

MILLINGTON TOWNSHIP PLANNING COMMISSION BYLAWS

The following rules of procedure are hereby adopted by the Millington Township Planning Commission to facilitate the performance of its duties as outlined in the Michigan Planning Enabling Act, public Act 33 of 2008, MCL 125.3801, et. Seq., and the Michigan Zoning Enabling Act, public Act 110 of 2006, MCL 125.3101, et seq.

SECTION 1: OFFICIERS

- A. Selection and Tenure** - At the first regular meeting after January 1st, the Planning Commission shall select from its membership a Chairperson, Vice Chairperson, and Secretary. All officers shall serve a term of one (1) year or until their successors are selected and assume office. All officers shall be eligible for re-election for consecutive terms for the same office.
- B. Chairperson** - The Chairperson shall preside at all meetings, appoint committees, and perform such other duties as may be ordered by the Planning Commission.
- C. Vice Chairperson** - The Vice Chairperson shall act in the capacity of the Chairperson in his/her absence.
- D. Secretary** - The Secretary shall execute documents in the name of the Planning Commission and shall perform such other duties as the Planning Commission may determine.
 - 1. Agenda** – The Secretary with approval of Chairperson shall be responsible for preparing the tentative Agenda for Planning Commission meetings. The Agenda may be modified by action of the Planning Commission.
 - 2. Minutes** - The Secretary shall be responsible for maintaining a permanent record of minutes of each meeting and shall have them recorded in suitable permanent records maintained by the Township Clerk. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and record of votes, conditions, or recommendations made on any action and record of attendance. Minutes need not be a word-for-word account, but should contain enough detail to reconstruct the events of the meeting. Speakers should be identified, along with major issues raised during discussion. The draft minutes shall be available to the public within eight business days after the meeting and approved minutes shall be made available to the public within five days following their approval. Minutes can be approved or amended only at the next meeting after the meeting covered by the meeting minutes.
 - 3. Correspondence** - The Secretary or Administrative Assistant shall be responsible for issuing formal written correspondence with other groups or people as directed by the Planning Commission. All communications, petitions, reports, or other written materials received by the Secretary shall be brought to the attention of the Planning Commission.

SECTION 2: MEETINGS

The business the Planning Commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act. The Planning Commission may establish reasonable rules and regulations in order to minimize the possibility of disrupting the meeting.

- A. Regular Meetings** – The Planning Commission shall hold not less than four (4) Regular Meetings each year and by resolution shall determine the time and place of such meetings. Other meetings may be held as necessary. When a Regular Meeting falls on a legal holiday or upon a day resulting in a conflict, the Planning Commission shall, if possible, select a suitable alternate meeting date in the same month as the originally scheduled meeting. Notice of regular Planning Commission meetings shall be posted at the principal Township Office within ten (10) days after

the Planning Commission's first meeting in each calendar year in accordance with the Open Meetings Act.

- B. Special Meetings** - Special Board Meetings may be called by the Chairperson or upon written request to the Secretary by at least two (2) members of the Planning Commission. Notice of Special Board Meetings shall be given to the members of the Planning Commission at least 48 hours prior to the meeting. Such notice shall state the purpose, time, and location of the Special Board Meeting and shall be posted in accordance with the Open Meeting Act.
- C. Notice** - Notice required for specific planning, zoning, or other land use actions will be given in accordance with the Michigan Planning Enabling Act, the Michigan Zoning Enabling Act, Land Division Act, Open Meetings Act, or other applicable statute by the Zoning Ordinance Administrator or staff.
- D. Public Hearings** - All Public Hearings held by the Planning Commission must be held as part of a Regular or Special Board Meeting of the Planning Commission.
- E. Quorum** - Three (3) members of a five (5) member Planning Commission shall constitute a quorum for transacting business and taking official action for all matters. No official action of the Planning Commission may be taken without a quorum present.
- F. Voting** - An affirmative vote of the majority of the members of the Planning Commission is required to approve any part of the Master Plan or amendments to the Master Plan or to amend these bylaws. Unless otherwise required by statute, other actions or motions placed before the Planning Commission may be adopted by a majority vote of the members present and voting, as long as a quorum is present. Voting shall be by voice vote; a roll call vote shall be required if requested by any Planning Commission board member or directed by the Chairperson. Except in the case of conflict of interest, all Planning Commission members, including the Chairperson and Ex Officio member, shall vote on all matters.
- G. Public Records** - All agendas, minutes, records, documents, correspondence, and other materials of the Planning Commission shall be open for public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.

SECTION 3: DUTIES OF THE PLANNING COMMISSION

The Planning Commission shall perform the following duties:

- A.** Prepare, review, and update a Master Plan as a guide for development within Millington Township planning jurisdiction.
- B.** Take such action on petitions, staff proposals, and Millington Township Board requests for amendments to the Zoning Ordinance as required.
- C.** Take such actions as authorized or required by the Michigan Planning Enabling Act and the Michigan Zoning Enabling Act.
- D.** Review subdivision proposals and recommend appropriate actions to the Township Board.
- E.** Perform other duties and responsibilities or respond as requested by any Township Board or Planning Commission.
- F.** Members shall arrive prepared for the business at hand, having reviewed written materials, completed site visits as necessary, to be educated on the Agenda items.

SECTION 4: ATTENDANCE, ABSENCES, REMOVALS, RESIGNATIONS, AND VACANCIES

- A. Attendance:** Each member has a duty to attend all meetings.
- B. Absences:** To be excused, members of the Planning Commission shall notify the Planning Commission Chairperson or another Planning Commission board member when they intend to be absent from a Planning Commission meeting. Failure to make this notification prior to the Planning Commission meeting shall result in an unexcused absence.
- C. Removals:** Members may be removed by the Millington Township Board for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a Public Hearing.
- D. Resignations:** A member may resign from the Planning Commission by sending a letter of resignation to the Millington Township Board.
- E. Vacancies:** A vacancy shall occur when a Planning Commission board member has missed four (4) consecutive meetings or twenty-five (25) percent of meetings held during the past twelve (12) rolling month period unless such absences have been excused by the Planning Commission. Vacancies shall be filled by the Millington Township Supervisor; with the approval of the Millington Township Board. Successors shall serve out the unexpired term of the Planning Commission board member being replaced

SECTION 5: CONFLICT OF INTEREST

Before casting a vote on a matter on which a Planning Commission member may reasonably be considered to have a conflict of interest, the board member shall disclose the potential conflict of interest to the Planning Commission. Failure to disclose a potential conflict of interest as required by these bylaws constitutes malfeasance in office. Conflict of interest is defined as, and a Planning Commission shall declare a conflict of interest and abstain from participating in the Millington Township Planning Commission voting (including any motions) on a request, when:

- A.** An immediate family member is involved in any request for which the Planning Commission is asked to make a decision. "Immediate family member" is defined as an individual's father, mother, son, daughter, brother, sister, spouse, or a relative of any degree residing in the same household as that individual.
- B.** The Planning Commission board member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant's company, agency, or association.
- C.** The Planning Commission board member owns or has a financial interest in the neighboring property. For purposes of this section, a neighboring property shall include falling within the notification radius for the application or proposed development, as required by the Millington Township Zoning Ordinance or other applicable ordinance.
- D.** There is a reasonable appearance of a conflict of interest as determined by a majority vote of the remaining board members of the Millington Township Planning Commission.

Once it is determined that a conflict of interest exists, he or she should "recuse" himself or herself. This is more than simply abstaining from voting. It means that the person must remove himself or herself physically from any discussions, hearings, deliberations and information-gathering regarding that decision, in addition to abstaining from voting on the decision.

Additional don'ts if you have a conflict of interest:

- A.** Don't discuss the proposal, either formally or informally, with any of the other members.
- B.** Don't use inside knowledge and contacts. Make sure that minutes, staff materials, etc., are obtained through the same procedures as any other applicant. It is best to have someone else

collect this information.

- C. The member cannot represent himself or herself if he or she is the applicant or otherwise has a conflict. However, another family member or representative may perform that function, not to be speaking for the member, but simply to acknowledge his or her interest and position.

SECTION 6: AMENDMENTS:

These bylaws may be amended at any meeting by a vote of the majority of the membership of the Millington Township Planning Commission. Adopted by the Millington Township Planning Commission at a Regular Board Meeting on April 8, 2009. Revised by the Millington Township Planning Commission on September 8, 2025

File: PC Bylaws Revised 9-8-25.docx