

MEMORANDUM

To: Washtenaw County Board of Commissioners
From: Curtis N. Hedger, Office of Corporation Counsel
Re: Proposed Changes to Board Rules for 2014
Date: January 3, 2014

I'm attaching a copy of the proposed Board of Commissioners Rules for 2014. I am recommending the following revisions to the Rules, most of which clarify the existing rules.

In Rule III O(2)—Voting I've added language to show that while most procedural questions which arise at a Board meeting are still to be decided by a majority of the Board members present, the specific Rules to Close Debate in Committees and Suspend/Amend or Rescind the Board Rules retain higher voting requirements.

In Rule III R, I added language which clarifies that to amend or rescind a Board rule requires a 2/3rds vote of Commissioners elected and serving unless prior notice of such action is given at a prior meeting, in which case a majority of Commissioners elected and serving may amend or rescind a Board rule.

In Rule III T—Final Action on Day of Introduction, I changed the voting requirement to pass a Resolution through Ways & Means and the Board of Commissioners on the same night from a 2/3rds vote of Commissioners elected and serving to a simple majority of Commissioners elected and serving. This change was made because MCLA 46.3 provides that the final passage of a resolution by a county board of commissioners shall be determined by a majority of commissioners elected and serving. There is no provision in this statute giving a board of commissioners the discretion to impose a higher 2/3rds voting requirement to approve the final passage of a resolution the same day upon which it is introduced at a Ways & Means meeting; accordingly, I removed the 2/3rds voting requirement in this section and replaced it with a simple majority of Commissioners elected and serving.

Finally, in Rule XI-Working Session Procedures, I added language to clarify that while a quorum of Commissioners may attend a Working Session meeting, it is not intended to be an official meeting of the Board of Commissioner and as such, binding action may not be taken at a

Working Session meeting. This language simply clarifies the existing status of Working Session meetings.

The changes are in a bold/strike through format. Please call or e-mail me if you have questions on these proposed changes.