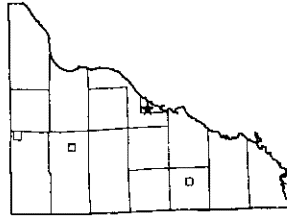


Presque Isle County Board of Commissioners

COMMISSIONERS

District 1 – Robert Schell
District 2 – Allan H. Bruder
District 3 – Michael A. Darga
District 4 – Carl L. Altman
District 5 – Stephen Lang



CHAIRMAN
Allan H. Bruder

VICE-CHAIRMAN
Stephen Lang

COUNTY CLERK &
CLERK TO THE BOARD OF
COMMISSIONERS
Susan M. Rhode

PRESQUE ISLE COUNTY CAPITALIZATION POLICY

Presque Isle County will properly account for fixed assets.

Guidelines:

1. **HISTORICAL COST.** All fixed assets will be recorded at cost. Cost includes all expenditures required to place the asset in service, including but not limited to the purchase price, shipping charges, insurance, sales tax, and installation charges.
2. **EXPENDITURES.** All expenditures under \$10,000 will be expensed and all others will be depreciated.
3. **DEPRECIATION SCHEDULE.** Fixed assets will be depreciated over the useful life of the asset. Assets will remain on the books at cost for as long as Presque Isle County owns the asset. Depreciation will accumulate in a contra asset account. When Presque Isle County disposes of an asset, the cost and applicable depreciation accounts will be removed from the books. Any difference between the net book value of the asset sold and the sales price will be recorded as a gain or loss.

Adopted this 27th day of June, 2007, by the Presque Isle County Board of Commissioners.

151 E. Huron Ave.
P.O. Box 110
Rogers City, MI 49779

Phone: (989) 734-3288
(800) 334-5698

Fax: (989) 734-7635

CONTRACT FOR SERVICES

THIS AGREEMENT IS entered into by the County of Presque Isle (hereinafter "County"), and _____ name of service organization _____ (hereinafter "_____"), on the date last signed below.

IT IS AGREED:

1. _____ organization _____ will provide educational and/or recreational activities for the citizens of Presque Isle County which will enhance social growth and historical perspectives and will ensure a smoke-free and drug-free environment welcoming to families and individuals alike, without regard to race, color, national origin, gender, or political or religious beliefs.
2. Provisions of the opportunities for providing educational and/or recreational activities shall be entirely within the determination, discretion and control of _____ organization _____.
3. In payment for the above services, County grants to _____ organization _____ the sum of _____ Dollars (\$_____) to be used in providing the described benefits, and more specifically for the purpose of _____.
4. _____ organization _____ indemnifies and holds harmless the County from any incident or liability pertaining to this grant of funds or the provision of such benefits.
5. This document sets forth the entire agreement of the parties and there are no other promises or conditions either oral or written. Any modification or amendment of the agreement must be in writing and signed by all parties.

EXECUTED this _____ day of _____, 2008 on behalf of the County as authorization is shown in the official minutes of the Board of Commissioners.

XXXXXXXXX _____, Chairman

EXECUTED this _____ day of _____, 2008 on behalf of _____ organization _____ with full authority of the organization as authorization is shown in its minutes.

XXXXXXXXX _____, Official Title

AGREEMENT

THIS AGREEMENT, made and entered into this ____ day of _____ by and between the **COUNTY OF PRESQUE ISLE**, a municipal corporation and political subdivision of the State of Michigan (hereinafter referred to as the "County"), and the _____, a Michigan non-profit organization. (hereinafter referred to as the "Contractor").

WITNESSETH:

WHEREAS, the County desires the Contractor to provide Advertisement services; and

WHEREAS, the services contracted pursuant to this Agreement are a proper concern of the County and are services that the County could otherwise perform pursuant to law.

NOW, THEREFORE, for and in consideration of the mutual covenants hereinafter contained, **IT IS HEREBY AGREED** as follows:

FIRST: Program to be Operated by Contractor. The Contractor shall develop and implement a program to provide advertisement services which will focus on bringing tourism and resorters to Presque Isle County.

SECOND: Duties of Contractor. The Contractor, in accordance with the general purposes and objectives of this Agreement as herein specified, shall:

- A. Develop, administer and operate the program for advertising.
- B. Provide the necessary administrative, professional and technical staff for the operation of the program, and be responsible for such staff members if needed for advertising.
- C. Utilize record and report forms as prescribed.
- D. Submit reports as hereinafter stated.
- E. Keep a separate set of books for the program.
- F. Not commingle funds for the program with any other funds.

THIRD: Agreement Period and Termination. The Contractor shall commence performance of the services and obligations required of it hereunder on the day this contract is signed through the end of the _____ program for 2010.

If the Contractor fails to fulfill in a timely and proper manner its obligations under this Agreement, or shall violate any of the covenants, agreements and stipulations herein, the County shall give the Contractor written notice of such breach and in the event that the Contractor has not remedied such breach within ten (10) days, the County, within its sole discretion, shall have the right to terminate this Agreement. Such termination shall take immediate effect upon receipt of written notice by the Contractor. It is expressly understood and agreed by the Contractor that in the event of a breach of this Agreement and its termination by the County, the County in addition to the recovery of funds as provided hereunder, reserves the right to seek any other remedies available at law and/or equity.

FOURTH: Compensation. It is expressly understood and agreed that in no event will the total compensation to be paid by the County to the Contractor under this Agreement exceed the sum of _____ (\$_____). The Contractor shall receive said compensation in one sum payment, or as otherwise directed by the County Board of Commissioners. Payment by the County to the Contractor is subject to the availability of funds.

In the event that the funds granted in this Agreement or any portion thereof are found to be unauthorized by either the laws of the State of Michigan, an opinion issued by the Michigan Attorney General, a Michigan Court Decision, or in any future audit of the County, the Contractor shall reimburse the County for all such funds found to be unauthorized.

FIFTH: Return or Use of Excess Funds. Any unused and unobligated funds provided under this Agreement in the Contractor's possession when this Agreement terminates shall be returned to the County or used in accordance with instructions provided by the County.

SIXTH: Fees, Charges or Contributions. Under no circumstances shall fees or charges of any nature be solicited or required by the Contractor for services provided by the Contractor under this Agreement, without the prior written approval of the County.

SEVENTH: Accounting Procedures. The Contractor's accounting procedures and internal financial controls shall conform to generally accepted accounting practices in order that the costs allowed by this Agreement can be readily ascertained and expenditures verified therefrom.

EIGHTH: Expenditure and Receipt Reports. The Contractor shall prepare and submit expenditure and receipt reports as requested by the County. Time sheets, mileage records and all other documentation of expenditures pursuant to this Agreement shall be available for inspection by authorized representatives of the County.

NINTH: Annual and Evaluation Reports. The Contractor shall prepare and submit to the County the following reports:

- A. Reports, including programmatic and financial data, on the activities of the Contractor and the services provided pursuant to this Agreement, shall be submitted on or before the end of the _____ program for 2010. The County and the Contractor shall not enter into any contracts with each other after the termination of this Agreement until the County has received and approved the Contractor's second semi-annual report.
- B. Further evaluation reports when and as requested by the County.

The County shall determine what information shall be contained in each of the aforementioned reports. If any report is not completed to the satisfaction of the County, the County shall return the same to the Contractor, setting forth the additional information desired. The Contractor shall resubmit the report with the appropriate changes no later than two (2) business days after its return by the County. The Contractor shall submit any other reports to the County when and as requested by the County, provided at least five (5) days prior written notice is given to the Contractor.

TENTH: Report Forms. In the event the County furnishes forms for any of the reports required under this Agreement, such forms shall be used by the Contractor.

ELEVENTH: Access to Books, Documents, Papers and Records. All books, documents, papers and records, including, but not limited to, canceled checks, invoices, vouchers, purchase orders and contracts of the Contractor shall be open to inspection during regular working hours by the County through the County Board of Commissioner or his designee. Refusal to allow the County or its representatives access to said records shall constitute a material breach of this Agreement and grounds for termination.

TWELFTH: Maintenance of Records. The Contractor shall keep and maintain records covering persons served, the services rendered and expenditures made pursuant to this Agreement for three (3) years after termination of this Agreement or until a final audit has been performed, whichever occurs later. In the event an audit has not been performed within said three (3) year period, the Contractor shall notify the County in writing and request such an audit or permission to dispose of the records.

THIRTEENTH: Nondiscrimination. The Contractor, as required by law shall not discriminate against a person to be served or an employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, gender identity, sexual orientation, disability that is unrelated to the individual's ability to perform the duties of a particular job or position, height, weight,

marital status, or political affiliation. The Contractor shall adhere to all applicable Federal, State and local laws, ordinances, rule, regulations and policies prohibiting discrimination, including, but not limited to, the following:

- A. The Elliott-Larsen Civil Rights Act, 1976 PA 453, as amended.
- B. The Persons with Disabilities Civil Rights Act, 1976 PA 220, as amended.
- C. Section 504 of the Federal Rehabilitation Act of 1973, P.L. 93-112, 87 Stat 355, and regulations promulgated thereunder.
- D. The Americans with Disabilities Act of 1990, P.L. 101-336, 104 Stat 327 (42 USCA §12101 et seq), as amended, and regulations promulgated thereunder.

Breach of this section shall be regarded as a material breach of this Agreement. In the event the Contractor is found not to be in compliance with this section, the County may terminate this Agreement effective as of the date of delivery of written notification to the Contractor.

FOURTEENTH: Compliance with the Law. The Contractor shall administer the program and provide all the services to be performed under this Agreement in complete compliance with all applicable Federal, State and local laws, ordinances, rules and regulations.

FIFTEENTH: Compliance with Transient Merchant Act. The Contractor and those with whom it may contract to perform services under this Agreement shall to the extent applicable, comply with Act 51 of the Public Acts of 1925 (MCL 445.371 *et seq.*), as amended, which regulates transient merchants and requires reporting to and if applicable, obtaining a license from the County's County Treasurer. The term "transient merchant" means any person, firm association, or corporation engaging temporarily in a retail sale of goods, wares, or merchandise, in any place in the State of Michigan, and who, for the purpose of conducting business, occupies any lot, building, room, or structure of any kind unless exempted from such definition by MCL 445.371, as amended.

SIXTEENTH: Independent Contractor. It is expressly understood and agreed that the Contractor is an independent contractor. The employees, servants and agents of the Contractor shall in no way be deemed to be and shall not hold themselves out as the employees, servants or agents of the County. The Contractor's employees, servants and agents shall not be entitled to any fringe benefits of the County such as, but not limited to, health and accident insurance, life insurance, paid vacation leave, paid sick leave or longevity. The Contractor shall be responsible for paying any salaries, wages or other compensation due its employees for services performed

pursuant to this Agreement and for the withholding and payment of all applicable taxes, including, but not limited to, income and social security taxes to the proper Federal, State and local governments.

SEVENTEENTH: Indemnification and Hold Harmless. The Contractor shall, at its own expense, indemnify, protect, defend and hold harmless the County, its elected and appointed officers, employees, and agents from all claims, damages, lawsuits, costs, and expenses, including but not limited to, all costs from administrative proceedings, court costs and attorney fees they may incur as a result of any acts, omissions or negligence of the Contractor, its employees, agents or subcontractors that may arise out of this Agreement.

EIGHTEENTH: Waivers. No failure or delay on the part of the County in exercising any right, power or privilege hereunder shall operate as a waiver thereof, nor shall a single or partial exercise of any right, power or privilege preclude any other or further exercise of any other right, power or privilege.

NINETEENTH: Modifications, Amendments or Waiver of Provisions of the Agreement. All modifications, amendments or waivers of any provision of this Agreement shall be made only by the written mutual consent of the parties hereto.

TWENTIETH: Assignment or Subcontracting. The Contractor shall not assign, subcontract or otherwise transfer its duties and/or obligations under this Agreement.

TWENTY-FIRST: Power to Diminish or Terminate Compensation for Failure to Comply with Agreement. In the event that the Contractor fails to fulfill any of the terms or conditions of this Agreement in a timely and diligent manner as determined by the County, the County reserves the right to reduce or diminish or terminate the compensation set forth in the **FOURTH** section in a manner which reflects such noncompliance.

TWENTY-SECOND: Disregarding Titles. The titles of the sections set forth in this Agreement are inserted for the convenience of reference only and shall be disregarded when construing or interpreting any of the provisions of this Agreement.

TWENTY-THIRD: Complete Agreement. This Agreement, the Exhibits A and B, and any additional or supplementary documents incorporated herein by specific reference contains all the terms and conditions agreed upon by the parties hereto, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement or any part thereof shall have any validity or bind any of the parties hereto.

TWENTY-FOURTH: Invalid/Unenforceable Provisions. If any clause or provision of this Agreement is rendered invalid or unenforceable because of any State or Federal statute or regulation or ruling by any tribunal of competent jurisdiction, that clause or provision shall be null and void, and any such invalidity or unenforceability shall not affect the validity or enforceability of the remainder of this Agreement. Where the deletion of the invalid or unenforceable clause or provision would result in the illegality and or unenforceability of this Agreement, this Agreement shall be considered to have terminated as of the date in which the clause or provision was rendered invalid or unenforceable.

TWENTY-FIFTH: Non-Beneficiary Contract. This Agreement is not intended to be a third party beneficiary contract and confers no rights on anyone other than the parties hereto.

TWENTY-SIXTH: Certification of Authority to Sign Agreement. The people signing on behalf of the parties to this Agreement certify by their signatures that they are duly authorized to sign this Agreement on behalf of the party they represent and that this Agreement has been authorized by the party they represent.

**THE AUTHORIZED REPRESENTATIVES OF THE PARTIES HERETO
HAVE FULLY EXECUTED THIS INSTRUMENT ON THE DAY AND YEAR FIRST
ABOVE WRITTEN.**

COUNTY OF PRESQUE ISLE

By: _____ Date _____
Carl L. Altman, Chairman
County Board of Commissioners

By: _____ Date _____
Susan M. Rhode, County Clerk

(Name of Contractor)

By: _____ Date _____
, Representative

Form presented by Prosecutor to Board of Commissioners on 3/27/2009.

**POSTING - COUNTY-OWNED
OFFICE PROPERTY DISPOSAL**

DATE: _____

DEPARTMENT DISPOSING OF ITEM: _____

NAME OF ITEM: _____

LOCATION OF ITEM: _____

DESCRIPTION OF ITEM: _____

DATE AVAILABLE TO COUNTY RESIDENTS

FOR BIDDING: _____ (30 days from date of posting)

COUNTY RESIDENTS INTERESTED IN SUBMITTING AN "OFFER
TO PURCHASE":

<u>Name</u>	<u>Phone No.</u>	<u>Date</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

ALL SEALED "OFFERS TO PURCHASE" SHALL BE SUBMITTED
TO THE CHAIRMAN OF THE FINANCE COMMITTEE WITHIN 15
DAYS OF "DATE AVAILABLE TO COUNTY RESIDENTS FOR
BIDDING".

CREDIT CARD POLICY AS AMENDED

The County has five identical credit cards issued by VISA in the name of Presque Isle County Corporate Card. They are kept in the safe in the County Clerk's office. Any county employee may use a county credit card for the following:

1. Pre-approved food, lodging and schooling
2. Gas in county-owned vehicles only
3. Registration for conferences
4. Transportation of prisoners
5. Emergency expenses
6. Purchases that are of an emergency nature, where the company will not ship the item before payment is made

The credit card must be "signed out" by the employee taking the card, and upon return, must be "signed in" by the same employee.

Documentation:

Original receipts must be turned in to the County Clerk's office for goods and services purchased. These receipts must state what was purchased, the date of the purchase, the cost of the purchase, and the official business for which purchased. These receipts must be accompanied by the charge slip with the employee's signature affixed.

Internal accounting controls:

Receipts are compared to the statement sent from the credit card company. Anything not authorized or accounted for is questioned by the Clerk's office to the employee making the charges on the credit card and the department head.

Credit card balances are paid in full prior to the due date on the statement.

The Sheriff has four identical credit cards issued by VISA in the name of Presque Isle County Sheriff Corporate Card. These are kept at the Sheriff's Department in a secure place. Any employee may use a county credit card for the following:

1. Pre-approved food, lodging and schooling
2. Gas in county-owned vehicles only
3. Registration for conferences
4. Transportation of prisoners

5. Emergency expenses

6. Purchases that are of an emergency nature, where the company will not ship the item before payment is made

The credit card must be "signed out" by the employee taking the card, and upon return, must be "signed in" by the same employee.

Documentation:

Original receipts must be turned in to the County Clerk's office for goods and services purchased. These receipts must state what was purchased, the date of the purchase, the cost of the purchase, and the official business for which purchased. These receipts must be accompanied by the charge slip with the employee's signature affixed.

Internal accounting controls:

Receipts are compared to the statement sent from the credit card company. Anything not authorized or accounted for is questioned by the Clerk's office to the employee making the charges on the credit card and the department head.

Credit card balances are paid in full prior to the due date on the statement.

In accordance with PA 266 of 1995, this policy is amended to add the following:

- ***An employee who is issued a credit card shall return the credit card to the County Clerk's Office upon termination of his or her employment or service with the board.***
- ***The Board shall not approve a payment to the entity issuing the credit card until all transactions have been verified, including the approval of all transactions invoices, if issued.***
- ***An officer or employee issued a credit card is responsible for its protection and custody and shall immediately notify the local unit if the credit card is lost or stolen.***
- ***The balance including interest due on an extension of credit under the credit card arrangement shall be paid for within not more than 60 days of the initial statement date. The local unit shall comply with this provision of the credit card policy.***
- ***Disciplinary measures consistent with law for the unauthorized use of a credit card by an officer or employee of the local unit.***

DOG DAMAGES POLICY

It shall be the policy of this board to limit payment for damages to livestock or poultry by dogs to the following amounts when claims are presented in accordance with P.A. 1919 No. 339 as amended, "The Dog Law of 1919":

Horse	100.00	Cattle	300.00
Chicken	2.00	Duck	2.00
Goose	5.00	Cat	1.00
Rabbit	2.00	Sheep	25.00
Lamb	20.00	Pig	50.00
Goat	25.00	Dog	20.00
Mule	25.00	Turkey	5.00
Calf	100.00		

Reviewed on 1-31-2003 – No changes made.

POLICY FOR DISPOSAL OF COUNTY-OWNED OFFICE PROPERTY

This policy is for the sale/disposal of no longer needed/used county owned office equipment, furniture, office supplies, etc.

1. Any county office that has equipment, furniture, office supplies, etc., that is/are no longer needed/wanted by that office may post a dated notice describing each item. That notice is to be placed in the lower right-hand corner on the first bulletin board located outside the County Clerk's office.
2. Any other county office in the Courthouse that has a need for that item may request it for their office within 30 days of the posting.
3. If more than one office makes a request for the item, the award request will be based on need, subject to approval of the Presque Isle County Board of Commissioners.
4. If no request is made by a county office in the Courthouse within 30 days of its posting, that item then becomes available for 15 days for a county resident to post a bid to purchase the item for their personal use.
5. If more than one county resident makes a bid- the highest bidder may purchase the item from the county. All sealed bids shall be turned in to the Chairman of the Finance Committee.
6. It is the responsibility of county residents to check the posting – no memorandum will be sent to anyone advising them of the availability of an item.
7. All transactions regarding the sale/disposal of county-owned office property are subject to approval of the Presque Isle County Board of Commissioners, with documentation of the transaction to be filed in the Board of Commissioner's meeting envelope.

Adopted this 30th day of August, 2010, by the Presque Isle County Board of Commissioners.

Amended September 9, 2010, by the Presque Isle County Board of Commissioners – #4 & #5 - "employee" changed to "county resident"

#6 – "each office" changed to "county residents"

"every office" changed to "anyone"

ELECTRONIC TRANSACTIONS POLICY

The following policy was offered by Commissioner Field and supported by Commissioner Schell:

WHEREAS, Public Act 378 of 2002 requires the Board of Commissioners for Presque Isle County to adopt a resolution to authorize electronic transactions; and

WHEREAS, Public Act 738 of 2002, effective December 30, 2002, authorizes a County Treasurer to make electronic financial transactions involving public funds by electronic payments, debits, or credit transfer processed through an automated clearing house (ACH), and

WHEREAS, The Presque Isle County Treasurer is hereby appointed the Electronic Transaction Officer (ETO) and is responsible for ACH agreements including payment approval, accounting, reporting, and generally overseeing compliance with the ACH Policy, and

WHEREAS, Public Act 738 of 2002, authorizes the County Treasurer to enter into an ACH arrangement for a national and governmental organization that has authority to process electronic payments (ACH) including, but not limited to, the National Automated Clearing House Association and the Federal Reserve System, and

WHEREAS, the County Treasurer has prepared a written Automated Clearing House (ACH) Policy as required by the Act, for the purposes of maintaining effective internal control by clarifying and emphasizing the departments initiating ACH transactions through systems provided by the County of Presque Isle.

NOW, THEREFORE, BE IT RESOLVED that the Presque Isle County Board of Commissioners authorizes the County Treasurer to utilize electronic transactions in compliance with the written procedures and internal controls developed and adopted by the County Treasurer as the Presque Isle County's ACH Policy and as presented to the Board of Commissioners for Presque Isle County on October 30, 2003.

Ayes: All. Motion carried by roll call vote.

Adopted by the Board of Commissioners on 10/30/2003.

Equal Employment Opportunity

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Presque Isle County will be based on merit, qualifications, and abilities. Presque Isle County does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

Presque Isle County will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

In addition to a commitment to provide equal employment opportunities to all qualified individuals, Presque Isle County has established an affirmative action program to promote opportunities for individuals in certain protected classes throughout the organization.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the Presque Isle County Board of Commissioners. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

CIVIL RIGHTS POLICY RESOLUTION

WHEREAS, it is hereby declared to be contrary to the public policy of Presque Isle County for any persons to be discriminated against in employment, housing, or participation in publicly funded programs because of race, religion, national origin, color, sex, marital status, age, or handicap, and

WHEREAS, the opportunity to obtain employment without discrimination because of race, religion, national origin, color, sex, marital status, age, or handicap is hereby recognized and declared to be a civil right, and

WHEREAS, it shall be contrary to the public policy of Presque Isle County for any employer to discriminate in hire, promotion, tenure, terms or conditions of employment because of race, religion, national origin, color, sex, marital status, age, or handicap, and

WHEREAS, the opportunity to purchase, lease, sell, hold, use, and convey housing without discrimination because of race, religion, national origin, color, sex, marital status, age, or handicap is hereby recognized and declared to be a civil right, and

WHEREAS, the opportunity to participate in federal, state, and locally funded programs without discrimination because of race, religion, national origin, color, sex, marital status, age, or handicap is hereby recognized and declared to be a civil right.

THEREFORE, the Presque Isle County Board of Commissioners hereby adopts the above civil rights policy resolution this 13th day of April, 2005.

FINANCIAL HARDSHIP POLICY – COUNTY TREASURER

The Treasurer's objective is to assist delinquent taxpayers to fulfill their Real Property Tax obligation to avoid any foreclosure on any property the property owner wants to maintain.

The Treasurer will assist any taxpayer throughout the year. Applications for consideration will be available at the Treasurer's office.

Financial hardship will be considered at the show cause (administrative) hearing pursuant to the prior notice. The date may also be obtained by contacting the Treasurer's office. The Treasurer may request that an appointment be made for the orderly conduct of business. Non appointments will be scheduled as time permits.

The applicant must establish that the property is a homestead parcel or qualified agricultural property (pursuant to MCL 211.7dd). This may be accomplished by affidavit that they have been granted a homestead exemption that is currently in effect. Deeds or other documentation showing title and residency such as driver license, utility bills, voter's registration, etc., will also be accepted for review.

Applicant must also have available at the hearing:

- State and Federal tax returns for the past two years
- Verification of income
 - Social Security Statement
 - Land contracts, leases
 - State Assistance statements
- Financial Statement of Conditions (Balance Sheet)
- Documentation of application to local unit for exemption and their determination
- Provide details of all attempts for assistance or borrowing and result of this effort

Income guideline for the Treasurer is the Poverty Guidelines as issued by the Federal Department of Health and Human Services.

Applicants will also have the opportunity to disclose other conditions that may affect their ability to pay their taxes. This may include but not limited to the following:

- Existence of physical/mental disabilities
- Health issues
- Outstanding financial obligations due to conditions/factors outside the individual's control
- Unemployment

It will be determined if the applicant has exhausted all potential sources of assistance. A comprehensive list will be distributed to those applying for hardship exemption which will include the following:

- Federal, state and local government agencies
- Non-profit, charitable organizations
- Community based and service groups

A list of all applying for hardship deferrals will be forwarded to the respective local unit. Communities will be asked to help identify potential local sources of assistance for these individuals.

For those who have yet to contact private lending sources, a list of the types of loans available and an indication of how to locate these institutions will be provided. The Treasurer will call for a meeting of local lenders to explain this portion of the tax reversion process, solicit what programs each may have available, and identify, if they so choose, a contact to refer possible hardship cases.

The Treasurer will attempt to determine if the hardship is temporary or permanent, as well as the anticipated time needed to correct a temporary hardship. Permanent hardship cases will also be referred to the respective local units for future relief under MCL211.7u

The granting of a hardship waiver only extends the time to pay the delinquent amount due. Interest at 1 ½ % monthly and any additional expenses continue to accrue on the parcel, increasing the tax liability. Ultimately the Treasurer will determine if relief from foreclosure will enable the taxpayer to pay the delinquent tax within twelve (12) months of the decision.

Hardship determination at the administrative hearing will be in the sole and absolute judgment of the Treasurer.

Moved by Commissioner Vermilya and supported by Commissioner Field to adopt the above policy.

Ayes: All. Motion carried by roll call vote.

Adopted by the Board of Commissioners on 11/30/2001.

PRESQUE ISLE COUNTY FRAUD POLICY

Presque Isle County is committed to preventing employee dishonesty, theft and fraud. All county employees must share in this commitment. County employees, especially elected officials, department heads and supervisors, must be aware of the circumstances that lead to employee dishonesty, theft, and fraud, and the indicators that lead to detection. All employees in management positions must be familiar with the types of improprieties that might occur within their area of responsibility and be alert for any indication of irregularity.

BACKGROUND

From time to time, every organization experiences employee dishonesty, theft or fraud. Presque Isle County is no exception. When these cases occur, they must be handled carefully. Reputations are at stake; criminal charges may be brought which requires careful gathering of evidence; policies and procedures may need to be changed.

PURPOSE

This administrative procedure defines what constitutes employee dishonesty, theft, and fraud and establishes rules and procedures that all departments and employees must follow when these things are suspected.

SCOPE

This procedure applies to all county employees. The provisions of this policy apply to any irregularity or suspected irregularity involving not only employees, but also vendors, agents, volunteers, and external organizations doing business with the county. This policy also applies to employees of local boards, agencies and commissions over which the Presque Isle County Board of Commissioners has authority to require general policies to be followed. The county, where appropriate, will pursue criminal prosecution to the full extent of the law for any dishonesty, theft or fraud by an employee, vendor, agent or volunteer.

DEFINITIONS

Fraud – Theft, intentional waste or abuse of county funds, property or time. Specific examples of fraud include, but are not limited to:

- Any dishonest or fraudulent act
- Theft of county funds
- Forgery or alteration of a check or any other financial document
- Impropriety in the handling or reporting of money or financial transactions
- Accepting or seeking anything of material value from vendors or persons providing services/materials to the county
- Falsification of work hours reported in the time and attendance system
- Unauthorized use or misuse of county property or records
- Falsification of records

- Theft or unauthorized removal of county records, county property or the property of other persons (to include the property of employees, supervisors, consumers, clients, customers, inmates or visitors)
- Willful destruction or damage to county records, county property or the property of other persons (to include the property of employees, supervisors, consumers, clients, customers, inmates or visitors)
- Neglecting or subverting job responsibilities in exchange for an actual, expected or promised reward

County funds - Currency, checks or other negotiable instruments belonging to the county or for which the county is the fiscal agent or has a fiduciary responsibility

County property - Any tangible item owned by the county

Retaliation - When an individual retaliates against or penalizes another for reporting fraud or for cooperating, giving testimony or participating in any manner in an audit/investigation, proceeding or hearing

ROLES AND RESPONSIBILITIES

All Employees

Any employee who has knowledge of an occurrence of employee dishonesty, theft or fraud, or has reason to suspect that such an event has occurred, will notify their immediate supervisor. Should there be reason to believe that their immediate supervisor may be involved, the employee will notify the elected official/department head. If the employee prefers, they may contact the county auditor or prosecuting attorney directly to report allegations of fraud. Every employee shall cooperate with investigations pursuant to this administrative procedure. The employee will not attempt to investigate the suspected fraud or discuss the matter with anyone other than the elected official/department head, their supervisor, county auditor, the investigating law enforcement agency or the prosecuting attorney. Allegations will be treated with the highest degree of sensitivity and confidentiality.

Affected Department

Supervisors

Upon notification by an employee of suspected employee dishonesty, theft or fraud, or when there is reason to suspect that such an event has occurred, the supervisor will notify their immediate elected official/department head. Should there be reason to believe that anyone up the chain of command may be involved in the act, the supervisor will immediately contact the county auditor or prosecuting attorney. The supervisor will not attempt to investigate the suspected fraud or to discuss the matter with anyone other than the elected official/department head, their supervisor, the county auditor or prosecuting attorney. The county auditor will be immediately informed should additional information related to the investigation be discovered. Allegations will be treated with the highest degree of sensitivity and confidentiality.

Elected Official/Department Head

Upon notification from an employee or supervisor of suspected employee dishonesty, theft or fraud, or when there is reason to suspect that such an event has occurred, the elected official/

department head will immediately contact the county auditor. The elected official/department head will not attempt to investigate the suspected fraud or to discuss the matter with anyone other than the county auditor or prosecuting attorney. The county auditor will be immediately informed should additional information related to the investigation be discovered. Allegations will be treated with the highest degree of sensitivity and confidentiality.

County Auditor

The investigation of suspected fraud is undertaken at the express request of the Presque Isle County Board of Commissioners, and the memoranda, working papers and correspondence in the investigation are specifically requested by the Board of Commissioners. The county auditor will oversee and coordinate all actions taken in investigating the suspected fraud. Investigations consist of performing extended procedures necessary to determine whether fraud has occurred. It includes gathering sufficient evidence about the specific details of a discovered fraud. These investigations usually involve a team effort by internal auditors and police investigators. It may also involve the prosecutor and other specialists from inside or outside the county.

The purpose of the investigation will be to gather and assess facts relevant to the suspected fraud to:

- Determine the validity of the allegations and the extent of the suspected fraud
- Assist the investigating agency to prepare evidence for any criminal charges that they may bring against the individual(s)
- Determine if controls need to be implemented or strengthened in either the specific situation or on a county-wide basis
- Design audit tests to help disclose the existence of similar frauds in the future
- Prepare a written confidential memorandum report to the Presque Isle County Board of Commissioners, the elected official/department head and all appropriate departments to present all findings, conclusions, recommendations and corrective actions taken

Upon notification or discovery of a suspected fraud, the county auditor will:

- Promptly investigate the allegations
- Notify the affected elected official/department head and supervisors
- Inform the insurance agency of the suspected loss for insurance purposes
- Notify the Presque Isle County Board of Commissioners of the suspected fraud before release of any public record of a police investigation or arrest
- Instruct the elected official/department head to consult with the Board of Commissioners to determine possible personnel actions needed
- Remind the elected official/department head that all inquiries by the media are to be referred to the auditor or prosecuting attorney
- Contact the appropriate law enforcement agency when there is sufficient evidence to warrant a criminal investigation

If the fraudulent transaction involves funds or property under the control of an elected official or appointed official exercising the powers of an elected official, the county auditor will:

- Inform the appropriate law enforcement agency when required to do so according to state law

Insurance Agency - Risk Management Division

Upon official notification from the county auditor or the department experiencing the loss, the risk management division of the insurance agency will determine whether any applicable commercial

insurance (bond coverage) is in place and, if necessary, provide immediate notification of the loss to the carrier.

The insurance agency will provide appropriate claim forms to the county auditor and/or the involved department for completion and will file the completed forms with the insurance carrier for recovery of the loss.

The risk management division of the insurance carrier will reimburse the county for any recovered insurance funds provided that they have not been reimbursed from another source and the county auditor determines that the department was not in breach of established financial controls.

The risk management division of the insurance carrier will maintain a central database of all reported incidents of employee dishonesty, theft and/or fraud. It will include this data in management reports such as quarterly loss reports to the Board of Commissioners.

Department of Human Resources

When notified of a substantiated fraud allegation or an allegation of personal impropriety, the Presque Isle County Board of Commissioners will consult with the affected elected official/department head and the prosecutor as appropriate, to assist in determining the appropriate level of discipline to be administered. The elected official/department head will assist as needed in preparation of the documentation required to proceed under the Presque Isle County Personnel Policy and Handbook regarding progressive discipline.

Law Enforcement

Upon notification by the county auditor of a situation involving suspected criminal fraud, the appropriate law enforcement agency will assume primary responsibility for conducting a criminal investigation.

The agency will:

- Assign detectives to initiate a thorough criminal investigation
- Review all information obtained by the county auditor
- Collect and preserve evidence, including evidence obtained by the county auditor
- Conduct interviews of witnesses and suspects, if appropriate
- Determine if probable cause exists for criminal prosecution

If probable cause exists that a crime has been committed, the law enforcement agency will:

- Arrange for the arrest of the suspects
- Prepare the case for presentation in court
- Assist in the prosecution

Office of the Prosecutor

The office of the prosecutor will be available to provide legal advice and guidance to all persons who are involved in the reporting or investigation of alleged fraud.

PROCEDURES

Record Security

A successful audit/investigation can only be performed if the documentation relating to an alleged fraud is available for review in its original form. Therefore, once a suspected fraud is reported, elected officials/department heads will, after contacting the county auditor and obtaining permission, take immediate action to prevent the theft, alteration or destruction of relevant records.

Such actions include, but are not necessarily limited to, removing the records and placing them in a secure location, limiting access to the location where the records currently exist, and preventing the individual suspected of committing the fraud from having access to the records. There may be a situation where the department is directed to take no action so as not to alert the suspect of an investigation. The records must be adequately secured until the county auditor takes possession of the records and begins the audit investigation.

Contacts/Protocols

The county auditor will notify the Presque Isle County Board of Commissioners after a preliminary review and a determination that the suspected employee dishonesty, theft or fraud warrants further investigation. The county auditor will coordinate the investigation with the appropriate law enforcement officials, the prosecuting attorney and other appropriate departments and will report its investigative finds as described below.

Confidentiality

All participants in a fraud investigation will keep the details and results of the investigation confidential except as expressly provided in this administrative procedure. However, the county auditor and the investigating law enforcement agency may discuss the investigation with any person if such discussion would further the investigation. Department staff must inform the county auditor if any of the records or documentation being reviewed required confidentiality.

Personnel Actions

If a suspicion of fraud is substantiated by the audit investigation, appropriate action will be taken in conformance with the Presque Isle County Personnel Policy and Handbook. A false and malicious allegation of fraud is a violation of this administrative procedure. All violations of this administrative procedure, including violations of the confidentiality provisions, shall result in disciplinary actions up to and including termination.

Retaliation

It is a violation of this administrative procedure to retaliate against or penalize any individual for reporting fraud or for cooperating, giving testimony or participating in an audit investigation, proceeding, or hearing. Appropriate disciplinary action will be taken against those found retaliating against the employee.

Media Issues

All contact with the media will be made through the prosecuting attorney. Elected officials/department heads and employees should refer any calls/questions from the media to the prosecuting attorney.

DISPOSITION OF INVESTIGATION

At the conclusion of the audit investigation, the county auditor and the prosecuting attorney will document the results in a confidential memorandum report to the Presque Isle County Board of Commissioners. A copy will be provided to the appropriate elected officials/department heads and insurance agency.

Upon completion of the audit investigation, the county auditor will return all records to the appropriate department. Original records will be returned after the court date if criminal proceedings are anticipated.

Adopted this 27th day of July, 2007

Allan H. Bruder, Chairman
Presque Isle County Board of Commissioners

INVITATION TO BID – LEGAL FORM

Moved by Commissioner Grohowski and supported by Commissioner Darga to adopt the following proposed form of "Invitation to Bid" which meets legal requirements:

INVITATION TO BID

Notice is given that sealed proposals will be received at the Office of the Presque Isle

County Clerk, P.O. Box 110, 151 E. Huron Avenue, Rogers City, Michigan 49779, on or

before ____ (date) ____ at the hour of ____ o'clock ____ p.m., to be opened ____ (specify date and time) ____ for:

(Specifications)

*Optional – a certified check in the amount equal to 10% of the total bid and made

payable to Presque Isle County must accompany each bid as evidence of good faith and as guarantee that the bidder will comply with terms of the bid.

*Optional – the plans and specifications of the work may be examined at the Office of the County Clerk weekdays from ____ (time) ____.

The Presque Isle County Board of Commissioners reserves the right to reject any and all bids (when appropriate add: or to accept any bid as a whole or in part) as in the exercise of discretion the Board may deem to be in the best interest of the County.

Ayes: All. Motion carried by roll call vote.

ENHANCED ACCESS TO PUBLIC RECORDS POLICY

Presque Isle County, Michigan
October 2008

This policy is established pursuant to the authority of the Enhanced Access to Public Records Act, 1996 P.A. 462.

1. DEFINITIONS

- A. “Enhanced access” means a public record’s immediate availability to public inspection, or copying by digital means. Enhanced access does not include the transfer of ownership of a public record.
- B. “Geographical information system” means an informational unit of network capable of producing customized maps based upon a digital representation of geographical data.
- C. “Person” means that term as defined in section 2 of the freedom of information act, Act. No. 442 of the Public Acts of 1976, being section 15.232 of the Michigan Compiled Laws.
- D. “Public Body” means that term as defined in section 2 of the freedom of information act, Act. No. 442 of the Public Acts of 1976, being section 15.232 of the Michigan Compiled Laws.
- E. “Public Record” means that term as defined in section 2 of the freedom of information act, Act. No. 442 of the Public Acts of 1976, being section 15.232 of the Michigan Compiled Laws.
- F. “Software” means that term as defined in section 2 of the enhanced access to public records act, Act. No. 462 of the Public Acts of 1996, being section 15.442 of the Michigan Compiled Laws.

2. AUTHORIZATION

- A. Pursuant to 1996 P.A. 462, all Presque Isle County government public bodies may provide enhanced access for the inspection, copying or purchasing of a public record that is not confidential or otherwise exempt by law from disclosure. [Sec. 3(1)(a); Sec 3(3)].
- B. This policy does not require a public body to produce enhanced access to any specific public record. [Sec.3(4)].
- C. County elected officials, department heads, agencies, boards, commissions and councils legally responsible for the creation, preparation, ownership, custody, control, maintenance, preservation, guardianship, retention, possession or use of a public record shall select which public records may be made through enhanced access.
- D. Principles and policies to be considered in determining which public records shall be made available through enhanced access include, but are not limited to the following:

1. Management principles applied to information resources should be the same as those applied to other governmental resources.
2. Elected officials, department heads, agencies, boards, commissions, councils, and other county public bodies legally responsible for the creation, preparation, ownership, custody, control, maintenance, preservation, guardianship, retention, possession or use of a public record have the responsibility, authority and accountability for the management of public record information.
3. Information resources investments must be driven by legal, programmatic and governmental requirements.
4. Presque Isle County government, in trust for the people of Presque Isle County, has a duty to ensure ownership of information products and county created intellectual property is protected and maintained.

3. FEES

A. It is the policy of Presque Isle County to charge a reasonable fee for providing enhanced access to a public record. [Sec. 3(1)(b)].

B. It is the policy of Presque Isle County to charge a reasonable fee for providing access to:

- (i) A geographical information system.
- (ii) The output from a geographical information system.
- (iii) An imaging information system.
- (iv) The output from an enhanced imaging information system.

C. "Reasonable fee" means a charge calculated to enable Presque Isle County to recover over time only those operating expenses directly related to the public body's provision of enhanced access.

D. Operating expenses include, but are not limited to, a public body's direct cost of creating, compiling, storing, maintaining, processing, upgrading, or enhancing information or data in a form available for enhanced access, including the cost of computer hardware and software systems development, employee time, and the actual cost of supplying the information or record in the form requested by the purchaser.

E. Except as otherwise provided by act or statute, the Finance Committee shall establish a proposed reasonable fee(s) for each public record made available for enhanced access or for access to a geographical information system or the output from a geographical information system. The proposed fee(s) shall be presented to and approved by the Board of Commissioners before they shall be effective.

F. Except as otherwise provided by act or statute, all persons shall be charged the reasonable fee approved by the Board of Commissioners for enhanced access to a public record or for access to a geographical information system or the output from a geographical information system.

G. A public body may furnish access or enhanced access without charge or at a reduced charge if the public body determines that a waiver or reduction of fee is in the public interest because access or enhanced access can be considered as primarily benefiting the general public.

Examples may include, but are not limited to instances when:

1. The information is critical to public health or safety;
2. The information is required for non-profit research purposes such as academic or public interest research;
3. The information is required to meet legal, programmatic or governmental objectives;
4. The information explains the rights, entitlement and/or obligations of individuals;
5. The cost of administering the fees would exceed the revenue to be collected;
6. The reasonable fee established would have a serious detrimental impact on the financial position of particular groups or classes of users;
7. The reasonable fee established would limit the number of users enough to compromise achieving program or other governmental objectives.

H. Waiver or fee reductions shall be decided by the elected official, department head, agency, board, commission, council and other county public body legally responsible for the creation, preparation, ownership, custody, control, maintenance, preservation, guardianship, retention, possession or use of the public record(s) in question.

4. DISCLAIMER

A. Recipients of access or enhanced access receive all information "AS IS." The County of Presque Isle, its officers, officials, employees, agents, volunteers, contractors or its public bodies, make no warranties of any kind, including but not limited to warranties of accuracy, fitness for a particular purpose, or of a recipient's right of use. Recipients are solely responsible for investigating, resisting, litigating and settling such complaints, including the payment of any damages or costs, unless the Presque Isle County Board of Commissioners, by resolution adopted by a majority of those elected and serving, elects to participate in the process at the County's expense.

B. Except for the Board of Commissioners, by resolution adopted by a majority of those elected and serving, no officer, official, employee, agent, volunteer, contractor or other person or public body may make any representation or warranty on behalf of the County or one of its public bodies.

This policy is adopted by the Presque Isle County Board of Commissioners at its regular meeting held on October 14, 2008.

GIS MAPPING DATA AGREEMENT – FEE SCHEDULE

The following fee schedule for the GIS Mapping Data Agreement was adopted by the Presque Isle County Board of Commissioners on September 10, 2008:

GIS shape files – all parcels in the county	\$6,000.00
GIS shape files – just one township	\$.65 per parcel

PRESQUE ISLE COUNTY SOCIAL SECURITY NUMBER PRIVACY POLICY

PROHIBITED SOCIAL SECURITY NUMBER DISCLOSURE

Presque Isle County shall not, with respect to the social security number of an employee or other individual, do any of the following:

- Publicly display all or more than 4 sequential digits of the social security number.
- Use all or more than 4 sequential digits of the social security number as the primary account number for an individual.
- Visibly print all or more than 4 sequential digits of the social security number on any identification badge or card, membership card, or permit or license.
- Require an individual to use or transmit all or more than 4 sequential digits of his or her social security number over the internet or computer system or network unless the connection is secure or the transmission is encrypted.
- Require an individual to use or transmit all or more than 4 sequential digits of his or her social security number to gain access to an internet website or a computer system or network unless the connection is secure, the transmission is encrypted, or a password or other unique personal identification number or other authentication device is also required to gain access to the internet website or computer system or network.
- Include all or more than 4 sequential digits of the social security number in or on any document or information mailed or otherwise sent to an individual if it is visible on or, without manipulation, from outside of the envelope or packaging.
- Include all or more than 4 sequential digits of the social security number in any document or information mailed to a person, unless any of the following apply:
 - (i) State or federal law, rule, regulation, or court order or rule authorizes, permits, or requires that a social security number appear in the document.
 - (ii) The document is sent as part of an application or enrollment process initiated by the individual.
 - (iii) The document is sent to establish, confirm the status of, service, amend, or terminate an account, contract, policy, or employee or health insurance benefit or to confirm the accuracy of a social security number of an individual who has an account, contract, policy, or employee or health insurance benefit.
 - (iv) The document or information is mailed by the County under any of the following circumstances:
 - (A) The document or information is a public record and is mailed in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.
 - (B) The document or information is a copy of a public record filed or recorded with the County Clerk or Register of Deeds office and is mailed by that office to a person entitled to receive that record.
 - (C) The document or information is a copy of a vital record recorded as provided by law and is mailed to a person entitled to receive that record.
 - (v) The document or information is mailed by or at the request of an individual whose social security number appears in the document or information or at the request of his or her parent or legal guardian.

EXCEPTIONS TO PROHIBITED SOCIAL SECURITY NUMBER DISCLOSURE

The above prohibitions to the disclosure of all or more than 4 sequential digits of a social security number do not apply to any of the following:

- (a) A use of all or more than 4 sequential digits of a social security number that is authorized or required by state or federal statute, rule, or regulation, by court order or rule, or pursuant to legal discovery or process.
- (b) A use of all or more than 4 sequential digits of a social security number by a law enforcement agency, court, or prosecutor as part of a criminal investigation or prosecution, or providing all or more than 4 sequential digits of a social security number to a law enforcement agency, court, or prosecutor as part of a criminal investigation or prosecution.

Further, this Policy permits (1) use of all or more than 4 sequential digits of the social security number as the primary account number for an individual; or (2) including all or more than 4 sequential digits of a social security number in any document or information mailed to a person, if the use is in any of the following:

- (a) An administrative use of all or more than 4 sequential digits of the social security number in the ordinary course of business, by a person or a vendor or contractor of a person, to do any of the following:
 - (i) Verify an individual's identity, identify an individual, or do another similar administrative purpose related to an account, transaction, product, service, or employment or proposed account, transaction, product, service, or employment.
 - (ii) Investigate an individual's claim, credit, criminal, or driving history.
 - (iii) Detect, prevent, or deter identity theft or another crime.
 - (iv) Lawfully pursue or enforce a person's legal rights, including, but not limited to, an audit, collection, investigation, or transfer of a tax, employee benefit, debt, claim, receivable, or account or an interest in a receivable or account.
 - (v) Lawfully investigate, collect, or enforce a child or spousal support obligation or tax liability.
 - (vi) Provide or administer employee or health insurance or membership benefits, claims, or retirement programs or to administer the ownership of shares of stock or other investments.
- (b) A use of all or more than 4 sequential digits of a social security number as a primary account number that meets both of the following:
 - (i) The use began before March 1, 2005.
 - (ii) The use is ongoing, continuous, and in the ordinary course of business. If the use is stopped for any reason, this subdivision no longer applies.

CONTROL OF ACCESS TO SOCIAL SECURITY NUMBERS

- Access to records containing social security numbers is limited to employees who need to see those records for the performance of their duties.
- Employees' access to records containing social security numbers shall be monitored through the use of logs or electronic audit trails.
- During storage, electronic records containing social security numbers shall encrypt the social security numbers. Records in other media that contain social security numbers shall be stored in locked cabinets or otherwise secured against unauthorized access.

DISPOSAL OF DOCUMENTS THAT CONTAIN SOCIAL SECURITY NUMBERS

Discarding or destroying records in any medium containing social security numbers shall be done so in a way that protects the confidentiality of the social security numbers. It shall be accomplished by shredding, erasing, or otherwise modifying that portion of the record containing a social security number to make it unreadable or undecipherable, before the record is discarded.

VIOLATION OF PRESQUE ISLE COUNTY SOCIAL SECURITY NUMBER PRIVACY POLICY

An employee who knowingly violates this policy will be subject to disciplinary action up to and including dismissal.

Adopted December 28, 2005

Effective: January 1, 2006

**Presque Isle County Board of Commissioners
2010 Rules of Order
As Amended**

AUTHORITY

These rules are adopted by the Presque Isle County Board of Commissioners pursuant to Section 46.11 of the Compiled Laws of Michigan, as amended.

1. Meetings

Organizational Meeting

The first meeting in each calendar year shall be the organizational meeting. At each such meeting, the county clerk shall preside. As the first item of business the county clerk shall administer the oath of office to the commissioners.

The second item of business shall be election of the chairperson of the board and the vice-chairperson. The clerk shall call for nominations for the office of chairperson and when nominations are closed by majority vote or no other nominations are forthcoming, the clerk shall order the roll of commissioners to be called. When one nominee receives a majority of the votes of the members elected and serving, that nominee shall be declared chairperson.

The newly elected chairperson shall assume the chair and proceed with the election to the office of vice-chairperson.

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 matters as they shall decide.

Should a commission prefer to have a secret ballot, these rules provide an additional rule that the election of the chairperson may be conducted by secret ballot upon the motion of a commissioner and approval by a majority of those present. (MCLA 46.3a; MSA 5.323[1]).

1.1 Regular Meetings

The county board shall, at the Organizational Meeting, set the meeting dates and times.

1.2 Special Meetings

The board of commissioners shall meet in special session upon the written petition to the county clerk signed by one-third or more of the members. The petition for a special meeting shall specify the time, date, place, and purpose of the meeting.

The chairman of the board of commissioners may convene a meeting of the board (with proper notice) upon his/her discretion.

1.3 Place of Meetings

Meetings of the board of commissioners shall be held in the chambers of the board of commissioners in the county courthouse unless public notice of the meeting states a different location. Whenever the regular meeting place of the board of commissioners shall appear inadequate for members of the public to attend, the chair may change the meeting location to a larger or more appropriate facility either within or out of the county. A notice of such change

shall be prominently posted on the door of the regular meeting place. The clerk shall also give notice of the change in the meeting place in a newspaper if time permits.

1.4 Change in Schedule

Change in the regular meeting schedule shall not be made except upon the approval of a majority of the members. In the event the board shall meet and a quorum is not present, the board, with the approval of those present, may adjourn the meeting to another time with proper notice.

1.5 Public Notice of Meetings

The clerk shall provide the proper notice for all meetings of the board of commissioners in accordance with the "Open Meetings Act".

1.6 Notice of Special Meetings

If the board shall schedule a special meeting, the clerk shall post a notice of such meeting immediately and deliver the notice of such meeting to the residence of each commissioner by personal delivery, facsimile transmission or registered mail. No meeting shall be held until the notice shall have been posted at least 36 hours.

1.7 Notification to Media and Others

The clerk shall notify, without charge, any newspaper or radio or television station of the board's meeting schedule, schedule changes, or special meetings whenever a written request for such notice has been filed with the clerk. The clerk shall also notify other individuals or organizations of all meetings upon written request and agreement to pay the county for printing and postage expenses, or by any other arrangements made with the county clerk.

2. Quorum, Attendance, Call of the County Board

2.1 Quorum

A majority of commissioners of the board, elected and serving, shall constitute a quorum for the transaction of ordinary business of the board.

2.2 Attendance

No member of the county board may absent himself or herself without first having obtained leave from the board. The county board may revoke a leave of absence at any time.

3. Agenda for Regular Meetings

The clerk of the board, after first reviewing pending matters and requests, shall prepare a draft agenda of business for all regularly scheduled commission meetings. The chair of the board shall review and add or delete issues as he/she considers proper. Any commissioner, or chair of a committee, board, or other commission of the county, desiring to place a matter on the agenda shall notify the clerk of such item by one week prior to the next regular meeting of the board.

3.1 Board Approval of Agenda

The county board of commissioners at the beginning of each regular meeting shall approve of the agenda and make additions or deletions as deemed appropriate by a majority of the members elected and serving.

3.2 Agenda for Special Meetings

Whenever the board is called into session pursuant to Rule 2.6.1, the agenda shall be included in the notice of the meeting and no other matters shall be considered except when all members are present and a majority concurs. Agenda for special meetings shall be provided along with the notice of the meeting to commissioners, if time permits. At other times, the chair shall declare the agenda upon the approval of a majority of the members present.

3.3 Distribution of Agenda and Materials

Upon the completion of the agenda, the clerk shall immediately distribute copies of the agenda together with copies of reports, explanations, etc., that relate to the matters of business on the agenda. Commissioners are entitled to receive such materials not later than the Saturday preceding the next regular meeting.

3.4 Order of Business

The agenda shall be arranged as may be determined from time to time by the chair, and may include:

- Call to Order
- Pledge of Allegiance
- Approval of the Agenda – Additions/Deletions
- Approval of the Minutes
- Public Comment
- Public and Special Presentations
- Reports of Officers, Boards and Standing Committees
- Reports of Special or Ad Hoc Committees
- Special Orders
- Unfinished Business and General Orders
- New Business
- Other Government Officials
- District Commissioner Reports
- Adjournment

4. Conduct of Meetings

4.1 Chair

The person elected chair in the first meeting each year of the board of commissioners shall preside at all meetings of the board. In the absence of the chair, the person elected vice-chair shall preside. If neither the chair nor vice-chair is present, the clerk shall preside until the commissioners present elect a commissioner to preside during the absence of the chair or vice-chair.

4.2 Form of Address

Discussion by the board of commissioners may be of an informal nature with the following courtesies observed. Only one commissioner shall speak at a time. No commissioner should speak twice on a subject until all commissioners have been given a chance to speak once. Other persons at the meeting shall not speak unless recognized by the chair. The chair may temporarily suspend any informal discussion for non-consideration of the rules or time constraints.

4.3 Recognition

Any member who has been recognized by the chair will be considered to "have the floor". No member should make a motion for consideration without first having obtained the floor. When a member has the floor, only in rare instances should he or she be interrupted. The member may yield the floor to someone else if the member so desires.

4.4 Disorderly Conduct

The chair shall 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 until the chair shall have determined whether the person is in order. If a person so engaged in presentation shall be ruled out of order, he or she shall not be permitted to speak further at the same meeting except upon special leave by the board of commissioners. If the person shall continue to be disorderly and to disrupt the meeting, the chair may order the sergeant-at-arms 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.

5. Record of Meetings

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 actions and decisions of the board with respect to substantive (non-procedural) motions. The minutes shall include the names of the mover and the seconder and the vote of the commissioners. The record shall also state whether the vote was by voice or by roll call; when by roll call, the record shall show how each member voted. The clerk shall maintain in the office of the clerk copies of each resolution and ordinance or other matter acted upon by the board. The official minutes, however, may refer to those matters by an identifying number and the descriptive title of the ordinance, resolution, or other matter.

5.1 Record of Discussion

The clerk shall not be responsible for maintaining a written record or summary written record of the discussion or comments made by board members nor of the comments made by members of the public. The clerk, though, shall be responsible for making an electronic tape recording of each meeting of the board of commissioners. Each such recording shall be maintained in the office of the clerk for a period of six months following the date of the meeting. Thereafter, the recording may be erased unless the recording shall be pertinent to any legal proceeding then underway, pending, or reasonably anticipated.

5.2 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 shall be provided in writing by the member or transcribed exactly by the clerk from the electronic tape recording.

5.3 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". 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.

5.4 Publication of Minutes

A synopsis of the county board proceedings shall be published in the Presque Isle Advance and the Onaway Outlook.

6. Committees, Commissions and Boards

6.1 Appointment to Standing Committees

Each year following the election of the board chair, other commissioners will advise the chair of his/her interest in serving on particular committees, and the chair will thereafter appoint committee members subject to the approval of a majority of the entire elected board.

6.2 Standing Committees and Responsibilities

The chair shall designate the standing committees each year, subject to approval of a majority of the entire elected board. Each committee shall thoroughly investigate any matter referred to it by the board or board chair and shall report in writing or verbally its findings to the board without undue delay. Upon the motion of any board member, and approval by a majority of the board, the board may discharge a committee from further consideration of any matter.

6.3 Record of Committee Meetings

Committee chairs are responsible to record and file minutes of committee meetings with the county clerk for inclusion with the mailing of the agenda for the next board meeting. Minutes are to include a brief report of what was discussed at the meeting.

6.4 The Standing Committees Listed for 2010

- Finance and Auditing
- Personnel
- Public Health and Safety
- Grounds
- Executive

6.5 Standing Committee Meeting Dates

The standing committees shall meet on a regularly scheduled and posted schedule. Special committee meetings may be called by the committee chair or a majority of the committee members to discuss matters directly related to committee responsibilities.

6.6 Appointments to Other Committees

The chair shall have the authority to appoint other committees as deemed necessary. Any such appointments shall be subject to approval of a majority of the members elected.

6.7 Appointments to Other Boards/Commissions

Appointments to all other boards and commissions, including but not limited to the Presque Isle County Road Commission, the District 4 Health Board, Community Mental Health Board, and others, shall be by election of the majority of the members elected and serving.

6.8 Special and All Other Appointments

The Chair shall have the authority to make appointments to any and all other assignments subject to the approval of a majority of the members elected.

6.9 Exercise of Governmental Function

A committee shall not exercise a governmental function as defined by the "Open Meetings Act" in a meeting not open to the public unless the open meetings act permits the action to be considered in an executive meeting closed to the public. The responsibility of each committee is to make recommendations to the board of commissioners and to report matters considered and rejected as well as those considered and recommended.

6.10 Committee of the Whole

Whenever the Board shall meet in "working meetings" the board shall meet as a committee of the whole and the chair, vice-chair, or another member shall preside. Meetings of the committee of the whole shall conform to the requirements of the open meetings act with respect to public notice except when the board shall devolve into a committee of the whole at one of its regular meetings.

The rules of the board of commissioners shall be observed in meetings of the committee of the whole as far as they are applicable, except with respect to limiting debate, moving to vote immediately, and taking a roll call vote.

Resolutions, ordinances, and other matters referred to the committee, unless otherwise ordered by the committee, shall be read aloud by the clerk and then considered and acted upon by sections. Before an amendment is adopted it shall be fully written and read to the committee. Whenever the committee of the whole has completed its deliberations, a member shall move that the committee rise and report to the board of commissioners. The motion to rise is always in order and shall be decided by majority vote without debate. Motions recommending action by the board of commissioners shall take precedence in the same order as analogous motions in the meetings of the board of commissioners.

6.11 Chairman – Ex-officio Member

The chairperson of the board is an ex-officio member of all standing committees, and the vice-chair may attend in that capacity in the absence of the chairperson.

7. Executive Meetings

The vote to hold an executive meeting shall be recorded in the minutes of the meeting at which the decision was made.

7.1 Two-thirds Vote Executive Session

The board of commissioners may meet in executive session upon the motion of any member and roll call approval by two thirds of the members present for the following purposes:

To consider the purchase or lease of real property, until an option to purchase or lease that property is obtained.

To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigating or settlement position of the county board.

To meet with an attorney to consider the attorney's written opinion.

To review the specific contents of an application for employment to a county position and the applicant requests that the application remain confidential. Whenever the board meets to interview an applicant, it shall be in open session.

7.2 Other Reasons

The board may also meet in executive session for the following reasons without the requirements of a two-thirds vote.

To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of a public officer, employee, staff member, or individual agent if the named person requests a closed hearing. If the person rescinds his/her request for a closed hearing the matter at issue shall thereafter be considered only in open public meeting.

To consider strategy connected with the negotiation of a collective bargaining agreement, if requested by either party.

7.3 Minutes of Executive Meetings

For each executive meeting, the clerk shall make a separate record of the topics discussed. This record shall not be disclosed to the public except upon the order of a court. The clerk may destroy the minutes after one year and one day have passed after the meeting at which the board approved the minutes of the meeting at which the board voted to hold the executive meeting.

8. Motions and Resolutions

8.1 Statement by Chair/Clerk

No motion or resolution shall be adopted until the motion is stated by the presiding officer or the clerk. All motions, except procedural motions and resolutions, 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.

8.2 Rank of Motions

The order of precedence of motions shall be in accordance with the "Table of Motions" appended to these Rules.

8.3 Motion to Clear Floor

This motion may be made by the chair or a member at any time procedural matters have become sufficiently confused. If the motion to clear the floor has been adopted, it shall clear the floor of all motions as though they have been withdrawn. The motion shall not be subject to debate nor, if adopted, to reconsideration.

8.4 Motion to Reconsider

A motion to reconsider shall be in order on any question the board has decided, but no question shall be reconsidered more than once. The motion to reconsider shall be in order on the same day as the vote to be reconsidered was taken, and in the course of the next regular meeting following. The motion to reconsider shall be made only by a member who voted with the prevailing side. A motion to reconsider a motion to amend shall not be in order if the main question has been voted upon. If the board has adopted a motion to reconsider, however, motions to amend shall be in order.

9. Voting

9.1 Chairman Equal Voice/Vote

The chairman has an equal voice and vote on all matters that come before the board of commissioners and shall vote in the normal rotation on roll call votes.

9.2 Disclosure Resolutions

A commissioner or elected county official may request the county board to vote on a resolution to disclose any potential appearance of a conflict of interest between the commissioner or elected official and the county. Such resolution may contain terms of any agreement between said official and the county board of commissioners.

9.3 Roll Call Votes

The names and votes of commissioners shall be recorded on board actions to adopt final measures such as ordinances, resolutions, appointment or election of officers, etc. The election of board chair may be by secret ballot with the approval of a majority of commissioners present. Upon the demand of one-fifth of the commissioners, a roll call vote shall be taken on other motions and actions.

9.3.1 Votes Requiring a Three-fifths Majority of the Members Elected and Serving

Repeal (action previously approved)

Objection to consideration of a question

Suspension of the Rules

Close Nominations

Postpone to a definite time (special order)

Limit Extended Debate

Previous Question (close debate)

9.4 Votes Required

Procedural and other questions arising at a meeting of the commissioners, **except for those required by statute to have a higher majority** and those listed in section 9.3.1, shall be decided by a majority of the members present. A majority of the members elected and serving, however, shall be required for final passage or adoption of a measure, resolution, or the allowance of a claim against the county.

10. Parliamentary Authority

Roberts Rules of Order (Newly Revised) shall govern all questions of procedure not otherwise provided by these rules or by state or federal law. The legal counsel to the board or other person so designated by the board shall serve as the board's parliamentarian and shall advise the presiding officer regarding rules of procedure.

11. Introduction and Adoption of Administrative Resolutions

11.1 Definition

Any action regarding the operation or administration of a department of the county government or containing policies of the board of commissioners applicable to one or more departments of the county, and not adopted as an ordinance, shall be declared an administrative policy.

11.2 Introduction

Any commissioner may introduce an administrative resolution at any regular or special meeting of the board of commissioners in the regular order of business.

11.3 Order for Consideration

The regular order for consideration of proposed administrative resolutions shall be:

Introduction, first reading by title, and reference to the appropriate committee, as determined by the board chair.

Report by the committee considering the proposal and placement on the agenda under new business – adoption of resolutions.

Final consideration and vote.

11.4 Form

Each administrative resolution shall conform to the form required for introduction and adoption.

11.5 Committee Review

The chair of the board of commissioners shall refer all proposed administrative resolutions to an appropriate committee of the board. The committee shall review the proposal and invite affected departments of the county to comment and offer explanations. The committee, in its report, shall include a summary of the comments and objections to the resolution. Any administrative resolution reported without recommendation shall automatically lie on the table until ordered removed by the board.

11.6 Adoption

The board of commissioners may adopt the committee recommendation or refer the report to the committee of the whole where further consideration can be given. On the final adoption of a proposed amendment, the vote shall be taken by a record roll call vote. A majority of the commissioners elected and serving shall be required for adoption, unless a statute requires a larger number of votes to adopt the policy.

11.7 Notification

Upon the final adoption of an administrative resolution, the county clerk shall notify each county department head of the board action. Such notification shall be by title or summary. The clerk shall make available a copy of the full administrative resolution.

11.8 Record of Administrative Resolutions

The clerk shall keep a copy of each administrative resolution of the board in a separate file or book with appropriate subcategories according to subjects covered. The record of each administrative resolution shall provide the date of adoption, the record of vote of each commissioner, and any amendments thereto adopted by the board.

12. Ratification

These rules become effective upon a majority approval by action of the Presque Isle County Board of Commissioners and may be amended by a two-thirds vote of the commissioners elected and serving.

Ratified this 4th day of January, 2010.

_____, Chairman
Presque Isle County Board of Commissioners

Susan M. Rhode
Presque Isle County Clerk

SPENDING LIMITATIONS, BIDDING POLICY AND TRANSFERS

Moved by Commissioner Darga and supported by Commissioner Sorgenfrei that it shall be the policy of this Board that continuing for 2009, the limit for spending on supplies will be \$100.00 for any one item or group of items and if the cost exceeds \$100.00, authorization must first be obtained from the Finance Committee or the full Board. Food and medical supplies for the jail are an exception to this directive.

Any elected official, department head or, with approval of the appropriate committee, any committee of this board, may spend up to \$400.00 on capital outlay for any specific item with this expenditure being presented through Claims Audit and the Finance Committee.

Any amount in excess of \$400.00 but less than \$1,500.00 must be presented to the Finance Committee in the form of a verbal or written request and must have verbal or written approval by the Finance Committee.

Any amount in excess of \$1,500.00 must be presented to the Finance Committee in the form of a written request and must have approval by a majority of the Board of Commissioners.

Any amount in excess of \$2,000.00 must have approval by a majority of the Board and be let out for bids. The solicitation of bids for purchases over \$2,000.00 excludes professional services at the discretion of the Board of Commissioners. The Board may waive the bidding policy by appropriate action.

It shall be the policy of this Board that two of the three members listed: the Chairman, Vice-Chairman or Finance Chairman can authorize emergency maintenance repairs or replacements up to \$8,000.00.

No adjustment or transfer of funds shall be allowed which will adjust any employee's salary, bonus, compensation, or benefits, without the approval of the Board of Commissioners.

No adjustment or transfer will be allowed so as to co-mingle funds, and no department adjustment or transfer will be allowed that requires the transfer of funds from other separate funds, either into the department budget, or out of the department budget, without prior approval of the Finance Committee. The transfer or movement of funds does not apply to separate funds established through grant monies received in accordance with grant requests prepared by each department.

Ayes: All. Motion carried by roll call vote.

**COUNTY OF PRESQUE ISLE
EMPLOYER POLICY STATEMENT AGAINST
SEXUAL HARASSMENT AS AMENDED**

The County of Presque Isle, hereinafter employer, supports and complies with laws to protect and safeguard the rights and opportunities of all people to seek, obtain and hold employment without exposure to sexual harassment or discrimination of any kind in the work place. It is the policy of the employer to provide an environment free of sexual harassment.

Sexual harassment is a violation of state and federal laws and it is against the policies of the employer for any employee, male or female, to sexually harass another employee by:

- a. Making sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature, a condition of an employee's employment, or
- b. Making submission to or rejection of such conduct the basis for employment decisions affecting the employee; or
- c. Creating an intimidating, hostile or offensive working environment by such conduct.

Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, that fails to respect the rights of others, that lowers morale and that, therefore, interferes with our work effectiveness. Sexual harassment may take different forms. One specific form is the demand for sexual favors. Other forms of harassment include:

- | | |
|------------|--|
| Verbal | Sexual innuendos, suggestive comments, jokes of a sexual nature, sexual propositions, threats. |
| Non-Verbal | Sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures. |
| Physical | Unwanted physical contact, including touching, pinching, brushing the body, coerced sexual intercourse, assault. |

Sexual harassment may be overt or subtle. Some behavior which is appropriate in a social setting may not be appropriate in the work place. But whatever form it takes, verbal, non-verbal or physical sexual harassment can be insulting and demeaning to the recipient and cannot be tolerated in the work place. Sexual harassment by an employee, manager or supervisor will not be tolerated. Additionally, non-employees, managers, supervisors and non-employees alike will be expected to comply with this policy and take appropriate measures to ensure that such conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy against sexual harassment.

*BASED ON THE SERIOUSNESS OF THE OFFENSE, DISCIPLINARY ACTION
MAY INCLUDE REPRIMAND, SUSPENSION OR TERMINATION.*

SEXUAL HARASSMENT COMPLAINT PROCEDURE

1. Any employee who believes her or she has been the subject of sexual harassment should report the alleged act immediately to the Chairperson of the Board of Commissioners or the County Clerk. The Chairperson of the Board of Commissioners or County Clerk will provide the employee with a complaint form. Although it is not necessary, all complaining employees are encouraged to complete and return the complaint form.
2. If the complaint involves either the Chairperson of the Board of Commissioners or the County Clerk, and if the employee would prefer to do so, the complaint may be filed directly with the Prosecuting Attorney. The Prosecuting Attorney shall thereafter be charged with responsibility for follow-up.
3. All complaints will be handled in a timely and confidential manner. The purpose of this provision is to protect the confidentiality of the employee who files a complaint, to encourage the reporting of any incidents of sexual harassment, and to protect the reputation of any employee wrongfully charged with sexual harassment.
4. Investigation of a complaint will normally include conferring with the parties involved and any named or apparent witnesses. Employees shall be guaranteed an impartial and fair review and investigation. All employees shall be protected from coercion, intimidation, retaliation, interference or discrimination for filing a complaint or assisting in an investigation.
5. If the investigation reveals that the complaint is valid, prompt attention and disciplinary action designed to stop the harassment immediately and to prevent its recurrence will be taken.

The employer recognizes that the question of whether a particular action or incident is a purely personal, social relationship without a discriminatory employment effect requires a factual determination based on all facts in the matter. Given the nature of this type of discrimination, the employer recognizes also that false accusations of sexual harassment can have serious effects on innocent individuals. We trust that all employees will continue to responsibly establish and maintain a pleasant working environment, free of sexual harassment.

The employer encourages any employee to raise questions he or she may have regarding sexual harassment with the employer.

The above amended sexual harassment policy was adopted by the Presque Isle County Board of Commissioners on September 14, 2005.

REPORT OF SEXUAL HARASSMENT

INSTRUCTIONS

If you wish to file a report claiming sexual harassment against someone associated with your employment, complete and submit this form.

You are encouraged to discuss your report with your supervisor and request his/her assistance in completing this form. You are further encouraged to complete this report and return it to the County Clerk, Chairperson of the Board of Commissioners or Prosecuting Attorney as soon after the act complained has occurred.

Person(s) who allegedly discriminated against you and the date that the alleged discriminatory incident(s) took place:

NAME

DATE

Employee Complaint: (Reasons for claim. State the facts simply, giving full particulars of the incident(s) as to the time, date, place and names, if any, and how you feel there has been discrimination against you. You may attach additional sheets or write on the back of this form.)

Date Submitted: _____

By: _____
Signature of Reporting Employee

Date Received: _____

By: _____
Signature of Receiving Party