

## **2017 CONSTITUTION AND BY-LAWS OF THE LIVINGSTON COUNTY PLANNING COMMISSION**

This document has been prepared in order to clarify the organization and operation of the Livingston County Planning Commission as outlined in the Michigan Planning Enabling Act, Public Act 33 of 2008 as amended, MCL 125.3801 et seq. the Open Meetings Act, MCL 15.261 et seq., and the Freedom of Information Act, MCL 15.231 et seq.

### **ARTICLE I NAME OF ORGANIZATION**

The name of the organization shall be the Livingston County Planning Commission.

### **ARTICLE II PURPOSE**

The purpose of the Livingston County Planning Commission shall be to make a plan for the development of the county. In the preparation of a county development plan the Planning Commission shall make careful and comprehensive studies of the existing conditions and probable growth of the county within its jurisdiction. Such a plan shall be made with the purpose of guiding and accomplishing a coordinate, adjusted and harmonious development of the county which will be in accordance with present and future needs for best promoting the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants, as well as for efficiency and economy in the process of development.

It shall be the duty of the Livingston County Planning Commission to: (1) make studies, investigations, and surveys relative to the economic, social, and physical development of the county; (2) formulate plans and make recommendations for the most effective economic, social, and physical development of the county; (3) cooperate with all departments of the state and federal government and other public agencies concerned with programs directed towards the economic, social, and physical development of the county, and seek the maximum coordination of the county programs of these agencies; (4) consult with representatives of adjacent counties in respect to their planning so that conflicts in overall county plans may be avoided; (5) annually prepare a capital improvements program of public structures and improvements, unless the Commission is exempted from this requirement by the County Board of Commissioners.

### **ARTICLE III MEMBERSHIP**

The membership of this Commission shall consist of seven (7) members appointed by the Livingston County Board of Commissioners. The membership shall represent the important segments of Livingston County including:

- Transportation (1)
- Commercial (1)
- Residential (1)
- Industrial (1)
- Agricultural (1)
- Recreation (1)
- Education (1) (As required by MCL 125.3815)

## **ARTICLE IV TERMS OF OFFICE**

The membership of this Commission shall be for terms of three (3) years provided that the appointment of the first Commission may consist of terms of less than three (3) years in order to provide for the establishment of over lapping terms of office. Approximately one-third (1/3) of the terms will expire each year. The Chair, Vice Chair, and Secretary of the Planning Commission shall be elected annually from its membership.

## **ARTICLE V ADVISORY COMMITTEES**

This Commission may create or appoint advisory committees as deemed necessary which shall be composed of individuals qualified by experience, training, or interest to assist in the solution of county planning related issues and shall be representative of the governmental subdivisions within Livingston County.

## **BY- LAWS**

### **ARTICLE I ELECTION**

The Commission shall elect at its first meeting and at each annual meeting thereafter from among its members a Chair, Vice Chair, and Secretary. Their term of office shall be for one year or until their successors are elected and qualified. An annual meeting of the Planning Commission will be held in November of each year to elect and sustain officers as needed.

### **ARTICLE II MEETINGS**

The Commission shall hold not less than four (4) regular meetings each year with time and location of meetings approved in advance. All meetings of the Planning Commission shall be held in compliance with the Open Meetings Act (MCL 15.261 et. seq.) The Planning Commission shall adopt by laws and keep a public record of its resolutions, findings, and determinations, subject to compliance with the Freedom of Information Act, MCL 15.231 et. seq.

An affirmative vote of the majority of a quorum of the Planning Commission present for the conduct of business shall be required for the approval of any requested action or motion placed before the commission except for procedural motions as prescribed in Roberts Rules of Order. Voting shall ordinarily be voice vote; provided however that a roll call vote shall be required if requested by any Planning Commission member or directed by the Chairperson. All members of the Planning Commission including the Chairperson shall vote on all matters, but the Chairperson shall vote last. Any member may be excused from voting only if that person has a bonafide conflict of interest as recognized by the majority of the remaining members of the commission, as outlined in Article IV. A member may not abstain from voting unless there is a recognized conflict of interest.

### **ARTICLE III DUTIES**

The Commission shall elect from its membership a chairperson, vice-chair and secretary and fill other offices as it considers necessary (MCL 125.3817). Duties of the officers shall be:

The Chairperson shall preside at all meetings of the Commission. He/She shall appoint such committees as authorized by the Commission.

The Vice-Chair, in absence of the Chair, shall perform the duties of the chairperson as stipulated above.

The Secretary shall keep a complete and accurate record of all proceedings and conduct all correspondence for the Commission. He/She shall perform such other duties as instructed by the Commission.

### **ARTICLE IV CONFLICT OF INTEREST**

Commission members shall disclose a potential conflict of interest to the Planning Commission no later than immediately following the agenda approval during the meeting of the commission. If it is recognized by the remaining majority of those commission members present that a conflict exists, the member will cease to participate in the issuing, deliberation, voting or review of a request. Failure to disclose potential conflicts of interest may constitute malfeasance in office.

### **ARTICLE V QUORUM**

A quorum for the transaction of business shall consist of four (4) members.

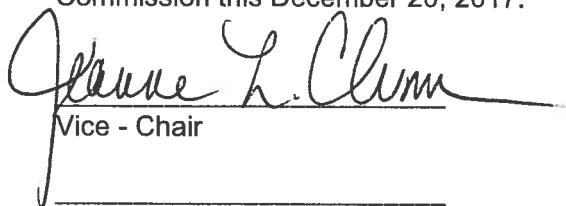
### **ARTICLE VI ATTENDANCE**

Any Commission member that must be absent from any regular or special meeting must notify Livingston County Planning Department staff during normal business hours a minimum of forty-eight (48) hours prior to the date of the regular or special meeting to ensure quorum requirements are met.

### **ARTICLE VII AMENDMENTS**

Amendments to the constitution and by-laws may be made at any meeting of the Planning Commission provide notice of such amendment was included in the call for the meeting. A majority vote of the members is required to amend the constitution and by-laws of the Livingston County Planning Commission.

This constitution and by-laws have been adopted by the Livingston County Planning Commission this December 20, 2017.



Vice - Chair

Livingston County Clerk