

COUNTY BOARDS OF COMMISSIONERS (EXCERPT)
Act 156 of 1851

46.3 County board of commissioners; quorum; voting; electrical roll call system; electing chairperson and vice-chairperson; powers and duties of chairperson; signing documents; eligibility of member for other office.

Sec. 3.

(1) A majority of the members of the county board of commissioners of a county constitutes a quorum for the transaction of the ordinary business of the county.

(2) The county board of commissioners of a county shall act by the votes of a majority of the members present. However, the final passage or adoption of a measure or resolution or the allowance of a claim against the county shall be determined by a majority of the members elected and serving. The county board of commissioners may require in its bylaws that the votes of 2/3 of the members present or a majority of the members elected and serving, whichever is greater, are required on final passage or adoption of a nonagenda item. The voting requirements of this subsection do not apply if section 11 or any other provision of law imposes a higher voting requirement.

(3) To take the yeas and nays on a question to be voted upon by the county board of commissioners of a county, an electrical roll call system may be used.

(4) The county board of commissioners of a county shall elect 1 member as chairperson and 1 member as vice-chairperson. The chairperson shall be elected each odd numbered year for a 2-year term, unless the county board of commissioners provides by resolution that the chairperson shall be elected annually for a 1-year term. The vice-chairperson shall be elected annually for a 1-year term. The election of a chairperson or vice-chairperson shall take place at the first meeting of the county board of commissioners in a year in which a chairperson or vice-chairperson, respectively, is to be elected. The term of a chairperson or vice-chairperson shall begin upon his or her election. A resolution providing for a 1-year term for the chairperson does not shorten the term of office of a sitting chairperson elected for a 2-year term.

(5) The chairperson shall preside at a meeting of the board, but if the chairperson is absent from a meeting, the vice-chairperson shall preside. A chairperson may administer an oath to a person concerning a matter submitted to the county board of commissioners or connected with the discharge of its duties, may issue subpoenas for witnesses, and may compel the attendance of a witness in the same manner as a court of law. The county board of commissioners may designate 1 member to affix his or her signature to contracts, bonds, and other documents requiring the signature of the chairperson, if the chairperson is unable to so do because of illness or other exigency which, in the opinion of the board, prevents the chairperson from performing the functions of the office.

(6) A member of the county board of commissioners of a county, while a member of the board, is not eligible for election to any other county office or position, the election of which is within the jurisdiction of the county board of commissioners.

History: 1851, Act 156, Imd. Eff. Apr. 8, 1851 ;-- CL 1857, 337 ;-- Am. 1863, Act 195, Eff. June 22, 1863 ;-- CL 1871, 469 ;-- How. 475 ;-- Am. 1897, Act 24, Eff. Aug. 30, 1897 ;-- CL 1897, 2476 ;-- CL 1915, 2266 ;-- Am. 1919, Act 144, Eff. Aug. 14, 1919 ;-- CL 1929, 1122 ;-- CL 1948, 46.3 ;-- Am. 1958, Act 109, Eff. Sept. 13, 1958 ;-- Am. 1962, Act 144, Eff. Mar. 28, 1963 ;-- Am. 1968, Act 56, Imd. Eff. May 28, 1968 ;-- Am. 1969, Act 5, Imd. Eff. Apr. 11, 1969 ;-- Am. 1978, Act 51, Eff. Mar. 30, 1979 ;-- Am. 1978, Act 326, Imd. Eff. July 11, 1978 ;-- Am. 1998, Act 97, Imd. Eff. May 15, 1998 ;-- Am. 2000, Act 392, Imd. Eff. Jan. 4, 2001