



# Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)

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## LENAWEE COUNTY PLANNING COMMISSION BYLAWS

Adopted, October 17, 2013

### Sec.101 **Authority.**

These rules of procedure are adopted by the Lenawee County Planning Commission (hereinafter referred to as the "Commission") pursuant to the:

- (A) The Ordinance creating the Commission, hereafter known as the "Ordinance,"
- (B) Michigan Planning Enabling Act (PA 33 of 2008, MCL 125.3801 *et seq.*), *as amended*, hereafter known as the "MPEA" and
- (C) Michigan Open Meetings Act (PA 267 of 1976, MCL 15.261 *et seq.*), *as amended*, hereafter known as the "OMA."

### Sec. 102 **Purpose.**

The general purpose of the Commission is to guide and promote the efficient, coordinated development of Lenawee County in a manner which will best promote the health, safety, and general welfare of its people; preserve and protect the County and its natural resources; and to address the goals and recommendations of the Master Plan.

### Sec. 103 **Duties of the Commission.**

The Commission will perform the following duties:

- (A) Adopt a Master Plan, review the Plan regularly, and make necessary updates as required.
- (B) Prepare an Annual Report to the County Board.
- (C) Prepare special studies and plans, as deemed necessary by the Commission or County Board and for which appropriations of funds have been approved by the County Board, as needed.
- (D) Participate in and encourage training sessions, conferences, or meetings needed to properly fulfill the duties of the Commission.
- (E) Perform other duties and responsibilities as may be requested by the County Board.
- (F) Members of the Commission may conduct such site visits as deemed necessary to evaluate the application and supporting material. Site visits will be conducted individually unless otherwise scheduled by the Commission, obeying all requirements of the OMA.

### Sec. 104 **Membership.**

- (A) **Membership Requirements.** Membership of the Commission will consist of seven (7) members appointed as specified in the Ordinance.

- (B) **Vacancies.** Vacancies will be filled by the County Board as specified in the Ordinance.
- (C) **Compensation.** Planning Commissioners will receive compensation, as specified in the Ordinance and as determined by the County Board.

Sec. 105 **Officers.**

- (A) **Selection.** At the last regular meeting of each calendar year, the Commission will elect from its membership a Chair and Secretary (as specified in Section 17 of the MPEA (MCL 125.3817)) for the following year. The term of each office is one (1) year. All officers are eligible for reelection. Ex-officio members are not eligible to serve as the Chair.
- (B) **Duties of the Chair.** The Chair will preside at all meetings; appoint committees (subject to Commission approval); and perform such other duties as may be ordered by the Commission. The Chair will act in the capacity of Secretary in his or her absence.
- (C) **Duties of the Secretary.** The Secretary will execute documents in the name of the Commission and act in the capacity of Chair in his or her absence. The duties of the Secretary regarding the recording of attendance and minutes of all meetings, maintenance of official commission records and reports, and receipt of all correspondence to the Commission are delegated to the Recording Secretary.

Sec. 106 **Meetings.**

- (A) **Regular Meetings.** Meetings of the Commission will be held on the third Thursday of every month at 6:30 pm in the 2nd Floor Commissioner’s Committee Room of the Lenawee County Courthouse (301 N. Main Street, Adrian). When the regular meeting falls on a legal holiday, the Commission will select a suitable alternate date in the same month. An annual notice of regularly scheduled Commission meetings will comply with the OMA.
- (B) **Special Meetings.** Special meetings may be called at the request of the Chair, or at the written request of any two (2) members of the Commission. Notice of special meetings will be given by the Recording Secretary to Commissioners at least forty eight (48) hours prior to such meeting and will state the purpose, time, date (i.e., day, month, and year), and location of the meeting. In addition, notices must comply with the OMA.
- (C) **Quorum.** More than half the total number of seats for members of the Commission, regardless if vacancies exist or not, will constitute a quorum for the transaction of business and the taking of official action for all matters before the Commission. Whenever a quorum is not present at a regular or special meeting, those present shall adjourn the meeting to another day.
- (D) **Motions.** Motions will be restated by the Chair or Recording Secretary before a vote is taken. The name of the maker and supporter will be recorded.
- (E) **Voting.** Voting will be by voice and shall be recorded by “yeas” and “nays.” Roll call votes will be recorded only upon request by a Commissioner.
- (F) **Public Participation.** All regular and special meetings, hearings, records, and accounts are open to the public in accordance with the OMA and the Michigan Free-

dom of Information Act (PA 442 of 1976, MCL 15.231 *et seq.*), *as amended*.

1. Public comment on all agenda items should be presented at the beginning of the meeting where provided in the printed agenda, in order for the Commission to hear concerns and questions before acting on an issue. Public comment may also be presented at the end of the meeting where provided by the agenda. Public comment is normally not allowed outside of those periods; however, the Commission may allow members of the public to speak or ask direct questions of them.
  2. The amount of time allowed for each person wishing to make public comment at a Commission meeting will be limited to three (3) minutes during the first public comment period and two (2) minutes during the second public comment period. The first period is reserved for comments on an agenda item. The second period is reserved for comments on other issues,
- (G) **Commission Action.** Action by the Commission on any matter which requires a hearing will not be taken until the hearing has been concluded.
- (H) **Parliamentary Procedure.** Parliamentary procedure in Commission meetings will be informal. However, if required to keep order, Commission meetings shall then be governed by Robert's Rules of Order for issues not specifically covered by these Bylaws. Where these Bylaws conflict, or are different than Robert's Rules of Order, then these Bylaws control.
- (I) **Agendas.**
- (1) **Order of Business.** The Recording Secretary will prepare an agenda for each meeting and the Order of Business shall be as follows:
    1. Call to Order and Pledge of Allegiance
    2. Public Comment
    3. Approval of Minutes
    4. Approval of Agenda
    5. Request(s) for Review, Comment, and Recommendation
      - a. Consideration of Township Zoning Amendment(s)
      - b. Consideration of PA 116 Farmland Agreement(s)
      - c. Consideration of Master Plan(s)
    6. Other Business
      - a. Unfinished Business
      - b. New Business
    7. Public Comment
    8. Commissioner Comment
    9. Adjournment
  - (2) **Placement of Items on the Agenda.**
    - (a) The Region 2 Planning Commission (R2PC) staff liaison will be the office of record for the Commission.
    - (b) The R2PC staff liaison will receive items on behalf of the Commission and place them on the next available agenda as identified on the submission schedule maintained on the Lenawee County website (<http://lenawee.mi.us>).

Sec. 107 **Conflict of Interest.**

- (A) **Declaration of Conflict.** Commission members must declare a conflict of interest when any one (1) or more of the following occur:
  - (1) A relative or other family member is involved in any request for which the Commissioner is asked to make a decision.
  - (2) The Commissioner has a business or financial interest in the property involved in the request, or has a business or financial interest in the applicant's company, agency, or association.
  - (3) The Commissioner owns or has a financial interest in neighboring property. For purposes of this Section, a neighboring property will include any property falling within the notification radius for the proposed amendment, as required by the pertinent Township's zoning ordinance, or other applicable ordinance. The Commission will make a determination regarding the presence of a conflict of interest.
  - (4) The Commissioner is a member of the municipal planning commission, or serves it in some manner, that submitted the request.
  - (5) There is a reasonable appearance of a conflict of interest, as determined by the Commissioner declaring such conflict.
- (B) **Requirements.** When declaring a conflict, the Commissioner will do all of the following:
  - (1) Announce a conflict of interest and state its general nature.
  - (2) Abstain from any discussion or votes relative to the matter which is the subject of the conflict. However, the Commissioner with a conflict as specified in Section 107 (A)(4) may answer questions directed by fellow Commissioners.

Sec. 108 **Absences, Removals, and Resignations**

- (A) **Absences.** In order to be excused from a meeting, Commissioners must notify the Recording Secretary when they intend to be absent from the meeting. Absenteeism at twenty-five (25%) percent or more of all meetings in any one (1) calendar year may be considered nonperformance of duty and cause of removal from the Commission.
- (B) **Removal.** Commissioners may be removed by the County Board for nonperformance of duty, misconduct in office, or upon failure to declare a conflict of interest upon vote by the majority, after written charges have been prepared and a hearing conducted.
- (C) **Resignation.** A member may resign from the Commission by sending a letter of resignation to the County Board or Commission Chairperson (c/o of the Recording Secretary).

Sec. 109 **Amendments**

These rules may be amended by the Commission by a concurring vote pursuant to Subsection 106 (H), during any regular meeting, provided that all members have received an advanced copy of the proposed amendments at least 3 days prior to the meeting at which such amendments are to be considered.