

(REVISED AS OF 4-25-2000)

BYLAWS

ESTABLISHING AND GOVERNING THE CLINTON COUNTY CENTRAL DISPATCH AUTHORITY

This agreement is made by and between the sponsoring public agencies as described herein and is effective as of the date that the second sponsoring public agency approves it.

SECTION I PURPOSE

The sponsoring public agencies desire to centralize the dispatch of emergency police, fire and ambulance services within Clinton County. The intent of this agreement is to create for this purpose a “Central Dispatch System Authority” (“CCCDA”) which shall be an agency of Clinton County.

SECTION II DEFINITIONS

As used in this agreement, the following terms shall have the following meanings:

- 2.1 “Budget” refers to the Annual Fiscal plan regarding anticipated expenditures and revenue adopted by the Clinton County Board of Commissioners.
- 2.2 “Committee” refers to the Operational Policy Committee described in this agreement.
- 2.3 “Contributing Private Safety Entity” refers to a for profit or non-profit entity that provides emergency medical services within Clinton County and contracts with Clinton County for CCCDA services.
- 2.4 “Direct Dispatch Method” refers to a method of responding to a request for service whereby a PSAP, in accordance with established operating standards and policies, decides on the proper action to be taken and dispatches the appropriate emergency service unit located in response to the request.
- 2.5 “Director” refers to Clinton County Central Dispatch Director who shall be appointed by the County Board of Commissioners.
- 2.6 “E 9-1-1 Plan” refers to the plan adopted by the Clinton County Board of Commissioners pursuant to the Emergency Telephone Service Enabling Act.

- 2.7 “Emergency Telephone Service Enabling Act” refers to 1986 P.A. No. 32, as amended, MCLA 484.1101 et seq.
- 2.8 “Fiscal Year” refers to the period of time in which the budget, as approved by the County Board of Commissioners, shall be effective and shall be conterminous with the calendar year.
- 2.9 “Legislative Body” refers to the governing body of a public agency.
- 2.10 “CCCDA” refers to Clinton County Central Dispatch Authority as created herein.
- 2.11 “Private Safety Entity” refers to a private entity which provides emergency fire, ambulance, or medical services.
- 2.12 “Properly Convened Meeting” refers to a meeting where a majority of the appointed members are present and which was the subject of five days prior written notice to each member or prior attempts to reach each member telephonically if the meeting was called with less than five days notice. Meetings shall be convened in accordance with the provisions of the Open Meetings Act.
- 2.13 “ Proper Vote” refers to a vote which results in an affirmative majority of those members present and voting.
- 2.14 “Participating Public Agencies” within Clinton County refers to:
- 2.14 (A) “Sponsoring public agencies” which are the County of Clinton and the Michigan Department of State police; and
 - 2.14 (B) “Contributing public agencies” which can be a city, village, township or special purpose district with a public safety agency operating within Clinton County and which contracts with Clinton County for the provision of CCCDA services.
- 2.15 “Public Safety Agency” refers to an operational division of a public agency which provides law enforcement, fire fighting, ambulance, medical, or other emergency services.
- 2.16 “Participating Public Safety Agency” refers to a public safety agency within Clinton County that participates in the Clinton County Central Dispatch System through either the direct dispatch, the relay method, or the transfer method.
- 2.17 “Public Safety Answering point” or “PSAP” refers to a communication s facility operated on ad 24 hour basis, assigned responsibility to receive both emergency and non-emergency requests for service and, as appropriate, to process service requests by means of either the direct dispatch method, the relay method, or the transfer method.

2.18 “Relay Method” refers to a method of responding to a request for service whereby a PSAP notes pertinent information and, in accordance with established operating standards and policies, relays it by telephone, radio, or private line to the appropriate public safety agency or other provider of emergency services that has an available emergency service unit in response to the request for service.

2.19 “Transfer Method” refers to a method of responding to a request for service whereby a PSAP, in accordance with established operating standards and policies, transfers the call directly to the appropriate public safety agency or other provider of emergency service that has an available emergency service unit in response to the request for service.

SECTION III GOVERNANCE

3.1 Administrative Policy Board

3.1(A) Composition

The rules and policies governing the operations of CCCDA shall be established by an Administrative Policy Board of seven members to be composed of one representative from: the Michigan State Police; the Clinton County Sheriff’s Department; in alternating years, the City of St. Johns Police Department or City of DeWitt Police Department; in alternating years, the DeWitt Township Police Department or Bath Township Police Department; the Clinton County Fire Departments; the Emergency Medical Service Community Serving Clinton County; and a member of the general public (a Clinton County resident). Appointment of the public safety or public agency representatives shall be at the discretion of each agency which may remove its appointee at will. The City of St. Johns and DeWitt Township shall select their respective representative to the first year of CCCDA operation and then alternate each year as described above. Beginning January 1, 1994, terms for area police department representatives shall be for two years each. The two year term for DeWitt Township shall begin January 1, 1994. The two year term for the City of St. Johns shall begin January 1, 1995. Representatives shall then alternate every two years as described above.

The representatives from the Clinton County Fire Association; and Emergency Medical Services Community and general public, shall be appointed by a proper vote of the County Board of Commissioners after receiving the recommendations of the Committee. The terms of the representatives selected by the County Commissioners shall be three years each, although the initial term of the Emergency Medical Services Community representative shall be one year, and the initial term of the Area Police Department representative shall be two years. All members shall serve without recompense. The Committee shall operate according to the County Board of Commissioners’ policies and procedures including but not limited to its policies on ex officio membership.

3.1 (B) POWERS

The Committee is empowered to perform the following functions for CCCDA in order to facilitate the purpose of this agreement:

- (a) make recommendations to the Director regarding the selection, supervision and termination of CCCDA personnel.
- (b) make recommendations to the County Board of Commissioners on CCCDA operational policies and priorities.
- © provide advice to the Director and County Board of Commissioners regarding CCCDA operations.
- (d) make recommendations to the Director and County Board of Commissioners regarding CCCDA's annual budget.
- (e) recommend a candidate or candidates to the County Board of Commissioners for the position of Director.
- (f) establish policy covering the operation and access to computers interfaced directly or indirectly with the LEIN or NCIC computer systems, including those which are and for interstate exchange of criminal history record information.

The Committee shall not have the power to contract or possess the power to levy and type of tax or issue any type of bond in its name, in the name of CCCDA, or in the name of Clinton County.

3.1 © Exercise of Authority

The Committee shall plan to meet at least quarterly with mandatory meetings in January and October. The Committee may meet more frequently at its discretion. At its first meeting, and January meeting thereafter, the Committee shall elect a chairperson and vice-chairperson from its membership. Power shall be exercised upon a proper vote at a properly convened meeting. Each member shall be entitled to one vote.

3.2 Technical Advisory Committee

A Technical Advisory Committee shall report to the Administrative Policy Board through the Director, and shall be composed of the following members:

1. Clinton County Central Dispatch Director
2. A representative appointed by the Clinton County Sheriff
3. A representative appointed by the Michigan State Police
4. A member appointed by the Administrative Policy Board to represent the fire departments within the County

5. A member appointed by the Administrative Policy Board to represent the police departments of the cities, villages and townships within the County
6. A member appointed by the Administrative Policy Board to represent the emergency medical service providers within the County
7. A member, appointed by the Administrative Policy Board, who is a supervisor of dispatchers at the Clinton County Central Dispatch Authority
8. The Clinton County Emergency Management Director

The Technical Advisory Committee will recommend policy and operating procedures to the Administrative Policy Board, with a particular concentration on technical operating procedures to be used by the dispatchers and the dispatched public and private emergency service providers and agencies. The Technical Advisory Committee will not, however, set policy for the Clinton County Central Dispatch Authority, or any of the public or private service providers.

Members of the Technical Advisory Committee shall serve for terms established by the Administrative Policy Board, although their appointing body or official may remove them at any time.

No single public agency or public safety agency shall have more than one voting member on the Technical Advisory Committee. Therefore, the Director shall not vote on matters brought before the Committee.

All members shall serve without recompense and shall be allowed to designate, in a signed writing, an alternate to sit and vote in his or her place in the event the member is unable to attend the meeting. A quorum shall constitute four members or alternates, and all matters decided upon by the Committee are deemed approved upon a majority vote of the members or alternates attending a meeting at which a quorum is established and maintained.

3.3 Election of Chairperson

The Administrative Policy Board shall elect a Chairperson at its first meeting of the calendar year, which shall be its organizational meeting. Thereafter, the Chairperson shall preside over the Board meetings and cause minutes of such meetings to be prepared and distributed to each member. The Board Chairperson shall exercise all powers and duties specified in these Bylaws or in Roberts Rules of Order, which shall govern Board meeting procedures to the extent such Rules are not in conflict with Michigan law or these Bylaws.

The Technical Advisory Committee shall likewise elect a Chairperson at its first meeting of the calendar year, which shall be its organizational meeting. Thereafter, the Chairperson shall preside over the Committee meetings and cause minutes of such meetings to be prepared and distributed to each member. The Board Chairperson shall exercise all powers and duties specified in these Bylaws or in Roberts Rules of Order,

which shall govern Committee meeting procedures to the extent such Rules are not in conflict with Michigan law or these Bylaws.

SECTION IV OPERATIONS

4.1 Personnel

The County Board of Commissioners shall appoint a “Clinton County Central Dispatch Director,” after receiving the recommendation of the Committee. The Director may appoint such other necessary personnel as authorized by the County Board of Commissioners. The Director and all such personnel shall be County employees whose terms and conditions of employment shall be determined by the County Board of Commissioners. Notwithstanding the above, all personnel decisions made by the Director shall be subject to review by the County Board of Commissioners, and the CCCDA and Director shall comply with such personnel policies and procedures as established by Clinton County.

4.2 Central Dispatch

CCCDA is charged with the responsibility of operating an E-9-1-1, Public Safety Answering Point (PSAP) and Central Dispatch System for participating public safety agencies and contributing private safety entities in Clinton County.

SECTION V FISCAL ADMINISTRATION

5.1 Budget

After consulting with the Committee, the Director shall submit each year a proposed CCCDA budget to the County Board of Commissioners for approval. The budget shall segregate anticipated revenues into accounts designed to cover expected expenditures. The Budget shall balance anticipated revenues with expected expenditures and contingency accounts. No expenditures may be authorized if it will result in an actual budgetary account deficit or is at a rate which will eventually lead to an actual budgetary account deficit prior to the end of the fiscal year. The Committee and Director shall recommend to the County Board of Commissioners that the budget be amended if necessary to meet deviations in expected revenues or authorized expenditures. The CCCDA and its Director shall comply with such fiscal policies and procedures as established by Clinton County and its Chief Fiscal Officer.

5.2 Annual Audit

All CCCDA finances and expenditures shall be subject to a complete annual audit which will include and unqualified audit opinion to be performed by a certified public accountant.

Such audit shall constitute part of the County's audit. The Committee shall establish procedures in conjunction with the auditor that preserve the confidentiality of CCCDA's operations and notwithstanding anything contrary in this agreement, the audit may be qualified to the extent necessary to preserve confidentiality.

SECTION IV PARTICIPATION AND ANNUAL MEETING

6.1 Participation

Any public agency with Clinton County that is a participating public agency under the County E9-1-1 Plan implemented pursuant to the Emergency Telephone Service Enabling Act or private emergency medical services entity servicing Clinton County may become a contributing public agency or contributing private safety entity by contracting with Clinton County on such terms and conditions as set forth by the County Board of Commissioners.

6.2 Annual Meeting

Representatives from each contributing public agency and contributing private safety entity shall have the right to attend and annual CCCDA meeting hosted by the Committee and County Board of Commissioners.

SECTION VII MISCELLANEOUS

7.1 Merger

This agreement constitutes the complete expression of the agreement between the sponsoring public agencies and there are no other oral or written agreements or understanding between the sponsoring public agencies concerning CCCDA. This agreement may only be modified or amended by subsequent written agreement approved by the sponsoring public agencies.

7.2 Severability

This agreement shall be interpreted in a manner consistent with applicable law. If any portion is held to be illegal, invalid, or unenforceable, the remainder of the agreement shall be deemed severable and shall remain in full force and effect.

7.3 Term

This agreement shall remain in effect until January 1, 1999, unless terminated by a sponsoring public agency prior to that time upon ninety days notice to the other sponsoring public agency. At all times during the term of this agreement and upon its termination, all CCCDA funds and property shall be deemed assets of Clinton County.

EXECUTION

Executed this 6th day of August 1991. Signatures on file for Chairman of the Board of Commissioners, Michigan State Police Deputy Director Office of Field Services and Clinton County Sheriff.

ATTESTATION

I, Jane Swanchara, the Clinton County Clerk, hereby certify that the Clinton County Board of Commissioners approved this agreement and directed that it be executed by its Chairman and the Clinton County Sheriff, both of whose signatures have been applied above.

Signature on file dated July 3, 1991.

Modified DECEMBER 23, 1993 - copy on file with county clerk

Modified April 25, 2000 Resolution 2000-7 - copy on file with county clerk