

**TUSCOLA COUNTY PLANNING COMMISSION
BY-LAWS**

1. AUTHORITY

These by-laws are adopted by the Tuscola County Planning Commission (hereinafter referred to as the Commission) pursuant to Public Act 33 of 2008, Michigan Planning Enabling Act, and Public Act 267 of 1976, the Open Meetings Act.

2. OFFICERS AND DUTIES

2.1 Selection.

At the December meeting, the Commission shall select from its membership a

- Chairperson,
- Vice-chairperson and
- Secretary

2.2 Tenure.

The officers shall take office at the next meeting following their election. They shall hold their office for a term of one year, or until their successors are elected and assume office.

These shall serve for a twelve-month period and shall be eligible for re-election, with a limit of two subsequent terms, a total of three years.

In the event of a vacancy in the office of chairperson, the vice-chairperson shall succeed to the office of chairperson, in which case The Commission shall select a successor to the office of vice-chairperson at the earliest practicable time.

2.3 Duties.

The chairperson shall be responsible for:

- Presiding at all meetings
- Conducting all meetings in accordance with the rules provided herein
- Providing the format for the agenda
- Appointing a temporary secretary in the absence of the secretary.
- Appointing a parliamentarian each January with concurrent approval of the commission.
- Appointing Committee members and the Chairperson of Committees by nomination by the chair (with confirmation by voice vote).

The vice-chairperson shall be responsible for

- Acting in the capacity of the chairperson in the absence of the chairperson

The secretary shall be responsible for:

- The preparation of minutes.
- Preparing the agenda with the assistance of the chairperson and/or input from committees and commissioners as requested or necessary
- Delivering communications
- Issuing notices of public hearings
- Delivering reports and related items of business of the Commission
- Maintaining pertinent public records.

The parliamentarian shall be responsible for

- Providing counsel regarding parliamentary procedure and by-law as required to the commission, its members and its committees.

3. MINUTES

Content:

- A recording of attendance,
- A brief synopsis of the meeting, which shall include
 - A complete restatement of all motions and recording of votes;
 - A complete statement of the conditions or recommendations made on any action.

Attachments: All communications, actions, and resolutions shall be attached to the minutes.

Filing: The official records shall be filed annually in the Planning Commission office.

4. MEETINGS

4.1 Regular Meeting.

Notices: The dates and times shall be posted at the Purdy Building and should be published in accordance with the Open Meetings Act.

Schedule: Regular meetings of the Commission shall be held monthly in the Purdy Building on first Wednesday of each month.

Changes: Changes in the date or time of the regular meetings shall be posted and noticed in the same manner as originally established.

Holidays: When a regular meeting date falls on or near a legal holiday, the Commission shall select suitable alternate dates in the same month, in accordance with the Open Meetings Act.

4.2 Special Meetings.

Called By: A special meeting may be called by two members of the Planning Commission upon written request to the Secretary or by the Chairperson.

Public Notice: Public Notice of the time, date, place and purpose of the special meeting shall be given in a manner as required by the Open Meetings Act.

Member Notice: The Secretary shall send written notice of a special meeting to commission members not less than 48 hours in advance of the meeting.

Agenda: A written agenda for special meetings shall be prepared and followed. The format shall be dictated by the topics to be discussed.

4.3 Quorum.

In order for the Commission to conduct business or take any official action, a quorum consisting of the majority of the voting members of the Commission shall be present.

Any member of the Commission with three consecutive unexcused absences shall be recommended to the Tuscola County Board of Commissioners for revoking of their membership and replacement.

No quorum: When a quorum is not present:

- No official action, except for closing of the meeting may take place.
- Members of the Commission may discuss matters of interest, but can take no action until the next regular or special meeting.

Public Hearings without quorum:

- All public hearings without a quorum shall be scheduled for the next regular or special meeting.
- No additional public notice is required provided the date, time and place is announced at the meeting.

4.4 Hearings.

Hearings shall be scheduled and due notice given in accordance with the provisions of the acts and ordinance cited in Section 1.

Public hearings conducted by the Planning Commission shall be run in an orderly and timely fashion.

The order of the Hearing will be:

- ♣ Call to order and statement of purpose by the Chairperson
- ♣ Invitation of the petitioning party to present their case
- ♣ Invitation of other parties to speak to the issue
- ♣ Persons speaking will identify themselves prior to speaking by registration and giving to the Chairperson their name, address, and reason for speaking.
- ♣ Persons may speak for a maximum of 5 minutes unless requested by the Commissioners to provide additional information.
- ♣ Questions and/or comments from the Tuscola County Planning Commissioners
- ♣ Action(s) by the Tuscola County Planning Commissioners
- ♣ Close of Hearing

4.5 Order of Business

A written agenda, following the format determined by the chairperson and either amended or sustained by the commission, shall be prepared and followed for all regular meetings and special meetings. .

5 . PARLIMENTARY AUTHORITY

5.1 Rules of Order

All meetings of the Commission shall be conducted in accordance with generally accepted parliamentary procedure, as governed by the latest version of “Robert’s Rules of Order.”

5.2 Notice of Decision.

A written notice, containing the decision of the Planning Commission, will be sent to petitioners and originators of a request.

6. OPEN MEETINGS AND FREEDOM OF INFORMATION PROVISIONS

6.1 Open Meetings:

All meetings of the Commission shall be opened to the public and held in a place available to the general public.

“The legislative body may remove a member of the planning commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Before casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the planning commission. A conflict of interest shall be defined as: a situation in which a public official's decisions are influenced by the official's personal interests. The member is disqualified from voting on the matter if so provided by the bylaws or by a majority vote of the remaining members of the planning commission. Failure of a member to disclose a potential conflict of interest as required by this subsection constitutes malfeasance in office.”

6.2 Decisions:

All deliberations and decisions of the Commission or their designated committees shall be made at a meeting open to the public.

6.3 Public Comment:

A person shall be permitted to address a hearing of the Commission under the rules established in subsection 4.4, and to address the Commission concerning non-hearing matters at the designated time in the agenda or at the invitation of the chairperson to the extent that they are applicable.

6.4 Breach of the Peace:

A person shall not be excluded from a meeting of the Commission except for breach of the peace, committed at the meeting.

6.5 Record Availability

All records, files, publications, correspondences and other materials are available to the public for reading, copying, and other purposes as governed by the “Freedom of Information Act”. A fee, determined by the commission, will be assessed for the copying of each page of a requested document.

7. POLICIES OR STANDING RULES

The Commission may establish Policies as needed to effect their successful operation as a Commission. Such policies shall be published and printed under a separate heading in the document containing the by-laws. Policies or (standing rules), will be established by a majority vote of the Commission quorum.

8. AMENDMENTS

These rules may be amended by The Commission by a concurring vote 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.

THESE BY-LAWS ARE ADOPTED THIS 27TH DAY OF APRIL, 1995.

REVISED JUNE 2, 2004, MAY 3, 2006, DECEMBER 5, 2007, AUGUST 6, 2008, SEPTEMBER 1, 2010, JUNE 1, 2011, DECEMBER 6, 2012

TUSCOLA COUNTY PLANNING COMMISSION.