

AGENDA REPORT

TO: Mayor & City Commission
FROM: Ken Hibl, City Manager
DATE: March 31, 2010
RE: Designation of Delegate to Isabella County Council of Governments

For the Agenda of April 5, 2010

Background. By virtue of the fact that a portion of the City of Clare lies within Isabella County, we are invited to participate in the County Council of Governments. The Council meets on a monthly basis to discuss items of interest and concern to all governmental entities within Isabella County.

The Council recently adopted bylaws (*copy att'd*) that require that the primary delegate of each member governmental entity shall be an elected official (See Article III., A., 1 of the att'd bylaws). Consequently, the Clare City Commission is asked to designate one of its members to serve as the primary delegate. I suggest that the City Commission concurrently designate the city manager and/or city clerk as alternate delegates to allow the City have a voice at Council meetings wherein the city commissioner designated as Clare's primary delegate is not available to attend.

Issues & Questions Specified. Should the Clare City Commission designate a primary and alternate delegate(s) to the Isabella County Michigan Council of Governments?

Alternatives.

1. Appoint a primary and alternate delegate(s).
2. Appoint a primary but no alternate delegate.
3. Do not appoint any delegate to the Council.
4. Set the matter aside for consideration at a later-scheduled commission meeting.

Financial Impact. The cost to the City is minimal (travel allowance to attend the monthly meetings); information obtained from attending the meeting and relationships established could prove invaluable.

Recommendation. I recommend that the Clare City Commission designate a city commissioner as its primary delegate and appoint its city manager and its city clerk to serve as alternate delegates by adoption of Resolution 2010-025 (*copy att'd*).

Attachments.

1. Bylaws.
2. Resolution 2010-025.

BYLAWS OF ISABELLA COUNTY MICHIGAN COUNCIL OF GOVERNMENTS

Preamble

It is hereby affirmed that the local units of government in Isabella County, which include cities and villages, townships and the Saginaw Chippewa Indian Tribe have many common concerns that transcend their individual borders; that the destinies of each unit rest with the interdependent actions of the system of local governments which comprise the Isabella County area; that it is vital to retain local home rule while combining resources to meet area wide challenges beyond the capabilities of individual units; that expansion of the concept of voluntary cooperation among local units of government is an effective means for achieving this vital goal; and that cooperation must be fostered by facilitating trust and communication between the governmental entities and by strengthening the abilities of local governments to meet individual local needs and by developing a voluntary association of local governments to address common interests and concerns.

ARTICLE I. PURPOSE

The Isabella County Council of Governments is a voluntary association of local units of government in Isabella County for the purpose of fostering cooperative efforts to resolve problems and, with maximum efficiency, formulate policies and plans that benefit all.

The Council shall:

- A. Adopt and amend Bylaws, pass upon questions relating to its membership and propose amendments to the intergovernmental agreement creating the Council;
- B. Provide a mutual forum for the study, discussion, identification and definition and clarification of problems and opportunities;
- C. Serve as a vehicle to promote communication and cooperation among local governmental units and between these units and other agencies;
- D. Foster, develop, review and approve plans for growth, development and conservation, and aid in coordinating plans, programs and activities among local governmental units;
- E. Develop policies and proposals to meet identified needs;
- F. Maintain liaison with member governmental units, agencies or organizations and other governmental units relative to issues, and serve, when so directed, as spokesperson for Council members;

G. Furnish, upon request of its members, aid in the development of forms of intergovernmental cooperation, and serve as a mediating party in the resolution of intergovernmental variances when called upon by members to do so;

H. Make appointments to other bodies, agencies and authorities as provided by law;

I. Take such other action as may be found necessary or desirable in implementing the goals of the Council; provided, however, that no member shall be bound by any action of the Council without its consent.

ARTICLE II. MEMBERSHIP

A. Eligibility. All cities and villages, townships and the Saginaw Chippewa Indian Tribe shall be eligible for membership on the Council, subject to the conditions hereinafter provided.

ARTICLE III. ORGANIZATION

The powers and organization of the Council:

The General Assembly may act on any question within the scope of these Bylaws, and, act on any question which is subject to determination by a simple majority of the General Assembly.

A. The General Assembly.

The General Assembly shall convene monthly, one such meeting to be designated the Annual Meeting by resolution adopted not less than sixty (60) days prior to the date of said meeting, and shall also convene upon call of its chairperson or at the request of either ten percent (10%) of its voting members or a majority of said Assembly.

1. Representation. Member units are individually responsible for designating and removing their delegates and alternate delegates to the Council; provided, however, that a person so designated may serve as only one member on the Council; and provided further, that each delegate shall be an elected official of the designating Unit, but an alternate is not required to be an elected official of the designating Unit. In the absence of a delegate, his or her alternate shall vote in his or her place and stead, but shall not exercise any other responsibilities of the delegate.

2. Quorum. A quorum of the General Assembly shall consist of a simple majority of the total voting membership.

3. Routine Voting. Except as hereinafter provided, the General Assembly may decide any question by the vote of a simple majority of delegates or voting alternates present at any meeting at which a quorum is assembled.

7. Notice of Meetings. At least seven (7) days prior to the date set for the holding of any meeting of the General Assembly, written notice of the time and place of such meeting shall be mailed, to each unit(s) delegates at the address of such delegate appearing on the records of the Council.

8. Minutes and Agendas. Proposed minutes of the proceedings of the General Assembly shall be prepared by Council staff and furnished to the membership prior to the next meeting. Proposed minutes of previous meetings shall be submitted to the members of the General Assembly not less than seven (7) days prior to the next succeeding meeting of the General Assembly for approval at such meeting. An Agenda for the next succeeding meeting shall be submitted to the members of the General Assembly at the time of submitting proposed minutes.

9. Committees. The General Assembly shall establish a Bylaws Committee as its standing committee, and establish ad hoc committees as necessity dictates but action on matters considered by said committees, shall be taken only by the General Assembly.

C. Officers.

The officers of the Council shall include a Chairperson, and a First Vice Chairperson and a Secretary/Treasurer. The Chairperson and First Vice Chairperson and Secretary/Treasurer shall be elected by simple majority of General Assembly delegates present and voting at the meeting. The Chairperson and First Vice Chairperson and Secretary/ Treasurer shall serve no more than a one 2-year term consecutively in each of those capacities.

Upon a vacancy occurring in the office of Chairperson, the First Vice Chairperson shall become Chairperson to complete the unexpired 1-year term. In the event of vacancies in both the Chairperson and First Vice Chairperson offices, the Immediate Past Chairperson shall become the Chairperson for the remainder of the unexpired 2-year term. A Chairperson and First Vice Chairperson and Secretary/ Treasurer shall be elected at the Annual Meeting of the General Assembly. The Immediate Past Chairperson would serve in that capacity for one year. Any person serving as Chairperson, Vice-Chairperson, or Secretary/Treasurer at the time of the adoption of these Bi-Laws shall be eligible to complete one 2-year term.

Upon an unanticipated vacancy occurring in an office, a Nominating Committee shall be established. The Nominating Committee membership shall consist of representatives selected in accordance with Article III.D. of these Bylaws. The Nominating Committee shall promptly notify the General Assembly delegates and alternates of the vacancy to fill the office.

D. Nomination of Officers.

The General Assembly shall nominate officers by majority quorum of members.

ARTICLE IV. PARLIAMENTARY AUTHORITY

The rules contained in Roberts' Rules of Order, Revised, shall govern the council in all cases to which they are applicable, and in which they are not inconsistent with the Bylaws or any special rules of order of the Council.

ARTICLE V. AMENDMENT OF BY LAWS

A. In case a proposed amendment to the Bylaws has received the recommendation of the Bylaws committee, and has been fully set out in a written report of the Bylaws Committee containing the text of this Section A, of this Article V, and mailed to the delegates and alternate delegates to the General Assembly, not less than thirty (30) days prior to the date of a meeting of the General Assembly, then such proposed amendment may be adopted by a vote of two-thirds (2/3) of the voting members present at such meeting of the General Assembly.

B. Proposed amendment to the Bylaws which shall not have received the recommendations of the Bylaws Committee or shall not have been reported to the delegates and alternate delegates to the General Assembly, or shall not have been adopted by a vote of two-thirds (2/3) of the voting members present at a meeting of the General Assembly, all as described in the foregoing Section A of this Article V, may be presented at any meeting of the General Assembly, but shall not be considered for adoption until the next following meeting.

Proposed DRAFT presented March 17, 2010



COUNCIL OF GOVERNMENTS
March 17, 2010
Isabella County Building Room 320
200 North Main Street
Mount Pleasant MI 48858
7:00 p.m.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. BUSINESS
- IV. LEGISLATIVE UPDATES:
- V. PANEL PRESENTATION:
 - A. Fiscal Year 2010 State of the County –
Timothy Dolehanty, Administrator/Controller
- VI. ORGANIZATIONAL MATTERS
 - A. Council of Governments by-laws review and discussion
- VII. FUTURE MEETING DATES AND LOCATIONS
 - A. May 19, 2010 - TBA
- VI. OTHER BUSINESS
- VII. ANNOUNCEMENTS
- VIII. ADJOURNMENT

RESOLUTION 2010-025

A RESOLUTION OF THE CLARE CITY COMMISSION DESIGNATING A PRIMARY AND ALTERNATE DELEGATES TO THE ISABELLA COUNTY MICHIGAN COUNCIL OF GOVERNMENTS.

WHEREAS, all governmental entities within Isabella County are eligible for membership in the Isabella County Michigan Council of Governments; and

WHEREAS, the City of Clare is eligible for membership in said Council; and

WHEREAS, the bylaws of said Council of Governments stipulates that the primary delegate to said Council shall be an elected official and the alternate delegate(s) are not required to be elected officials and may be designated by the governing body of the municipality; and

WHEREAS, the City Commission deems it to be in the best interests of the City of Clare, its residents, and its business community to have representation as a member of said Council of Governments and be allowed to vote in matters of interest to the Council.

NOW THEREFORE BE IT RESOLVED THAT the Clare City Commission hereby designates Commissioner _____ as its primary voting delegate to the Isabella County Michigan Council of Governments and further designates its city manager and its city clerk as primary and secondary voting alternate delegates, respectively.

The Resolution was introduced by Commissioner _____ supported by Commissioner _____. The Resolution declared adopted by the following roll call vote:

YEAS:

NAYS:

ABSENT:

Resolution approved for adoption on this 5th day of April 2010.

Diane Schmidt, City Clerk