

## **AURELIUS TOWNSHIP PLANNING COMMISSION BYLAWS**

These Bylaws for the Aurelius Township Planning Commission (hereafter the "Planning Commission") are adopted pursuant to the Michigan Planning Enabling Act (PA 2008 No. 33; MCL 125.3801 *et seq*), the "Act."

1. **Officers.** In accordance with Section 17 of the Act (MCL 125.3817), the Planning Commission shall elect the Chairperson from its membership, and such other officers as the Planning Commission deems advisable. The term of each officer shall be three (3) years, and each officer shall be eligible for re-election upon the expiration of that term.

The Chairperson shall preside over the meetings and hearings of the Planning Commission, and shall conduct the meetings in an orderly and consistent manner and in accordance with the Michigan Open Meetings Act (PA 1976 No. 267; MCL 15.261 *et seq*). Nothing in this section shall be construed to prohibit the Planning Commission from adopting such standardized rules of procedure as it may deem appropriate.

No *ex officio* member, as authorized by the Act, shall be eligible to serve as the Chairperson of the Planning Commission.

The Planning Commission shall be responsible for the preparation and maintenance of accurate written records of the proceedings, finding, actions and determinations of the Planning Commission. Records of the Planning Commission shall be public records, and shall be maintained and available to the public as provided in the Michigan Freedom of Information Act (PA 1976 No. 442; MCL 15.231 *et seq*). The Township Clerk shall coordinate record keeping and maintenance of records in order that a consistent method of making and preserving such records can be maintained.

2. **Annual Report to The Township Board.** In addition to periodic reports and recommendations made by the Planning Commission pursuant to the Michigan Zoning Enabling Act (PA 2006 No. 110, as amended), the Planning Commission shall make an annual written report to the Township Board concerning its activity and the status of planning activities, and

the recommendations to the Township Board. The annual report shall be submitted on or before the first day of February.

### 3. **Regular and Special Meetings.**

A. **Regular Meetings.** The Planning Commission shall hold at least four (4) regular meetings per year, which meetings and their time and place shall be scheduled by Resolution of the Planning Commission.

B. **Special Meetings.** Special meetings may be called by the Chairperson or two (2) other members of the Planning Commission by filing a written request with the Secretary. The request for a special meeting shall set forth the item(s) to be placed on the agenda for that meeting and no other items shall be added to the agenda unless all members of the Planning Commission are in attendance at said meeting and consent to additions to the agenda.

C. **Notice.** Notice to the public of regular and special meetings shall be given as provided in the Michigan Open Meetings Act. Notice of a special meeting and the agenda shall be given to the Planning Commission member by personal delivery to said member or left at the residence of the Planning Commission member not less than eighteen (18) hours before the time scheduled for the special meeting.

### 4. **Conflicts of Interest.**

#### A. **Definitions.**

*"Benefit"* means anything reasonably regarded as a monetary or financial gain or monetary or financial advantage, including any gain or advantage to any other person in whose welfare the Planning Commission member has a direct and substantial interest. A Planning Commission member has a direct and substantial interest in the welfare of the official's family members, employer and business.

*"Business"* means a sole proprietorship, partnership, firm, corporation, holding company, receivership, trust, unincorporated association, or any other entity recognized by law.

*"Conflict of Interest."* A "conflict of interest" arises in any circumstance where one's actions as a Planning Commission member may have a deferential, monetary or financial impact or benefit on said member or his or her family or business, as opposed to the public at large, or when the independence of one's actions as a Planning Commission member could in any way be compromised by the individual's outside interests.

*"Family Member"* means a spouse, parent, child, brother, sister, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent or grandchild, niece or nephew.

**B. Disclosure and Recusal.** Before participating in any manner as to a matter on which a member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the Planning Commission. The member shall be disqualified and shall be recused from participation concerning said matter if a conflict of interest as defined in these Bylaws is demonstrated or by a majority vote of the remaining members of the Planning Commission. The prohibition from participation includes not only the casting of a vote, but also discussions with other members or other public officials who may independently consider the matter.

**C. Form of Disclosure.** A member's disclosure of a conflict of interest can be made orally on the record at or before a meeting of the Planning Commission or in a writing filed with the Planning Commission Secretary or the Township Clerk. The disclosure should include the identities of the parties involved, the nature of any interest creating the conflict, and a narrative description of the conflict.

**D. Failure to Disclose.** Failure to disclose a conflict of interest as required in these Bylaws constitutes malfeasance in office and may result in the removal of the member from office.

**5. Compensation and Expenses.** Subject to authorization from the Township Board, members shall be reimbursed for expenses incurred for travel, lodging, and the cost of training programs and seminars. Compensation for Planning Commission participation shall be established by the Township Board.

6. **Gifts.** Gifts made to the Planning Commission, if any, for or in furtherance of the function of the Planning Commission, may be accepted by the Township Board on behalf of the Planning Commission, and shall be held or deposited with the Township Treasurer for the purpose designated by the donor. The decision to accept or reject a proffered gift shall be within the exclusive discretion of the Township Board and except for accepted donations or public grants all expenditures of the Planning Commission shall be within the amounts appropriated by the Township Board.

These Bylaws are declared to be adopted by Resolution of the Aurelius Township Planning Commission this 20 day of October, 2009.

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Craig Iansiti, Chairperson