and Human Services - – Responsible for the following Offices/Services

Clare County Housing
Clare Co. Human Service Coordinating – Collaborative Body
Commission on Aging/Senior Service Nutrition
Department of Human Services (formerly Family Independence Agency)
Mental Health
Michigan Works (Region VII B)
Mid Michigan Community Action Agency
Public Health
Region VII AAA
Substance Abuse
Veterans Affairs

4.13 Physical Resources and Economic Development - Responsible for the following Offices/Services

Airport
Bldg & Grounds
Brownfield Redevelopment
Building. & Electrical

Convention and Visitors Bureau
Cooperative Extension/Fair Board
Drain
Department of Public Works
Economic Development
Enterprise Community
Equalization
Gypsy Moth
Environmental Affairs
Middle Michigan Development Corporation
Planning Commission
Parks and Recreation
Renaissance Zone
Rural Partners of Michigan
Middle Michigan Development Corporation
Soil Conservation
Solid Waste
Transit
East Central Michigan Planning and Development
Road Commission
Transportation

4.14 Finance and Administration - Responsible for the following Offices/Services

Board of Commissioners
Administration
Personnel/Salary
Legal/Bonds/Purchasing
Negotiations
Policy and Procedures/Rules
Insurance/Health/Liability
Budget and Finance
Communications
Computer Committee
Management
County Directory
Clare/Gladwin Equity Distribution
Clerk/Register/Abstract
Treasurer

4.15. The Committee of the Whole shall provide an oversight function for the board, between the Board and the various County offices, Boards, and agencies The Committee of the Whole will not be involved in the management functions of County Offices.

4.16. Statutory Finance Committee

The Statutory Finance Committee shall consist of **not less than two (2)** Commissioners appointed by the Chairperson of the Board and shall be responsible for

reviewing provided and approving all claims as required by State Statute. The Finance Committee meeting schedule shall coincide with the accounts payable timeframes.

Additional duties may be assigned to the Committee by the full Board of Commissioners.

4.2. General Duties of the Committee of the Whole

- 4.21. The Committee of the Whole (“committee”) shall meet generally the week prior to the regularly scheduled Board meeting and report to the full Board upon all matters referred to the committee by the Board.
- 4.22. All matters presented to the committee shall be presented first to the County Administrator, who shall then present same to the committee.
- 4.23. All information to be placed on the committee agenda must be submitted to the County Administrator by seven calendar days prior to the scheduled committee meeting date outlined earlier in these rules. However, late items may be added to the Committee agenda **upon the discretion of the Chairperson** .
- 4.24. The committee shall act as liaison between the Board and the various county offices, boards and agencies which are applicable to that committee.
- 4.25. The County Administrator or his/her representative shall attend each committee, prepare an agenda for each and take **unofficial** minutes **with the County Clerk taking official minutes per state statute**.
- 4.26. The committee shall have and perform such other duties as the Board may direct.

4.3. Special Committees

There shall be, in addition to the Committee of the Whole, such other special committees as the Chairperson, from time to time, may appoint and establish subject to the approval by the Board. The membership of all such special committees shall automatically expire on December 31 in the year of its creation.

4.4. Work Sessions (Special Committee of the Whole)

Whenever the Board shall meet in “work sessions” the Board shall meet as a special committee of the whole. Generally, the work sessions will be devoted to a single issue that may require additional discussion of all commissioners. The Chairperson or Vice Chairperson shall preside. Work sessions shall conform to the requirements of the Open Meetings Act.

ARTICLE V ADMINISTRATION

5.1. Signing of Documents

The Chairperson shall be the signatory of all contracts, bonds, and other documents, which require the signature of the Board of Commissioners. In the event the Chairperson is unable to perform this duty, then the Vice-Chairperson shall fulfill the signature requirements.

5.2. Publication of Proceedings

The Clerk of the Board shall keep minutes of each meeting showing the date, time location, members present, members absent, any decisions reached at a meeting open to the public, and the purpose or purposes for closing a segment of a meeting to the public. The minutes shall include all votes taken at the meeting. The minutes taken at a Board meeting shall be public records, open to the public inspection with copies made available to the public at the County Clerk’s office. Proposed minutes of each board meeting shall be available to the public for inspection not more than eight (8) business days after the Board meeting. Approved minutes shall be available to the public at the County Clerk’s office not later than five (5) business days after the meeting at which the minutes are approved by the Board of Commissioners. (Also see Section 3.3 Minutes and Official Records.)

ARTICLE VI. BOARD OF COMMISSIONERS SALARIES

6.1 The salary of each Commissioner shall be established by the full Board according to the provisions of the law.

6.2. Board of Commissioners Per Diem Payments

All Commissioners will strictly adhere to the Clare County Per Diem Policy when submitting vouchers for the payment of Per Diem. Per diem requests submitted for approval must be

submitted within 60 days after the per diem request is incurred unless a longer time frame is allowed by a majority vote of those Commissioners elected and serving. Regardless, all per diem requests incurred in a fiscal year must be submitted and approved prior to the end of the County's fiscal year unless otherwise approved by a majority vote of those Commissioners elected and serving.

ARTICLE VII. AMENDMENT, RULE AND SUSPENSION CHANGES

7.1 These rules may be amended, changed or suspended at any time upon the majority vote of the total Board of Commissioners. Otherwise, these rules shall remain in effect until rescinded, amended or suspended. Any amendment or change shall take immediate effect unless otherwise stated by the Board of Commissioners at the time of the amendment or change.

7.2 Parliamentary Authority

All questions of procedures, which are not stated in these rules, shall be governed by Robert's Rules of Order (Second edition) with clarification by the attorney(s) of the Board.

ARTICLE VIII. BOARD AND COMMISSION VACANCIES

8.1 Boards and Commission Vacancies (Citizens/Non-Commissioners)

a. Prior written and public notice must be given whenever a vacancy occurs on one of the Boards or Commissions which the Board of Commissioners is responsible for filling, provided that such vacancy is one which will be filled by a member or the general public; such public notice should describe the nature of the Board of commission, the duties of the members and the terms of the office. The public notice should also indicate where applications can be obtained and the deadline for filing such applications.

b. It shall be the responsibility of the Board Chairperson to direct the County Administrator to prepare public notices of vacancies. Such action shall not require Board approval.

c. Public notice of vacancies on Boards or Commissions shall take the form of a notice or press release prepared by the County Administrator and made available to a newspaper regularly published in Clare County.

- d. Public notice must be given to the above newspapers at least two (2) weeks prior to the committee meeting at which consideration of the appointments will occur.
- e. The County Administrator shall be responsible for notifying the Board Chairperson of changes in Committee memberships, and at least sixty (60) days prior to the expiration of any term of office on any Board or Commission which members are appointed by the Board of Commissioners.
- f. The committee reports on appointments shall include:
 - 1. The name of the person(s) nominated by the committee to fill a vacancy or vacancies.
 - 2. The name of all other persons who applied for the appointment.
 - 3. The term of the committee appointment
- g. When nominations are closed, appointments will be made by a majority vote of the Board.

8.2 Commissioner Vacancy - When a vacancy occurs in the office of Commissioner by death,

resignation, removal from the district, or removal from office, the vacancy shall be filled:

- a. by appointment within thirty (30) days by the County Board of Commissioners of a resident and registered voter of that district. A person who has been convicted of a violation of section 12a(1) of Act No. 370 of the Public Acts of 1941, being section 38.412a of the Michigan Compiled Laws, shall not be eligible for appointment to the office of county commissioner for a period of 20 years after conviction. The person appointed to fill a vacancy which occurred in an odd numbered year shall serve until the vacancy is filled **within the required election date**. The person appointed to fill a vacancy which occurs in a year which is an election year for the office of County Commissioner shall serve for the remainder of the unexpired term.
- b. If the County Board of Commissioners does not fill the vacancy by appointment within thirty (30) days, the vacancy shall be filled by a special election regardless of whether the year is an election year or an odd year.
- c. The above procedure shall be utilized unless otherwise amended by State law

Adopted April 11, 2007