

Briley Township Planning Commission By-Laws

Amended - 1992
Amended - April 11, 1994
Amended - May 9, 1994
Amended - March 20, 1995
Amended - January 15, 1996
Amended - January 15, 1998
Amended - December 17, 1998
Amended- November 10, 2008
Amended- Mar 17, 2014
Amended- July 9, 2018
Amended- September 21, 2020

ARTICLE I

PURPOSE

It is the purpose herein to set forth the rules of procedure under which the Briley Township Planning Commission shall be organized and conduct the meetings in the performance of their duties as provided for in the Michigan Statutes, specifically Public Act 33 of 2008 as amended and the Resolution Establishing the Commission adopted by the Briley Township Board.

ARTICLE II

MEMBERSHIP

The Planning Commission shall consist of five (5) members appointed by the Township Supervisor with the approval of the Township Board. Four (4) members from the community at large, representing important segments of the community and one (1) member of the Township Board (Ex Officio member).

Members shall serve three (3) year terms or if appointed as a replacement the remainder of the unexpired term. Ex officio members terms shall correspond to his/her term as elected official.

Three (3) members shall be qualified electors and residents of the Township, the remaining member may be an individual that is not a qualified elector.

Three (3) members shall constitute a quorum for the transaction of business.

ARTICLE III
MEETINGS

There shall be at least four (4) meetings per year.

At the December regular meeting each year The Commission shall elect, from its members, the following positions to serve for a one (1) year term commencing the following January 1:

Chair, Vice-Chair, Secretary, a Zoning Board of Appeals member, and a member to the Wellhead Protection Team.

At that meeting they shall also set their calendar of meetings for the next year.

The Chair shall preside over all meetings, which shall be conducted pursuant to rules adopted by the Commission. (currently Roberts Rules of Order)

The Chair may appoint advisory committees from outside the membership of the Commission with the approval of the Commission.

The Chair shall provide township clerk with documents to be posted to official township website

The Chair will provide Orientation Package to new PC Members

The Vice-Chair shall act as Chair in the absence of the Chair.

The Secretary shall maintain in the form of minutes the record of all proceedings of the Commission. The minutes shall be submitted in digital format to township office within 8 days for approval by the Commission at their next regular meeting. The Secretary shall review and sign the minutes which shall constitute the official record of all proceedings of the Commission once approved by the Commission.

The Secretary shall provide annual report to the Township Board concerning its operations and status of planning activities.

The minutes shall remain on file in the Township Office.

ARTICLE IV
PLANNING AND REPORTING

The following matters shall be presented for consideration at a meeting of the Planning Commission:

- a) Petitions and staff proposals for changes in the Zoning Ordinance.
- b) The general character, extent, and layout of the replanning and redevelopment of blighted districts and slum areas.
- c) All planning reports and plans before publication.
- d) Capital improvement program for the township.
- e) Planning departments budget requirements for the fiscal year and request for appropriation.
- f) Such other matters as the Zoning Administrator shall find it advisable or essential to receive consideration by the Planning Commission.
- g) All matters assigned the Planning Commission as duties under the Zoning Ordinance, and the Michigan planning and enabling act.

ARTICLE V
MEMBERSHIP ATTENDANCE

The Township Board may remove a member of the Planning Commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Failure of a member to disclose a potential conflict of interest constitutes malfeasance of office.

Conflict of Interest

Members shall abstain from voting on all issues wherein a conflict of interest exists. Members are also urged to abstain where there is an appearance of conflict, particularly where the issue may involve a financial interest of the member or a relative of the member.

Ex-officio member is discouraged from voting on matters at the Planning Commission being sent to Township Board. (To avoid Ex Parte contact) (minutes of Nov 11, 2013 mtg)

5 guaranteed conflict of interest:

Issue addressed affects your finances

Decision involves immediate family member (minutes of Nov 11, 2013 mtg)

Issue addressed is close to your property

Decision involves employer or employees, business partner, or close ties

Training

It is in the best interest of everyone that once a "seat" is occupied, via election or appointment, the individual should learn the basic concepts, mandates, and protocols of the Board/Commission/Committee. Appointees must take "Basic" training within two months of appointment, at township expense For the Planning Commission- Intro to Planning and Zoning by MTA It is important to understand and share information gained from training. A certificate or a one page summary of training be submitted to Township Board to prove training was completed.

Members unable to attend a meeting shall notify the Chair or Secretary.

Resignations shall be submitted in writing to the Chair who shall notify the Township Supervisor immediately.

ARTICLE VI
PUBLIC NOTICE OF MEETINGS

Regular meetings of the Commission shall be posted within 10 days after first meeting of each calendar year in the Township Office.

Special meetings may be called at the request of the Chair, or two members of commission, upon forty eight (48) hours notice. Notice shall be posted at the Township Hall and Office. No business other than the business listed in the Special meeting notice shall be transacted at the Special meeting except by unanimous consent of the full commission.

For a re-scheduled regular or special meeting of a public body, a public notice stating the date, time, and place

of the meeting shall be posted at least eighteen (18) hours before the meeting.

Public notices shall be given by chair or a person designated by commission.

ARTICLE VII GOVERNING OF COMMISSION

The Planning Commission shall be governed by the provisions of the Open Meetings Act and the Freedom of Information Act.

ARTICLE VIII PUBLIC HEARINGS

Commission members wishing to speak shall first obtain the approval of the chair. Other persons at the meeting shall not speak unless recognized by the chair and each person who speaks shall address the chair.

No person shall be removed from a public meeting except for an actual breach of the peace committed at the meeting.

Time for comment: The petitioner and respondent each shall be allotted fifteen (15) minutes for their statements or more in five (5) minute increments at the discretion of the chair. No other person shall be allowed to speak more than a total of five (5) minutes at any meeting except by unanimous consent of the Commission members present.

ARTICLE IX MOTIONS AND RESOLUTIONS

Statement of chair, written motions, and resolutions: No motion or resolution shall be adopted until the motion or resolution is in writing and read by the chair.

Whenever a question is under debate, no motion shall be received except a motion to:

- a) adjourn,
- b) recess,
- c) defer to future meeting
- d) amend.
- e) The actual motion, resolution, or order
- f) Table agenda item

ARTICLE X VOTING

Whenever a question is put by the chair, every member present shall vote on all questions decided by the commission. No member present shall abstain from voting yes or no, unless excused by majority consent of the other members present or excused by Article VI herein. On demand by any member, the vote on any pending question shall be taken by a record roll call vote. When a record roll call vote is demanded and after the chair has stated the question, the secretary is directed to call the roll; no member is entitled to speak on the question, nor shall any motion be in order until such roll call is completed and the result announced.

ARTICLE XI
AMENDING

These rules may be amended by a vote of the majority of the full Planning Commission, with final approval of the Township Board.