

**BYLAWS AND RULES
OF THE
OTTAWA COUNTY PLANNING COMMISSION**

SECTION 1

PURPOSE

The Ottawa County Planning Commission was created pursuant to MCL 125.101 et seq. (currently, MCL 125.3801 et seq.), by the Ottawa County Board of Commissioners. The provisions of the "Ordinance Establishing the Ottawa County Planning Commission" and any amendments thereto are incorporated herein by reference. That ordinance authorizes the Planning Commission to establish rules and bylaws to govern its operations. These Bylaws and Rules are to be read in a manner consistent with that ordinance, as well as state law, and any provision herein deemed inconsistent with the ordinance or state law shall be struck and the remainder of the Bylaws and Rules shall remain in full force and effect.

SECTION II

ORGANIZATION

2.1 MEMBERSHIP. By ordinance, the Planning Commission shall total nine (9) members, including two (2) from the Ottawa County Board of Commissioners. The County shall make every reasonable effort to ensure that the membership of the County Planning Commission includes one (1) member of a public school board or an administrative employee of a school district, located in whole or in part, within the County's boundaries, pursuant to MCL 125.3815(6). One (1) member must be a member of the Ottawa County Board of Road Commissioners. The remaining five (5) must be from among the following communities: agriculture, commerce, education, government, industry, natural resources, public health, recreation, and transportation. Upon a proper vote, the Planning Commission may appoint ex-officio members to assist it in the performance of its duties. Ex-officio members shall not have voting rights.

2.2 FIDUCIARY DUTIES. While the Planning Commissioners and ex-officio members are representative of different constituencies within the county, they shall endeavor to promote the general public good rather than special interests. All members and ex-officio members should respect the confidentiality of materials presented, subject to the requirements of the Open Meetings Act, MCL 15.261 et seq., and the Freedom of Information Act, MCL 15.231 et seq.

2.3 ATTENDANCE. If a member is unable to attend a Planning Commission or committee meeting, he or she should contact the Ottawa County Planning Department or Chairperson by 5 p.m. of the day preceding the meeting and advise them of the reason for the absence. As stated in the Board of Commissioners' Administrative Policy regarding appointments to boards and commissions, all appointees are expected to maintain at least a seventy-five (75)% attendance record at meetings, and to not miss more than three (3) consecutive meetings without acceptable reasons. An appointee may be removed by the Board of Commissioners for failure to meet this expectation.

2.4 COMPENSATION. Planning Commissioners, pursuant to MCL 125.3823, may be paid a per diem as established by the Ottawa County Board of Commissioners. Ad hoc and ex-officio members shall not receive compensation.

Planning Commissioners and ex-officio members may be reimbursed for actual, reasonable and necessary expenses incurred in the discharge of their duties. No such reimbursement shall be paid without appropriate receipt or mileage statement, according to Ottawa County's policies therefore. Each Planning Commissioner or member shall be responsible for procuring and presenting such back-up documentation to the Secretary who shall collect and preserve such documentation.

SECTION III

OPERATIONS

3.1 SESSION. The Planning Commission shall operate on an annual session coterminous with the calendar year.

3.2 MEETINGS. The Planning Commission, pursuant to MCL 125.3821, must hold at least four (4) meetings a session, including an organizational meeting. The organizational meeting shall be the first meeting that occurs after January 1 of each year. At the organizational meeting, the Planning Commission shall select a Chairperson, Vice-Chairperson and Secretary, the latter need not be a member of the Planning Commission.

At the organizational meeting, a schedule of regular meetings for the year shall be established, including the organizational meeting for the following year. This schedule shall include the date, time and meeting location. Notwithstanding the above regular meetings may be adjourned and rescheduled by the Chairperson for cause.

Special meetings to discuss particular topics may be called by the Chairperson or by a written request signed by three (3) Planning Commissioners and filed with the Secretary. Special meetings of the Board will require seven (7) calendar days written notice to all Planning Commissioners of the meeting date, time, location and topic. No business except that related to the topic may be conducted at the special meeting.

Each Planning Commissioner shall be responsible for keeping the Secretary apprised of his or her current address, email address, and telephone number and if such information is utilized, no defect in notice will be recognized.

No Planning Commission action shall be official unless it occurs upon a proper vote at a properly convened meeting or unless it is ratified by a proper vote at a subsequent, properly convened meeting.

"Properly convened meeting" refers to a Planning Commission meeting where a majority of the appointed members are present, and which was the subject of seven (7) calendar days prior written notice to each member or diligent, prior attempts to reach each member telephonically if the meeting was called with less than seven (7) calendar days notice, or in an emergency meeting called according to the provisions of the Open Meetings Act, MCL 15.261 et seq.

"Proper vote" refers to a polling of the Planning Commissioners of the Planning Commission at a properly convened meeting which results, unless otherwise specified in these bylaws, in a majority of those members present and voting in support of a motion or resolution.

3.3 OFFICERS. The officers of the Planning Commission shall consist of the Chairperson, Vice-Chairperson, and Secretary and shall be elected for a one year term by a proper vote at the organizational meeting.

Officers shall exercise functions including but not limited to those described below:

Chairperson - shall preside at the meetings of the Planning Commission, serve as its spokesperson and signatory and coordinate its activities. The Chairperson of the Planning Commission shall be seated as a member of the Ottawa County Parks and Recreation Commission, unless the Planning Commission appoints another member to represent it on the Parks & Recreation Commission.

Vice Chairperson - shall exercise the powers of the Chairperson when the Chairperson is unavailable.

Secretary - shall be responsible for arranging meetings, and recording and distribution of the minutes of each meeting, and for carrying on the normal administrative duties necessary to the Planning Commission's functions. Upon approval of the Planning Commission, the details of these duties may be delegated to non-commission members or other Commission members. An employee of the Planning & Performance Improvement Department may be approved to complete the duties of Secretary but will not be considered a member of the Planning Commission.

3.4 COMMITTEES. The Planning Commission may establish such standing committees, special committees and task forces as it deems necessary. Such committees and task forces shall be advisory only in authority and shall not exercise the powers of the Planning Commission.

Standing committee members must be members of the Planning Commission. Members of special committees or task forces need not be members of the Planning Commission. Any special committee or task force established shall be required to file a written report of its activities upon the completion of its assigned task. Special committees or task forces shall be dissolved upon presentation of a final report. The Planning Commission may dissolve any special committee or task force it establishes, at any time. The Chairperson shall make committee and task force appointments subject to the approval of the Planning Commission upon a proper vote. Each committee or task force shall elect a chairperson from its membership.

3.5 RULES OF ORDER. Except as otherwise provided herein, Roberts Rules of Order shall be used in all Planning Commission meetings, including those of its committees and task forces. Members shall have the following rights and duties:

A. When a commissioner wishes to speak, he or she shall be recognized and address themselves to the Chairperson.

B. When two (2) or more commissioners wish to speak at the same time, then the Chairperson shall decide who is to speak first.

C. When a commissioner is speaking on any question before the Planning Commission, he or she shall not be interrupted except to be called to order.

D. When a commissioner is called to order, he or she shall immediately suspend his or her address except to register an appeal. The entire Planning Commission in attendance, if appealed to, shall decide the question upon a proper vote. If there is no appeal, the ruling of the Chairperson shall be final.

E. The Chairperson shall vote on all questions decided by yea and nay except on an appeal from his or her own decision. When a yea and nay vote is taken, every commissioner present shall vote or note their abstention.

3.6 ORDER OF BUSINESS. Regular meetings of the Planning Commission shall follow an order of business structured as follows:

- A. Call to Order by Chairperson
- B. Establish Quorum
- C. Invocation
- D. Approval of Agenda
- E. Approval of Minutes of Previous Meeting
- F. Presentations
- G. Communications
- H. Public Comments
- I. Action Items
- J. Discussion Items
- K. General Comments and Meetings Attended
- L. Adjournment

3.7 PUBLIC PARTICIPATION. The public shall have an opportunity to address the commission under the provisions of the Open Meetings Act, MCL 15.261 et seq. Public participation shall require that each individual identify his or her name and address and speak to the Chairperson in an orderly fashion. The Chairperson may set reasonable limits upon public participation, subject to reversal by a proper vote of the Planning Commission.

3.8 PERSONNEL. The Planning Commission may petition the Ottawa County Board of Commissioners for a director and other personnel deemed necessary. All such personnel shall be county employees subject to the policies and procedures of the Ottawa County Human Resources Department.

3.9 MINUTES. The Secretary shall record, prepare in writing, and maintain minutes of each Planning Commission regular meeting and special meeting, noting attendance and all Planning Commission actions.

3.10 RECORDS. The records of the Planning Commission shall be considered public records subject to the requirements of the Freedom of Information Act, MCL 15.231 et seq. The Chairperson shall work with the Chairperson of the Ottawa County Board of Commissioners or designee in responding to request for information.

SECTION IV

DUTIES

4.1 MANDATORY DUTIES. The Planning Commission shall perform the mandatory duties specified by statute including those in MCL 125.3819, MCL 125.3831 and MCL 125.3837. A summary of duties, both mandatory and optional as authorized by the Ottawa County Board of Commissioners and adopted by the Planning Commission, are included as Attachment 1. The Planning Commission's primary duty is to create, revise and maintain the Ottawa County Development Plan which shall promote, plan and coordinate the County's economic, social and physical growth, and environmental impact.

4.2 METROPOLITAN COUNTY PLANNING COMMISSION. The Planning Commission shall perform metropolitan and regional planning duties pursuant to MCL 125.3837.

4.3 DEVELOPMENT PLAN. The Planning Commission, pursuant to MCL 125.3831 and MCL 125.3833, shall adopt the Plan in total or in parts corresponding to major geographical or topical sections. Approval of the Plan or any part shall require a proper vote of a majority of the members appointed and serving. An approving resolution must refer expressly to any maps, charts, plats or descriptive material intended to be part of Plan and such supplementary material must be signed by the Chairperson as a notation of its inclusion in the Plan.

Once adopted, the Plan or any part thereof must be submitted to the Ottawa County Board of Commissioners for their action.

SECTION V

FISCAL ADMINISTRATION

5.1 BUDGET. The Planning Commission shall work within the fiscal administration and budgetary policies and procedures established by the Ottawa County Administrator. The Planning Commission shall not expend funds in excess of those appropriated by the Ottawa County Board of Commissioners.

5.2 EXPENDITURES. All expenditures of the Planning Commission must be approved by proper vote, although the Planning Commission may by proper vote authorize identified personnel to approve expenditures of not more than \$1,000.00 prior to the Planning Commission's approval, provided funds are budgeted for such expenditure and provided the Planning Commission's ratification is achieved at its next meeting.

5.3 ANNUAL AUDIT. The Planning Commission shall submit to and cooperate with the County's annual audit of all revenues and expenditures.

SECTION VI

ADOPTION AND AMENDMENTS

These Bylaws and Rules shall be adopted and become operative when approved by two-thirds of the Planning Commissioners appointed and serving. These Bylaws and Rules may be amended at any time provided the Planning Commissioners have been provided with a written copy of the proposed amendments at least seven (7) days prior to a meeting at which the amendment will be considered. Adoption of any amendment will require approval of two-thirds of the Planning Commissioners appointed and serving.

ATTESTATION

We, the Chairperson and Secretary of the Ottawa County Planning Commission hereby certify that on _____, 2017, the Planning Commission duly approved these Bylaws and Rules.

Chairperson

Secretary