

VILLAGE OF GRASS LAKE PLANNING COMMISSION

BY-LAWS

AND RULES OF PROCEDURE

Adopted January 4, 1990

Amended September 2, 2010

1. AUTHORITY

These rules of procedure are adopted by the Village of Grass Lake Planning Commission (hereinafter referred to as the Commission) pursuant to Public Act 33 of 2008 of Michigan Public Acts, the Michigan Planning Enabling Act, and Public Act 267 of 1976, as amended, the Open Meetings Act.

2. MEMBERSHIP, ATTENDANCE, AND TRAINING

2.1. Membership. Members of the Commission are appointed by the Village Council pursuant to the Village of Grass Lake Planning Commission Ordinance of xx date, as amended. Each member shall represent and advocate what is best for the Village of Grass Lake as a whole, putting aside personal or special interests.

2.2. Attendance. If any member of the Commission is absent from three consecutive regularly scheduled meetings, then that member shall be considered delinquent; that is considered grounds for removal from the Commission for nonperformance of duty by the Village Council.

2.3. Training. Each member is encouraged to attend at least four hours per year of training in planning and zoning during the member's current term of office if so provided in the ordinance creating the Commission.

2.4. Incompatibility of Office. Each member of the Planning Commission shall avoid

conflicts of interest (see sect. 4.7.E below) and incompatibility of office (being appointed to a position that conflicts with Planning Commission duties).

3. OFFICERS

3.1 Selection. At the December meeting, the Commission shall select from its membership a chairperson, vice-chairperson, and secretary who shall serve for a twelve month period and who shall be eligible for re-election. Ex-officio members of the Commission are not eligible to serve as chairperson.

3.2 Duties.

A. A chairperson shall preside at all meetings and shall conduct all meetings in accordance with the rules provided herein

B. The vice-chairperson shall act in capacity of the chairperson in the absence of the chairperson and shall succeed to the office of chairperson in the event of a vacancy in that office, in which case the Commission shall select a successor to the office of vice-chairperson at the earliest practicable time.

C. The secretary shall be responsible for the preparation of minutes, keeping of pertinent public records, delivering communications, petitions, reports, and related items of business of the Commission, issuing notices of public hearings, and performing related administrative duties to assure efficient and informed Commission operations. In the event the Secretary is absent, the Chairperson or acting chairperson shall appoint a temporary secretary for such meeting.

3.3 Tenure. The officers shall take office immediately following their election. They shall hold their office for a term of one year, or until their successors are elected and assume office.

4. MEETINGS

4.1 Meeting Notices. All meetings shall be posted at the Village of Grass Lake Offices according to the Open Meetings Act. The notice shall include the date and time of the meeting.

4.2 Regular Meeting. Regular meetings of the Commission shall be held once per quarter (one of the meetings taking place in the month of December) in the Village of Grass Lake Office on the first Thursday. The schedule of meeting dates and times shall be posted at the Village of Grass Lake Offices and a notice should be published in accordance with the Open Meetings Act. Any changes in the date or time of the regular meetings shall be posted and noticed in the same manner as originally established.

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.

4.3 Special Meetings. A special meeting may be called by two members of the Planning Commission upon written request to the Secretary, or, by the Chairperson. The business which the Planning Commission may perform shall be conducted at a public meeting of the Planning Commission held in compliance with the Open Meetings Act. Public Notice of the time, date, and place of the special meeting shall be given in a manner as required by the Open Meetings Act, and the Secretary shall send written notice of a special meeting to commission members not less than 48 hours in advance of the meeting.

4.4 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. When a quorum is not present, no deliberations or official action, except for closing of the meeting may take place. The members of the Commission may discuss matters of interest, but can take no action until the next regular or special meeting. All public hearings without a quorum shall be scheduled for the next regular or special meeting and no additional public notice is required provided the date, time and place is announced at the meeting.

4.5 Hearings. Hearings shall be scheduled and due notice given in accordance with the provision 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.

General rules for the conduct of a hearing include:

- The Chair may limit the amount of time allowed for each person addressing; speakers providing a consensus opinion of several people may be allotted extra time.
- All comments are to be addressed to the chairperson.
- The role of the commission and the Village council in the approval process and when a decision can be expected should be clearly stated at the beginning of the meeting.
- Future meetings on the subject should be noted as well as if additional public notice will be provided.

4.6 Motions.

A. Motions shall be restated by the Chairperson before a vote is taken. The name of the maker and supporter of the motions shall be recorded.

B. All actions taken in an administrative capacity shall include each of the following parts:

1. A finding of fact, listing what the commission determines to be relevant facts in the case in order to eliminate misleading statements, hearsay, irrelevant, and untrue

statements.

2. Conclusions to list reasons based on the facts for the Commission's action, often directly related, or not, to a finding of compliance, or noncompliance to standards.

3. The Commission's action; recommendation or position, approval with conditions, or disapproval.

4.7 Voting.

A. An affirmative vote of a majority of the Commission members present or a majority of the quorum, whichever is greater, shall be required for the approval of any requested action or motion placed before the Commission.

B. Voting shall ordinarily be voice vote; provided however that a roll call vote shall be required if requested by any Commission member or directed by the Chairperson.

C. All members of the Commission including the chairperson shall vote on all matters, but the Chairperson shall vote last.

D. Members must be present to cast a vote; proxy voting is not permitted.

E. Conflict of Interest: Any member may be excused from voting only if that person has a bonafide conflict of interest. A Planning Commission member shall declare a conflict of interest and abstain from participating in Planning Commission deliberations and voting on a request, when:

1. An immediate family member is involved in any request for which the planning commission is asked to make a decision. "Immediate family member" is defined as **MCL 168.2:** An individual's father, mother, son, daughter, brother, sister, and spouse and a relative of any degree residing in the same household as that individual.

2. The Planning Commission member 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 Planning Commission member owns or has a financial interest in neighboring property. For purposes of this section, a neighboring property shall include any property falling within the notification radius for the application or proposed development, as required by the zoning ordinance.
4. There is a reasonable appearance of a conflict of interest, as determined by a majority vote of the remaining members of the Planning Commission.

Any member abstaining from a vote shall not participate in the discussion of that item.

4.8 Order of Business.

Regular meetings: A written agenda for all regular meetings shall be prepared and followed. The order of business shall be:

Call to Order

Roll Call - Pledge of Allegiance

Public Hearings (If necessary)

Approval of Agenda

Approval of Minutes

Public Comments and Communications - Items Not on the Agenda

Unfinished Business

New Business

Any other Business/on-going business

Adjournment

Special meetings: A written agenda for special meetings shall be prepared and followed, however the form as enumerated above shall not be necessary.

4.9 Rules of Order. All meetings of the Commission shall be conducted in accordance with generally accepted parliamentary procedure, as governed by "Robert's Rules of Order."

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

5. MINUTES

5.1 Commission minutes shall be prepared by the Secretary of the Commission pursuant to the Open Meetings Act, P.A. 267 of 1976, as amended. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and recording of votes, including type of vote (e.g., roll call or voice vote) and findings of fact; complete statement of the conditions or recommendations made on any action; recording of attendance, and summary of comments from the public. All communications, actions, and resolutions shall be attached to the minutes. The official records shall be deposited with the Grass Lake Village Clerk.

6. ANNUAL REPORT

The Planning Commission is required to file an Annual Report of activities with the Village Council. The report provides the status of planning activities including a summary of recommendations made to the Council on planning and development. The report shall be submitted by December 31st each year.

7. COMMITTEES

7.1. Ad Hoc Committees. The Commission or Chair may establish and appoint ad-hoc committees for special purposes or issues, as deemed necessary. Less than a quorum may serve on an ad hoc committee at any given time

7.2. Citizen Committees. The Commission or Chair (with the consent of the Commission) may establish and appoint citizen committees. Membership can be any number as long as less than a quorum of the Commission serve on any citizen committee at any given time. The purposes of such committees include increased citizen participation, using individuals knowledgeable or expert in a particular issue, and the better represent interest groups within the Village.

8. OPEN MEETINGS AND FREEDOM OF INFORMATION PROVISIONS

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

8.2 All deliberations and decisions of the Commission shall be made at a meeting open to the public.

8.3 A person shall be permitted to address a hearing of the Commission under the rules established in Section 4.5, and to address the Commission concerning non-hearing matters under the rules established in Section 4.8 to the extent that they are applicable.

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

8.5 All records, files, publications, correspondence, and other materials are available to the public for reading, copying, and other purposes as governed by the Freedom of Information Act.

9. AMENDMENTS

These rules may be amended by the Commission by a concurring vote pursuant to subsection 4.7, 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 AND RULES OF PROCEDURE ARE ADOPTED THIS 4th
DAY OF JANUARY, 1990, AND AMENDED THIS 2nd DAY OF SEPTEMBER,
2010 BY THE VILLAGE OF GRASS LAKE PLANNING COMMISSION

