

## **BY-LAWS**

### **West Michigan Shoreline Materials Management Planning Committee**

Pursuant to the provisions of Subpart 11 of Part 115 of Public Act 451 of 1994 the Natural Resources and Environmental Protection Act (as granted in MCL 324.115 et seq), the counties of Lake, Mason, Muskegon, Newaygo, and Oceana have established the West Michigan Shoreline Materials Management Planning Committee to oversee the development of a multicounty Materials Management Plan. The West Michigan Shoreline Materials Management Planning Committee was created through a joint interlocal agreement of participating counties under the authority of the Urban Cooperation Act of 1967. The structure and conduct of the responsibilities of the West Michigan Shoreline Materials Management Planning Committee shall refer to and adhere to the provisions of the interlocal agreement. The West Michigan Shoreline Materials Management Planning Committee's administrative agent is the West Michigan Shoreline Regional Development Commission, acting on behalf of the West Michigan Shoreline Materials Management Planning Committee and as Designated Planning Agency for the participating counties in the interlocal agreement.

#### Article I: Definitions

- a) Committee – West Michigan Shoreline Materials Management Planning Committee
- b) WMSRDC – West Michigan Shoreline Regional Development Commission
- c) MMP – Materials Management Plan
- d) MMPC – Materials Management Planning Committee
- e) DPA – Designated Planning Agency
- f) Committee Member – An individual appointed by a county or WMSRDC
- g) Committee Officers – Chair and Vice-Chair of the Committee
- h) Interlocal Agreement – The interlocal agreement entered into by the counties of Lake, Mason, Muskegon, Newaygo, and Oceana for the administration of the multicounty materials management plan

#### Article II: Purpose and Authority

The Committee herewith assumes the purpose and authority of Subpart 11 of Part 115 of Public Act 451 of 1994 the Natural Resources and Environmental

Protection Act (as granted in MCL 324.115 et seq) and the Urban Cooperation Act of 1967.

Article III: Membership and Representation

Section 1: Jurisdiction. The Committee's jurisdiction is to include the geographic area bounded by the interlocal agreement including the counties of Lake, Mason, Muskegon, Newaygo, and Oceana.

Section 2: Membership. Members of the Committee are appointed by the county in which they reside, or their agency represents, pursuant to the respective County Board of Commissioner's appointment process and the terms of the interlocal agreement.

Section 3: Tenure. Committee Member tenure shall coincide with their term of office or position in the capacity which was the basis for their appointment to the Committee (i.e., elected position or industry employment).

Section 4: Vacancy/Resignation. Committee Members may resign at any time effective immediately or at a specified later date, by giving written notice to the Committee Chair and the WMSRDC Executive Director. WMSRDC shall notify the appointing county to follow the appointment process identified in the terms of the interlocal agreement.

Section 5: Attendance. WMSRDC shall keep attendance records and shall notify the members' appointing County Board of Commissioners whenever any member is absent from three (3) consecutive regularly scheduled meetings, so the County Board of Commissioners may consider removal of the Committee Member under their attendance policy or excuse the absences.

Section 6: Removal. Committee Members may be removed at any time, with or without cause, by a two-thirds vote of all remaining Committee Members. WMSRDC notify the appointing entity of the removal and request a new appointment.

Section 7: Liaisons. The purpose of liaisons is to provide the ability to participate in discussions with the Committee in relation to its purpose in creating the MMP and ongoing activities. Liaisons cannot vote, introduce motions, initiate parliamentary action, be counted for a quorum, or be expected to comply with attendance requirements. Liaisons may be named at the discretion of the Committee, and may represent the following:

- i. Staff from WMSRDC, acting in the capacity of DPA for the Committee; separate from the representation of the Regional Planning Agency as a member of the Committee,
- ii. County Administrators,
- iii. County Planning Staff,
- iv. The Committee or WMSRDC's designated consultant,
- v. Any other liaison approved by a majority vote of the Committee.

Section 8: Compensation. The members of the Committee shall serve as volunteer members and therefore are not entitled to compensation. Travel expense reimbursements will be subject to the appointing county's policies and procedures.

#### Article IV: Organization/Meetings

Section 1: Rules of Order. The Committee shall conduct business in accordance with the most recent Robert's Rules of Order.

Section 2: Quorum. More than half of the total number of members of the Committee, excluding vacancies created in the past 90 days, shall constitute a quorum for the transaction of business and the taking of official action for all matters set before the Committee. Whenever a quorum is not present at a regular or special meeting, those present shall adjourn the meeting to another day.

Section 3: Voting. The appointed representatives shall constitute the general and overall policy-making body of the Committee. Each representative of the Committee shall have one (1) vote.

Section 4: Officers. Officers of the Committee shall consist of Chair and Vice-Chair.

- i. Election and Term: In January of each year, the Committee shall elect from among its members a Chair and Vice-Chair to serve a one-year (1) term. The Chair and Vice-Chair shall take office immediately following the election. All officers are eligible for reelection. In the event the office of the Chair becomes vacant, the Vice-Chair shall succeed to this office for the remaining unexpired term. Additionally, the Committee shall appoint a successor to the office of Vice-Chair for the remaining unexpired term.

- ii. Chair's Duties: The Chair retains their ability to discuss, make motions and vote on issues before the Committee. The Chair shall:
  - a) Exercise the functions of the office of the Chair of the Committee,
  - b) Preside at all meetings of the Committee,
  - c) Appoint Subcommittees,
  - d) May call special meetings with consideration of the notice requirements of MCL 324.11574(d) et seq. (Part 115) and MCL 15.261 et seq. (the Open Meetings Act),
  - e) Act at an Ex-Officio member of all subcommittees if the Chair chooses,
  - f) Review with WMSRDC staff, prior to a committee meeting, the meeting agenda,
  - g) Perform such other duties as they may be ordered by the Committee.
- iii. Vice-Chairs Duties: The Vice-Chair retains their ability to discuss, make motions and vote on issues before the Committee. The Vice-Chair shall:
  - a) Exercise the functions of the office of the Chair of the committee as found in Article IV, Section 4 (ii) of these rules of procedure, in the absence of the Chair,
  - b) Perform such other duties as they may be ordered by the Committee.

Section 5: Subcommittees. Subcommittees, as deemed necessary by the Committee, shall be appointed by the Chair. Subcommittees shall make recommendations only to the Committee for resulting action. A designated member of each subcommittee shall make regular reports of subcommittee activities to the Committee during regular meetings. Subcommittees may elect a chairperson, as needed.

Section 6: Minutes and Records. The regular meeting schedule of the Committee shall be established at the beginning of each calendar year, and special meetings may be scheduled by the call of the Chair. All Committee meetings, and notices of such meetings, shall comply with MCL 324.11574(d) et seq. (Part 115) and MCL 15.261 et seq. (the Open Meetings Act), whichever is the most restrictive. WMSRDC shall keep and preserve records of all Committee meetings and corresponding information.

Section 7: Amendments. These by-laws may be amended, revised, repealed, or expanded by a majority vote of the Committee. Any Committee member may offer a proposed amendment, provided that written notice shall be sent to each representative at least ten (10) days before the meeting at which the vote will take place. The amendment shall become effective immediately upon approval by vote of the Committee.