

## BYLAWS OF THE MACOMB COUNTY ETHICS BOARD

### Article I. Name

1. The name of the board is the Macomb County Ethics Board. The address of the Ethics Board is 10 North Main Street, 10<sup>th</sup> Floor, Mount Clemens, Michigan 48043.

### Article II. Ethics Board and Duties

1. The Ethics Board is established pursuant to Section 2.4 of the Home Rule Charter of Macomb County.
2. The duties of the Ethics Board are to
  - a. Provide a procedure whereby a public servant may obtain informal guidance for understanding and complying with applicable ethics standards.
  - b. Render advisory opinions.
  - c. Investigate complaints alleging violation of an applicable ethics provision.
  - d. Prepare educational materials regarding applicable ethics standards and conduct training programs for public servants, at its discretion.

### Article III. Ethics Board

1. **Board.** The Ethics Board shall consist of five persons, nominated by the County Executive and confirmed by the Board of Commissioners.
2. **Term.** Ethics Board members are appointed for five-year terms, with the terms of not more than two members expiring in any one year.
3. **Qualifications.** A member must be a qualified elector in Macomb County. Persons who have been public servants at any time in the preceding two years and their immediate family members are ineligible to serve on the Ethics Board. An officer of a political party is ineligible to serve on the Ethics Board.
4. **Replacement and Vacancies.** Subsequent members shall be appointed in the same manner as original appointments at the expiration of each member's term. A member whose term of office has expired shall continue to hold office until his/her successor has been appointed. A member may be reappointed to serve additional

terms. If a vacancy is created by death or resignation, a successor shall be appointed within thirty days for the remainder of the term.

5. **Removal.** A member may be removed from office by the County Executive for cause with the approval of the Board of Commissioners.
6. **Conflict of Interest.** A member who has a direct interest in any matter before the Ethics Board shall disclose his/her interest prior to any discussion of that matter by the Ethics Board. The disclosure shall become a part of the record of the Ethics Board's official proceedings. The interested member shall further refrain from participation in the Ethics Board's action relating to the matter.
7. **Compensation.** Members of the Ethics Board shall not receive compensation for services as members of the Ethics Board.
8. **Contracts.** With the approval of the Board of Commissioners, the Ethics Board may contract for outside legal counsel.
9. **Meetings.** Meetings of the Ethics Board may be called by or at the request of the Chair of the Ethics Board or any two members. The meetings of the Board shall be public. The Board shall hold an annual meeting in October of each year at which time officers of the Board shall be elected.
10. **Notice.** Notice of any meetings shall be given in accordance with the Open Meetings Act (Act 267 of the Public Acts of 1976).
11. **Quorum.** A majority of the members of the members then in office constitutes a quorum for the transaction of business at any meeting the Ethics Board. A majority of the Ethics Board present may adjourn the meeting from time to time without further notice. The vote of the majority of the members present at a meeting at which a quorum is present constitutes the action of the Ethics Board, unless the vote of a larger number is required by these bylaws. Amendment of the bylaws requires the vote of not less than a majority of the members of the Ethics Board then in office.

#### **Article IV. Officers**

1. **Officers.** The officers of the Ethics Board shall be elected by the Ethics Board and shall consist of a Chairperson, Vice Chairperson, and Secretary. The Board may also appoint a Recording Secretary who need not be a member of the Board.
2. **Nomination, Election and Term of Office.** The Ethics Board at an annual meeting held on the third Thursday of January shall elect the officers of the Ethics Board.

The term of each office shall be for one year. Each officer shall hold office until his/her successor is appointed. No person shall hold the same office for more than three successive terms.

3. **Chairperson and Vice Chairperson.** The Chairperson shall be the chief executive officer of the Ethics Board and may from time to time delegate all or any part of his/her duties to the Vice Chairperson. The Chairperson shall preside at all meetings of the Ethics Board and shall perform all the duties of the office as provided by law, charter, or these bylaws. The Chairperson shall have the general powers and duties of supervision and management of the Ethics Board.
5. **Secretary and Recording Secretary.** The Secretary or Recording Secretary shall attend all meeting of the Ethics Board, record all votes and the minutes of all proceedings and perform the duties of the office of Secretary and Recording Secretary as provided by law or these bylaws.
6. **Delegation of Duties of Offices.** In the absence of any officer of the Ethics Board, or for any other reason that the Board may deem sufficient, the Board may delegate, from time to time and for such time as it may deem appropriate, the powers or duties of such officer to any other officer, or any other Member, provided a majority of the Board then in office concurs.

#### **Article V. Parliamentary Procedure**

In all matters not covered by these rules, Robert's Rules of Order, Newly Revised, shall govern the Ethics Board. The Chairperson of the Ethics Board shall be the parliamentarian.

#### **Article VI. Amendments**

These bylaws may be altered, amended, or repealed by the affirmative vote of a majority of the Board then in office at any regular or special meeting called for that purpose.