

EASTERN UPPER PENINSULA
REGIONAL PLANNING AND DEVELOPMENT
COMMISSION

BY LAWS

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Amended December 3, 1992

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BY-LAWS

EASTERN UPPER PENINSULA REGIONAL PLANNING & DEVELOPMENT COMMISSION

Pursuant to the provisions of and in accordance with Public Law 89-136, the Public Works and Economic Development Act of 1965, Michigan Act 46 of the Public Acts of 1966, and Michigan Act 281 of the Public Acts of 1945 as amended through November 1, 1962, the County Boards of Commissioners of Luce, Mackinac and Chippewa Counties have established the Eastern Upper Peninsula Regional Planning and Development Commission for the purpose of meeting at regular intervals to discuss and study community challenges and problems of mutual interest and concern, and to mutually develop policy and recommendations for ratification and implementation by the region's general purpose local governments.

The residents of the Eastern Upper Peninsula realize that the individual and common destinies rest with interdependent actions of local governments which comprise the region.

As a voluntary organization of local governments, the members seek by mutual agreement solutions to mutual problems for mutual benefit.

The goal of this organization is to retain and strengthen the local home rule while combining the total resources for regional challenges beyond individual local capabilities.

ARTICLE I: PURPOSE

The Eastern Upper Peninsula Regional Planning and Development Commission shall be a voluntary organization of local governments to foster cooperative efforts in resolving problems, policies, and plans that are common and regional. The purpose of this organization is:

- A. To serve as a mutual forum to identify, discuss, study and bring into focus regional challenges and opportunities.
- B. To serve as a vehicle for the collection and exchange of information of regional interest.
- C. To provide a continuing organizational mechanism to insure effective communication and coordination among governments and agencies.
- D. To foster, develop and review policies, plans and priorities for regional growth, development and conservation.
- E. To facilitate agreements and cooperative action proposals among member governments for specific projects or other interrelated developmental needs and for the adoption of common policies and plans with respect to common regional

challenges.

- F. To maintain liaison with members, governmental units and groups or organizations and to serve as a regional spokesman for local government upon their request.
- G. To furnish general and technical aid to member governments, as they request and direct, to promote and accomplish commission-approved agreements, policies and plans.
- H. To review and coordinate federal, state and local programs of regional importance.
- I. To provide necessary assistance to local governments, agencies, and individuals in securing State and federal funding programs that would have regional significance.

ARTICLE II: MEMBERSHIP

- A. Intent - Membership patterns shall reflect the desire of the Commission to promote and maintain the principles of intergovernmental cooperation. Representative membership shall consist of 51 percent elected officials from general purpose local government.
- B. Allotment - Each county shall be allotted a certain number of representatives to the Regional Commission. To the extent practical, representation shall attain a balance between acknowledged urban and rural interests. The Executive Committee shall review and comment every three years on the adequacy of the allotment schedule and the overall representation patterns of the Regional Commission. The Regional Commission shall, upon receiving the comments of the Executive Committee, determine the necessity of developing a reallocation schedule. If a reallocation of representation is necessary, then the Commission shall institute the steps necessary for the amendment.
- C. Basic Membership - The membership of the Executive Board of the Eastern Upper Peninsula Regional Planning and Development Commission shall consist of a minimum of 16 members, apportioned in the following manner, with the approval of the respective County Boards of Commissioners:

Chippewa County

- 2 - elected County Board of Commissioners
- 1 - elected Township Official
- 1 - elected City of Sault Ste. Marie Commissioners
- 2 - appointed from Chippewa County area private sector

Luce County

- 2 - elected County Board of Commissioners
- 1 - elected Township Official or elected Village of Newberry Councilperson
- 1 - appointed from Luce County area private sector

Mackinac County

- 2 - elected County Board of Commissioners
- 1 - elected Township Official
- 1 - elected City of St. Ignace Councilperson
- 1 - appointed from Mackinac County area private sector

Minority Representation - One member to represent the minority groups in three counties, to be selected by the membership of the organized minority groups in the three counties.

Additional Membership - One member representing Lake Superior State University would be selected by the President of the University to represent the higher education and related activities of this region.

Alternative Representation - Each delegate shall have an alternate, appointed from the same member unit, who shall attend meetings and have voting privileges when attending in place of the regular delegate.

Ex-Officio Members - The duly appointed County Extension Agents for Luce, Mackinac, and Chippewa Counties shall be ex-officio members of the Regional Planning Commission.

- D. Term of Office - Terms of appointed representatives to the Regional Commission shall be for a period of two years. All delegates shall be appointed for a two-year term. On first appointment, to ensure terms are staggered, 50 percent of delegates from each county shall be appointed to one-year terms and 50 percent to two-year terms. All delegates shall serve their appointed terms until their successor has been duly appointed and qualified.
- E. Vacancies - All vacancies shall be filled as provided in this Article II. Vacancies shall be considered to exist when a member has missed three unexcused consecutive regularly scheduled meetings.

- F. Fiscal Year - The fiscal year shall be from October 1 through September 30.
- G. Annual Meeting - The annual meeting and election of officers of the Commission shall be held in January/February.

ARTICLE III: FINANCIAL SUPPORT

- A. Purpose - Relatively large amounts of money are necessary to operate the planning and development region and carry out the many desired programs of local member units and the Regional Commission. To achieve the goals and objectives of this type of organization and meet financial needs, federal and state programs will be utilized to their fullest extent. Many of these programs are established on a fund matching basis and it is therefore necessary that the Commission provide certain amounts of money.
- B. Local Responsibility - Each year, the local program match shall be spread on the following basis:

Chippewa County	44%
Mackinac County	33%
Luce County	23%

ARTICLE IV: COMMISSION DUTIES AND RESPONSIBILITIES

The duties and responsibilities of the Eastern Upper Peninsula Regional Planning and Development Commission shall be to carry out the functions and operations associated with meeting the letter and the intent of these ByLaws.

ARTICLE V: COMMITTEES

- A. Executive Committee - The membership of the Executive Committee shall consist of five members of the Commission which will include the Chairman, Vice-Chairman, Secretary, Treasurer and the minority representative as specified in Article II, Section C. All minutes and proceedings of all meetings shall be subject to approval of the full Commission at the next regular meeting. The Executive Committee shall also serve as the By Laws Committee to update and review changes in the By Laws as needed.
- B. Nominations Committee - The membership of the Nominations Committee shall consist of three members, of the Eastern Upper Peninsula Regional Planning and Development Commission. Each county shall be represented by a member.

The Nominations Committee shall be elected annually prior to the Annual Meeting of the Eastern U.P. Regional Planning and Development Commission. The Nominations Committee shall offer a slate of officers to the Annual Meeting of the EUP Regional Planning and Development Commission for Chairperson, Vice-Chairperson, Secretary and Treasurer. The apportionment of membership on the Executive Committee must include one representative from each of the three counties and one minority representative.

ARTICLE VI: OFFICERS

- A. The Commission shall, at its January/February meeting each year, elect from the membership its officers for the succeeding year in accordance with the procedures as set forth in "Robert's Rules of Order." Each of the officers, Chairperson, Vice-Chairperson, Secretary, and Treasurer shall have a term of one year. The duties and responsibilities of each office shall be those normally associated with that office.
- B. The Chairmanship of the Regional Commission shall be a revolving elected position on a year-to-year basis. The Chairperson shall serve a one-year term only. The position of Chairperson and Vice-Chairperson shall revolve on a yearly basis in a manner such that each county shall be represented by the Chairperson once every three years. The Vice-Chairperson shall automatically become Chairperson the following year and as such shall represent a specified county.

In the event the Chairperson is unable to fill the term of office, a member of the Commission from that respective county will fill the remainder of the term.

- C. Each county and minority representative should have an alternate on the Executive Committee. They shall attend every meeting, if possible. In the event a delegate is absent, the alternate from that county shall have voting rights.

ARTICLE VII: MEETINGS

- A. Commission Meetings - The full Commission shall meet not less than four times a year. Notice of meetings and agenda shall be sent and distributed at least ten days prior to the scheduled meetings. A quorum shall consist of the number present of duly appointed representatives to the Commission. A majority vote of the members constituting a quorum, except as otherwise specified in the By Laws, shall decide an issue before the Commission.
- B. Executive Committee - The Executive Committee shall meet at the call of the chair, or by written request of three or more members of the Executive Committee. A quorum of the Executive Committee shall be three members.
- C. Committees - Standing and Advisory - Committees, both standing and advisory

shall meet as necessary. Agendas for said meetings shall be required. A quorum shall be a majority of the members appointed to the Committee, and a simple majority of the members constituting a quorum shall decide any issue before the Committee.

ARTICLE VIII: INTERNAL ADMINISTRATION

- A. Audit - A financial audit by program shall be undertaken each year by an independent Certified Public Accounting firm. The accounting firm shall be selected annually by the election by the full Commission at a regular meeting. The findings of said audit shall be presented in report form to the full Commission.
- B. Staff -
 - 1. Staff Qualifications - The Executive Committee shall prepare, or assign the Executive Director to prepare, written professional qualifications for the various staff positions including minimum levels of education, training and experience.
 - 2. Executive Director - The Commission shall employ an Executive Director who shall hold office at the pleasure of the Commission, directing and supervising the operating staff of the Region. The Executive Director shall make the appointment of all staff positions, prepare proposed budget, draft and distribute authorized reports and publications, and perform such other duties and functions as may be assigned to him by the Commission.

ARTICLE IX: COMMISSION RULES

The Commission shall adopt rules for Office Tenure, and staff qualifications. Other rules of procedure can be adopted by the Commission as necessary to the operation of the Region. Such Rules shall not be in conflict with the letter nor the intent of the By Laws, and may include procedures regarding meetings, project reviews, priority guidelines, technical assistance programs, agenda, etc. Such rules also shall be published for dissemination to member agencies and made a matter of record.

ARTICLE X: RECORDS

- A. Commission -
 - 1. Minutes shall be kept of all Commission, Executive Committee, Standing Committee, and Advisory Committee meetings.
 - 2. All Official Commission and Committee Records shall be matters of public record.

B. Administration

1. Correspondence concerning policy, programs, and related matters shall be maintained and made a matter of public record.
2. All reports, publications, and other materials prepared on special requests shall be maintained also as matter of public record.

ARTICLE XI: ADOPTION

Creation of the Eastern Upper Peninsula Regional Planning and Development Commission, and adoption of the original By Laws shall be by the basic member units of government and recommendation by the Eastern Upper Peninsula Regional Planning and Development Commission. such Commission and By Laws shall become effective upon ratification of the county governmental units with current authorized representation, and shall become effective.

ARTICLE XII: AMENDMENTS

Amendments to these By Laws can be proposed in writing by member units and will require review and recommendation by the Executive Committee. Approval by 75% of a quorum of the Commission will be sufficient to cause the proposed amendment to be adopted.

By Laws accepted and approved as amended by full Commission at a meeting on December 3, 1992.