

WEST MICHIGAN REGIONAL PLANNING COMMISSION

BYLAWS AND RULES OF PROCEDURE

1. AUTHORITY.

These Bylaws and Rules of Procedures are adopted by the West Michigan Regional Planning Commission in accordance with the Regional Planning Act, P.A. 281 of 1945, as amended; the Open Meetings Act, P.A. 267 of 1976, as amended; the Freedom of Information Act, P.A. 442 of 1976, as amended; and all other applicable federal, state, and local laws and regulations that may apply.

2. DEFINITIONS.

The following are definitions for the terms used within these Bylaws and Rules of Procedure.

1. COMMISSION. Policy Board of the West Michigan Regional Planning Commission.
2. FISCAL YEAR. October 1 through September 30.
3. IN GOOD STANDING. Current fiscal year per capita local funding contribution has been paid in full. Under extenuating circumstances, a grace period for payment may be granted by resolution of the Commission.
4. MEMBER. A local unit of government within Region 8 in good standing with the Commission.
5. REGION 8. Geographic area contained within the Region 8 boundary as defined by Michigan Governor's Executive Directive 1992-3 (copy attached).
6. REPRESENTATIVE. A person on the Commission appointed by the governing body of the local unit of government.
7. WMRPC. West Michigan Regional Planning Commission.

3. PURPOSE.

The WMRPC shall be a voluntary organization of general purpose local governments to foster a cooperative effort in addressing problems, policies, and plans that are common and regional. The purposes of the WMRPC shall include the following:

1. To serve as a mutual forum to identify, study, and address regional challenges and opportunities.
2. To provide a continuing organizational mechanism to insure effective communication, coordination, and sharing of information among governments and agencies within the region; and when appropriate, to serve as regional spokesman for member governments.
3. To foster, develop, and review policies, plans, and priorities for regional growth, development, and conservation.

4. To provide assistance to member governments as they request and direct, and to promote and accomplish Commission approved objectives, agreements, policies, and plans.
5. To review and coordinate federal, state, and local programs of regional importance.

4. MEMBERSHIP.

4.1. Eligibility. Membership on the Commission shall be available to all or combinations of units of government located within the boundaries of Region 8 including cities, villages, townships, counties, metropolitan councils, or any other legally constituted governing body responsible for the exercise of governmental functions within a political subdivision of the state.

4.2. Conditions. Any unit of government located within Region 8 shall provide the Commission with a resolution passed by its own governing body indicating its desire to become a Member of the Commission. The resolution shall include a statement that the local unit of government agrees to comply with the requirements of these Bylaws and Rules of Procedure.

5. ORGANIZATION.

5.1 Commission. The Commission shall be the only policy-making body of the WMRPC. The Commission can review and take appropriate action on membership, staff, programs, reports, budgets, and any other actions necessary to fulfill the goals and objectives of the WMRPC.

5.2. Representation. Each Member unit of government in good standing shall have no more than two (2) Representatives. The Commission representation shall be comprised of at least one elected official from each Member. The term of office for a Representative shall be one (1) year or until a new appointment is made by the Member's governing body. Each Member may designate one (1) Alternate which may act only in the absence of a Representative.

All governmental units that have group membership shall caucus prior to the January Board meeting to elect their two (2) Representatives and one (1) Alternate for a term of one (1) year.

5.3 Voting Membership. Voting membership shall be open to all Member governments or combinations of governments in good standing which represent an area having a population of ten thousand (10,000) persons or more. A Member's vote shall be counted only if its appointed Representative(s) are present at a meeting. The vote of a majority of the Representatives present shall decide any question brought before the meeting.

Notwithstanding the foregoing, any representative on the Board may invoke a weighted vote on any motion that comes before the Board when supported by a second representative from another WMRPC member jurisdiction. The weighted vote shall be based on population of each member government or combinations of governments as follows:

<u>Representation</u>	<u>Vote</u>	Weighted
At-Large members		1
10,000 to 24,999 persons		2
25,000 to 49,999 persons		3
50,000 to 99,999 persons		4
100,000 to 149,999 persons		5
150,000 to 199,999 persons		6
200,000 or more persons		7

5.4 Members At-Large. The Commission may select up to three (3) at-large members who shall serve as Members of the Council. Each at-large member shall be selected from the Region 8 area, and shall serve for a term of one (1) year or until a new appointment is made by the Commission. At least a two-thirds (2/3) affirmative vote of the attending quorum membership shall be necessary to appoint an at-large member. Each at-large member shall have one (1) vote.

6. OFFICERS.

6.1 Selection. In January of each year, the Commission shall select from its membership a Chairperson, Vice-Chairperson and Treasurer. The Chairperson may appoint a Secretary who need not be a member of the Commission.

6.2 Duties. A Chairperson shall preside at all meetings and shall conduct all meetings in accordance with the rules provided herein. The Vice-Chairperson, in the absence of the Chairperson, shall act in the capacity of the Chairperson.

The Vice-Chairperson 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 possible time. Such Chairperson and Vice-Chairperson shall serve until the current term of office is ended.

6.3 Tenure. The Chairperson, Vice-Chairperson, and Treasurer shall take office immediately following their election, and shall hold their office for a term of twelve months. All officers can be re-elected to successive terms.

7. MEETINGS.

7.1 Meeting Notices. A notice of all meetings shall be sent to the list of Representatives maintained and updated on a continuous basis. Meeting agendas shall be posted at the office of the WMRPC and any other location considered appropriate. Agendas shall include the meeting date, address, time, and telephone number of the WMRPC office.

7.2 Annual Budget Meeting. The annual budget meeting of the Commission shall be held

during a summer meeting each year. At the annual budget meeting, the Commission shall:

1. Adopt a budget for the next fiscal year.
2. Set the per capita local funding contribution level for the following fiscal year.

7.3 Regular Meetings. Regular meetings of the Commission shall be held at least quarterly during the year on the third Friday of a given month. If a regular meeting date falls on or near a legal holiday, a suitable alternative date may be selected with notification given to all Representatives of the change by mail.

7.4 Special Meetings. A special meeting may be called by the Chairperson or by Representatives of no fewer than three (3) Representatives of the Commission upon written request to the Chairperson. Public notice of the date, place, time, telephone number, and topic of the special meeting shall be given in a manner as required by the Open Meetings Act. Notice of a special meeting shall be sent by written mail to all Representatives no fewer than seven (7) days in advance of the special meeting.

7.5 Quorum. In order for the Commission to conduct business or take any official action, a quorum consisting of Representatives of a majority of the Members must be present. When a quorum is not present, no official action except for closing of the meeting may take place. When a quorum is not present Representatives may discuss matters of interest, but can take no action until the next regular or special meeting.

7.6 Order of Business. The order of business for all regularly scheduled Commission meetings shall be:

- (1) Call to order
- (2) Roll Call
- (3) Public Comments
- (4) Approval of Minutes
- (5) General Business
- (6) Unscheduled Business
- (7) Adjournment

7.7 Public Comments. At the public comment portion of the agenda, anyone can address the Commission on any topic not related to items on the agenda. During the public comment portion of the agenda each person is limited to five minutes and anyone representing a group is limited to ten minutes.

7.8 Motions. Motions shall be restated at the request of the Chairperson or any member of the Commission before a vote is taken. The motion, name of the motion maker, name of the supporter, and vote on the motion shall be recorded in the minutes of the meeting.

7.9 Rules of Order. The rules contained in the current edition of *Robert's Rules of Order*,

Newly Revised shall govern the Commission in all cases in which they are applicable and are not inconsistent with these Bylaws and any special rules of order the Commission may adopt.

8. MINUTES

Minutes shall be prepared for all Commission meetings. The minutes shall contain a brief synopsis of the meeting including a recording of Representatives in attendance, a complete restatement of all motions, and recording of votes. All communications and any actions taken shall be attached to the minutes. The official record shall be annually deposited at the office of the WMRPC.

9. COMMITTEES.

9.1 Executive Committee. The Executive Committee shall consist of the Chairperson, Vice-Chairperson, Treasurer, and any other additional Representatives that the Chairperson appoints. The Chairperson may call meetings of the Executive Committee in order to organize the work of the Commission.

9.2 Advisory Committees. The Commission may appoint advisory committees whose membership may consist of individuals whose experience, training, or interest in the program may qualify them to lend valuable assistance to the Commission by acting in an advisory capacity on technical and special issues. Members of such advisory committees shall receive no compensation for their services but may be reimbursed for actual expenses incurred in the performance of their duties.

10. MATTERS TO BE ACTED UPON BY STAFF ON BEHALF OF THE WMRPC.

Commission staff may take any action necessary in the name of the WMRPC in accordance with plans, policies, and procedures established by the Commission. If a serious conflict of interest, public controversy, or uncertainty as to the plans, policies, or procedures approved by the Commission occurs; staff shall make the matter known for resolution by the Commission.

11. FINANCIAL CONSIDERATIONS.

11.1 Financing. To achieve the goals and objectives of the WMRPC and to meet concomitant financial needs, federal and state grant programs may be utilized to their fullest extent possible. For administrative responsibilities and to meet grant program fund matching requirements, it is necessary that the Commission membership provide certain amounts of money as local funding contributions. Responsibility for the annual amount of such financial obligations shall be distributed among the governmental voting membership according to population figures reported in the latest official Census as recognized by the Commission. These amounts shall be expressed on a per capita basis.

11.2 Membership Assessments. Upon adoption of the annual budget, the Commission shall fix membership assessments for all governmental voting members of the Commission in amounts sufficient to provide all the local contribution effort required to support the budget.

Any member government which does not pay its assessed local funding contribution within ninety

(90) days of invoicing shall be considered delinquent and shall be ineligible to vote at Commission Board meetings. Local contributions will not be returned to member governments in the case of withdrawal.

12. OPEN MEETING AND FREEDOM OF INFORMATION PROVISIONS.

All deliberations and decisions of the Commission shall be made at meetings which are posted by public notice, open to the public, and held in accordance with the Open Meetings Act, P.A. 267 of 1976, as amended. All records, files, publications, correspondence, and other materials shall be made available to the public in accordance with the Freedom of Information Act, P.A. 442 of 1976, as amended.

13. EQUAL OPPORTUNITY EMPLOYMENT.

The Commission shall have a policy of non-discrimination with respect to race, color, sex, creed, religion, or national origin as it may apply to hiring practices or retention of consultant services.

14. WITHDRAWAL AND REINSTATEMENT.

Member units may withdraw from the WMRPC by submission of a letter of intent addressed to the Chairperson one hundred eighty (180) days prior to their withdrawal. The letter of intent shall include the reason(s) for withdrawal. The Commission shall review the letter of intent and make a determination as to the proper course of action. Withdrawal by any one governmental unit shall not affect the membership status of any other governmental unit.

A request for reinstatement of a member after withdrawal shall be submitted in writing to the Chairperson and such reinstatement shall require the approval of a majority of the Commission. A request to have a letter of intent withdrawn within the above-mentioned one hundred eighty (180) day period shall also be in writing and shall be officially answered by the Chairperson on behalf of the Commission.

15. AMENDMENTS.

These rules may be amended by a majority vote of the Commission during any regular meeting, provided that all Representatives have received an advanced copy of the proposed amendments at least fifteen (15) days prior to the meeting at which such amendments are to be considered.

THESE BYLAWS AND RULES WERE ADOPTED ON SEPTEMBER 17, 1993.

AMENDED MARCH 25, 1994, TO ADD SECTION 5.4, Members-At-Large.

AMENDED SEPTEMBER 18, 1998, THE FOLLOWING SECTIONS: 4.1 - Membership Eligibility, 5.2 - Representation, AND 5.3 - Provide for Weighted Vote.