



DEXTER TOWNSHIP

PLANNING COMMISSION

6880 DEXTER-PINCKNEY ROAD
DEXTER, MI 48130

TELEPHONE: 734-426-3767
FAX: 734-426-3833

WWW.DEXTERTOWNSHIP.ORG

STEVE BURCH
CHAIR
MARTY STRAUB
VICE CHAIR
TOM LEWIS
SECRETARY
BILL GAJEWSKI,
TWP. BRD. & ZBA REP.
KATE MEHURON
BOB NESTER
ANDY REISER
COMMISSIONERS

JANIS MILLER
RECORDING SECRETARY

PLANNING COMMISSION BYLAWS

Adopted March 26, 2019 Effective March 26, 2019

Article 1: Name & Purpose

- A) **Name.** The name of the Commission shall be the Dexter Township Planning Commission (*Planning Commission*).
- B) **Planning Purpose.** These Bylaws are adopted by the Planning Commission to facilitate the performance of its duties, as outlined in PA 33 of 2008, the Michigan Planning Enabling Act (*Planning Act*), MCL 125.3801 *et seq.*
- C) **Zoning Purpose.** These Bylaws are adopted by the Planning Commission to facilitate the performance of its administration of the Dexter Township Zoning Ordinance (*Zoning Ordinance*), as outlined in PA 110 of 2006, the Michigan Zoning Enabling Act (*Zoning Act*), MCL 125.3101 *et seq.*

Article 2: Membership

- A) **Members.** The Planning Commission shall consist of seven (7) members appointed by the Dexter Township Supervisor (Supervisor), subject to approval by the Township Board of Trustees (Township board), pursuant to the Planning Commission Ordinance, Ordinance #38 (Planning Commission Ordinance). The Individuals shall meet the following qualification:
 - 1. Shall be a qualified elector of Dexter Township except that one (1) member may be a qualified elector in another local unit of government.
 - 2. One member of the Planning Commission (Ex-Officio Member) shall also be a member of the Dexter Township Board of Trustees, whose term of office shall coincide with his/her elected term of office on the Dexter Township Board of Trustees.
 - 3. Shall not be an employee of Dexter Township except this condition shall not apply to the Dexter Township Board of Trustees Representative to the Planning Commission or to certain temporary township employment positions such as Election Inspector.
 - 4. The membership of the Planning Commission shall be representative of the important segments of the community, such as the economic, governmental, educational, and social development of such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce.
 - 5. The membership of the Planning Commission shall also be representative of the entire geography of Dexter Township to the extent practicable, and as a secondary consideration to the representation of the major interests.
- B) **Terms.** The terms for each Planning Commission member shall be pursuant to the Planning Commission Ordinance, Ordinance #38.
- C) **Resignation.** A Planning Commission member who resigns shall submit a letter of resignation to the Chair, who shall then forward a copy to the Township Board. Failure to attend three (3) consecutive regularly-scheduled meetings or any four (4) of the previous twelve (12) consecutive meetings, including work sessions, without the recorded consent of the Chair with excuse, shall be construed as resignation by absence.
- D) **Vacancy.** When a Planning Commission member resigns or dies, including resignation by absence, the Chair or Planning Staff shall notify the Township Board of the vacancy. When a Planning Commission member becomes incapacitated for office permanently or for an extended period or moves from the jurisdiction and fails to resign,

the Chair or Planning Staff shall cause any necessary investigation to determine the reason for the vacancy and shall notify the Township Board of the investigation's conclusion.

- E) **Removal.** The Township Board may remove a Planning Commission member for malfeasance, misfeasance, or nonfeasance upon written charges and after a public hearing, as outlined in the Planning Commission Ordinance. Causes for consideration of removal of a Planning Commission member may include malfeasance, misfeasance, or nonfeasance, and in particular, including, but not limited to:
1. *Ethics & Code of Conduct:* Failure of the member to abide by the ethics and code of conduct outlined in these Bylaws;
 2. *Conflict of Interest:* Failure of the member to disclose a potential conflict of interest;
 3. *Lack of Familiarity:* Failure of the member to obtain and maintain familiarity with state statutes, local ordinances, and policies affecting the Planning Commission; or
 4. *Violation of Bylaws:* Failure of the member to follow these Bylaws.
- F) **Incompatible Office.** If a Planning Commission member is appointed or elected to another office or position that is an incompatible office or position with Planning Commission membership, then, on the effective date of the appointment to the other office, that appointment shall result in an automatic resignation from the Planning Commission.

Article 3: Ethics & Code of Conduct

- A) Exemptions: discussions involving Zoning Ordinance text, Master Plan, or Planning Commission Bylaws, amongst Planning Commission members.
- B) **Ex-Parte Contact.** In order to ensure that all Planning Commission members have access to all the information, to ensure that decisions are made based on information established in the official record, and to ensure the integrity of and trust in the public decision-making process, every member shall avoid ex-parte contact as outlined below.
1. *Response.* If a member is contacted concerning an application outside of a public meeting, they shall make it clear that they are unable to discuss the application outside of a public meeting and refrain from answering any questions.
 2. *Document.* If a member has been contacted concerning an application outside of a public meeting, they shall document the details of the communication, including, but not limited to, the date and time, with whom, and what was discussed.
 3. *Share.* Members shall contact Planning Commission Chair, in a timely manner, to disclose the ex-parte contact and shall disclose the ex-parte contact at a public meeting.
 4. *Disqualification.* A member may be disqualified from participation in review of an application before the Planning Commission if that member has been contacted by an applicant or an agent with the intent of influencing that member's vote.
 5. *Preapplication Meetings.* This shall not be construed as prohibiting contact between the Chair, or designee, and applicants as part of preapplication meetings.
 6. *Staff.* This shall not be construed as prohibiting contact between members of Planning Staff.
- C) **Expression of Bias, Prejudice, or Opinion.** Planning Commission members shall not express any bias, prejudice, or individual opinion on an item before the Planning Commission until the public meeting. Violation of this shall constitute malfeasance.
- D) **Conflicts of Interest.** Each Planning Commission member shall avoid the appearance of a conflict of interest. As used here, a conflict of interest shall, at a minimum include, but not necessarily be limited to, the following:
- 1) **Definitions.** As used in these Bylaws, a conflict of interest shall include the following:
 - a. *Direct Concern.* Deliberating on, voting on, or reviewing a matter directly concerning the member;
 - b. *Interested Person.* Deliberating on, voting on, or reviewing a matter involving land that is adjacent to land owned by the member.
 - c. *Financial.* Deliberating on, voting on, or reviewing a matter in which the member may receive a financial benefit that is more than incidental, including matters where the member's employee or employer is an applicant or agent for an applicant.

- d. *Business Relationship.* Deliberating on, voting on, or reviewing a matter directly involving a corporation, company, partnership, or any other entity in which the member is a part owner, or any other relationship where the member may stand to have a financial gain or loss that is more than incidental; and
 - e. *Familial Relationship.* Deliberating on, voting on, or reviewing a matter concerning the member's family, including, but not limited to: spouse, children, step-children, grandchildren, parents, brothers, sisters, grandparents, parents-in-law, grandparents-in-law, or other members of the member's household.
 - f. *Planning Commission Appointees.* For the purpose of this Section only, an appointee on the Planning Commission shall not be considered an employee of the Township.
- 2) **Conflict Exists.** When a conflict of interest exists or may exist, the member or committee member in question shall do all of the following immediately, upon first knowledge of the matter:
- a. *Contact.* The member shall contact Planning Staff and inform them of the conflict of interest or potential conflict of interest as soon as they are aware of the potential conflict of interest;
 - b. *Declare.* The member shall declare a conflict of interest exists at the next Planning Commission or committee meeting or ask the Planning Commission or committee to determine if a conflict of interest exists;
 - c. *Cease Participation.* The member shall cease to participate as a Planning Commission member or committee member regarding that matter if a conflict of interest has been declared or if the Planning Commission or committee determines that a conflict of interest exists; and
 - d. *Leave the Table.* During deliberation of the matter before the Planning Commission or committee, leave the table where the Planning Commission or committee is seated, until that agenda item is concluded. The member shall be considered a member of the public and may offer public comments.
- 3) **Question.** If there is a question whether a conflict of interest exists or not, the question shall be put before the Planning Commission at the request of any individual, including the member, Planning Staff, or members of the public. Whether a conflict of interest exists or not shall be determined by a majority vote of the remaining Planning Commission members.
- E) **Representation of Applicants.** Planning Commission members and Planning Staff shall not represent applicants on matters that the Planning Commission is to make a determination or recommendation on.
- F) **Decorum.** In order to facilitate the efficient and fair functioning of the Planning Commission, Planning Commission members will conduct themselves with appropriate decorum at meetings.
- 1) *Remain Seated.* Members shall avoid leaving their seats during meetings, except for approved recesses, conflicts of interest, or personal emergencies.
 - 2) *Discussion.* Members shall avoid conversation that is not plainly audible to all present in the meeting room or side discussions.
 - 3) *Addressing Speakers.* Members shall address speakers through the Chair and shall avoid addressing applicants, speakers, other Planning Commission members, or Planning Staff on a first name or casual basis.
- G) **Communication.** Planning Commission members shall not communicate electronically during meetings. Planning Commission members shall use Township-provided email for official communications, when provided.
- H) **Personal Gain.** Planning Commission members must not make improper use of any privileged information or use any privileged information for personal gain.
- I) **Fairness.** Planning Commission members shall deal with other members, the public, applicants, and Planning Staff without favor or bias.
- J) **Accepting Gifts.** Planning Commission members shall not accept any gift or favors, including, but not limited to, cash, any tangible item, service, or food, from any party associated with an application that is presently or which may come before the Planning Commission.
- K) **Representation.** When speaking to individuals, groups, organizations, Planning Commission members shall indicate that their stated opinions are not necessarily those of the Planning Commission.
- L) **Spokesperson for Commission.** Free and open debate should take place on issues before the Planning Commission. Such debate shall only occur at public meetings of the Planning Commission. Once a vote is taken and an issue has been decided, the duty of each member of the Planning Commission is to represent the position

reflected by the outcome of the vote. Minority reports and requests for reconsideration may take place only at a public meeting of the Planning Commission.

Article 4: Duties of All Members

- A) Oath of Office.** Each Planning Commission member, upon appointment and before seating, shall take an oath of office.
- B) Follow Ethics & Code of Conduct.** Planning Commission members shall follow the ethics and code of conduct included in these Bylaws and shall report any violations to Planning Staff.
- C) Ex-Parte Contact.** Planning Commission members follow the ex-parte process included in these Bylaws.
- D) Preparation.** In order to make effective, consistent, and appropriate decisions, it is essential that each Planning Commission member thoroughly prepare before meetings.
- 1) *Applicable Laws.* Each member shall familiarize themselves with applicable laws, such as the Zoning Ordinance and Zoning Enabling Act, and maintain such knowledge.
 - 2) *Policy Documents.* Each member shall familiarize themselves with applicable policy documents, such as the Master Plan, and maintain such knowledge.
 - 3) *Petition Materials.* Each member is expected to review and be familiar with materials submitted for the Planning Commission's review.
- E) Site Inspections.** In order to make effective, consistent, and appropriate decisions, each Planning Commission member is expected to make site inspections before deliberating on, voting on, or reviewing matters involving a specific piece of land. A Planning Commission member may go individually, or with no more than two other Planning Commission members, to visit a site, and may be accompanied by Planning Staff, but not exchange opinions outside a public hearing.
- F) Attendance.** Planning Commission members are important Township officials whose actions and decisions impact the quality of life in the Township. Each member is expected to attend all regular and special meetings of the Planning Commission, arriving on time and remaining throughout the meeting. Each member who has knowledge of the fact that he/she will not be able to attend a scheduled meeting of the Planning Commission shall notify Planning Staff at the earliest possible opportunity.
- 1) *Notification.* Planning Staff shall notify the Chair in the event that the projected absences will produce a lack of a quorum.
 - 2) *Delinquency.* If any member is absent from three (3) consecutive regularly-scheduled meetings or any four (4) meetings in the previous twelve (12), including work sessions, without the recorded consent of the Chair with excuse, then that member may be considered delinquent.
 - 3) *Removal from Office.* Delinquency shall be grounds for the Township Board to remove a member for nonperformance of duty, or misconduct, after holding a public hearing on the matter.
 - 4) *Township Board Notification.* The Secretary, acting secretary in the absence of the elected Secretary, Recording Secretary, or designee shall keep attendance records and shall notify the Township Board whenever any member of the Planning Commission has an attendance delinquency as described above so the Township Board can consider further action or excuse the absences.
 - 5) *Excused Absences.* Absences may be excused due to illness, injury, sudden emergency, or the conduct of other business authorized by the Planning Commission. In order to receive an excused absence, a member shall submit written record of the excuse and submit it to the Chair and Planning Staff for review.
- G) Participation.** The input and opinion of each Planning Commission member is important and valued. All members in attendance are expected to participate in deliberations.
- H) Training.** It is the Planning Commission's recommendation to the Township Board that in order to ensure the Planning Commission is knowledgeable of planning practices and applicable laws, members are expected to participate in training as defined and funded by the Township Board.
- 1) *Citizen Planner.* Members who do not have a background in planning shall complete the Michigan State University Extension Citizen Planner program by the completion of their first full term on the Planning Commission. Members who do not complete the Citizen Planner program are not eligible for reappointment.

- 2) *Annual Training.* Each member shall attend at least four (4) hours per year of training in planning and zoning during the member's current term of office if the adopted Dexter Township budget for that fiscal year includes funds to pay for the training.
- 3) *Reappointment.* Members who do not participate in the required training without cause shall not be reappointed to another term on the Planning Commission.
- 4) *Training Programs.* Training may be provided by the American Planning Association, Michigan Association of Planning, Michigan State University Extension, Michigan Townships Association, Michigan Municipal League, Southeast Michigan Council of Governments, individuals with expertise in a related field, or other organization or person that the Township Board deems appropriate.

Article 5: Officers

- A) **Selection.** At the first regular meeting of each year, the Planning Commission shall select from its membership a Chair, Vice-Chair, and Secretary and shall recommend from its membership a representative to the Zoning Board of Appeals.
 - 1) *Eligibility.* The ex-officio member shall not be eligible to serve as the Chair, Vice-Chair, or acting chair.
 - 2) *Reelection.* All officers are eligible for reelection. For this section, a term shall mean the officer term.
 - 3) *Chair Vacancy.* In the event the office of the Chair becomes vacant, the Vice-Chair shall serve as the Chair until the next regular meeting, at which the Planning Commission shall elect a successor to the office of the Vice-Chair for the remainder of the term.
 - 4) *Vice-Chair Vacancy.* In the event that the office of Vice-Chair becomes vacant, the Planning Commission shall elect a successor to the office of Vice-Chair for the remainder of the term.
 - 5) *Secretary Vacancy.* In the event the office of the Secretary becomes vacant, the Planning Commission shall elect a successor to the office of Secretary for the remainder of the term.
- B) **Tenure.** The Chair, Vice-Chair, and Secretary shall take office immediately following their election and shall hold office for a term of one (1) year or until their successors are selected and assume office. The Zoning Board of Appeals representative shall take office immediately following appointment by the Township Board and shall hold office for a term of one (1) year or until their successor is appointed and assumes office.
- C) **Chair's Duties.** The Chair retains his or her ability to discuss and vote on issues before the Planning Commission. The Chair shall:
 - 1) Preside at all meetings with all powers under parliamentary procedure;
 - 2) Rule out of order any irrelevant remarks, remarks which are personal or discriminatory, profanity, or other remarks which are not about the topic before the Planning Commission;
 - 3) Restate all motions as requested and before votes are taken;
 - 4) Appoint committees;
 - 5) Appoint officers of committees or choose to let the committees select their own officers;
 - 6) Call special meetings;
 - 7) Act as member and Chair of the Executive Committee;
 - 8) Act as an Ex-Officio member of all committees of the Planning Commission, if desired by the Chair;
 - 9) Appoint an Acting-Secretary in the event the Secretary is absent from a Planning Commission meeting;
 - 10) Review with the Secretary or Planning Staff, before a Planning Commission meeting, the items to be on the agenda, if the Chair so chooses;
 - 11) Periodically meet with the Director of Zoning and Planning and/or other Planning Staff to review Planning Department operations, procedures, and to monitor progress on various projects;
 - 12) At the request of the Township Board, participate in job evaluations of the Planning Staff, discuss the evaluation with the Director of Zoning and Planning, and provide a copy of the evaluation for the Planning Department and Township Board's personnel files;
 - 13) At the request of the Township Board, participate in the interview and selection process for a Director of Zoning and Planning;
 - 14) Act as the Planning Commission's chief spokesman to represent the Planning Commission at local, regional, and state government levels, or delegate other Planning Commission members to do the same;

- 15) Represent the Planning Commission, along with the Township Board Planning Commission member, before the Township Board, or delegate other Planning Commission members to do the same;
 - 16) At the request of the Township Board, submit the Planning Commission's budget requirements for the fiscal year and request for appropriation to the Township Board; and
 - 17) Perform such other duties as may be approved by the Planning Commission.
- D) **Vice-Chair's Duties.** The Vice-Chair shall:
- 1) Act in the capacity of Chair, with all the powers and duties, in the Chair's absence;
 - 2) Act as member and Vice-Chair of the Executive Committee; and
 - 3) Perform such other duties as may be approved by the Planning Commission.
- E) **Secretary's Duties.** The Secretary shall:
- 1) Execute documents, as applicable, in the name of the Planning Commission;
 - 2) Be responsible for the minutes of each meeting if there is not a recording secretary;
 - 3) Review the draft of the minutes and submit them for approval to the Planning Commission. The Secretary may delegate this duty to Planning Staff. Act as member and Secretary of the Executive Committee; and
 - 4) Perform such other duties as may be approved by the Planning Commission.

Article 6: Meetings

- A) **Regular Meetings.** Regular meetings of the Planning Commission will be held at the Dexter Township Hall, 6880 Dexter-Pinckney Road, Dexter, MI 48130, according to the schedule adopted by the Township Board, unless otherwise posted.
- 1) *Agenda.* At the discretion of the Planning Commission, business items may be placed on a working session agenda and, conversely, items typically reserved for working sessions may be placed on a regular meeting agenda.
 - 2) *Cancellation.* The Director of Zoning and Planning and Chair may cancel a meeting if there is no business to consider.
 - 3) *Annual Notice.* An annual notice of regularly scheduled Planning Commission meetings shall comply with PA 267 of 1976, the Michigan Open Meetings Act ("*Open Meetings Act*"), MCL 15.261 et seq.
 - 4) *Accommodations.* Special accommodations will be made for people with disabilities when requested at least twenty-four (24) hours in advance.
- B) **Special Meetings.** Special meetings shall be called in accordance with the Planning Act.
- 1) *Calling.* A special meeting may be called by the Chair, by any two (2) members of the Planning Commission, or by the Chair at the request of any non-member of the Planning Commission upon payment by the non-member of a non-refundable fee as determined by the Township Board.
 - 2) *Agenda.* Items not included in the draft agenda cannot be added to the agenda of a special meeting.
 - 3) *Notice.* Notice of special meetings shall be given by the Director of Zoning and Planning, Chair, or Secretary to Planning Commission members at least forty-eight (48) hours before such a meeting and shall state the purpose, time, day, month, date, year, and location of the meeting. In addition, notices shall comply with the Open Meetings Act.
 - 4) *Accommodations.* Special accommodations will be made for people with disabilities in accordance with the Township ADA (Americans with Disabilities Act) policy.
- C) **Work Sessions.** The Planning Commission may hold working sessions to discuss and debate planning matters as necessary, according to a schedule adopted by the Township Board, unless otherwise posted. No approvals or recommendations shall be made at work sessions.
- D) **Number of Meetings.** The Planning Commission shall hold at least four (4) meetings every calendar year.
- E) **Recess.** The Chair, or the Planning Commission by majority vote, may suspend a regular or special meeting and continue the meeting on another day to complete agenda items. Such action shall include the time, day, month, date, year, and location the Planning Commission will reconvene. If more than eighteen (18) hours will pass before the Planning Commission reconvenes, public notice shall be given consistent with the Open Meetings Act. Upon reconvening, a roll call of attendance shall be the first item of business before proceeding with the same agenda. The Planning Commission shall resume with the same meeting agenda, proceeding at the same point where it left off, without the addition of additional business.

- F) **Quorum.** More than one-half (½) the total number of seats for members of the Planning Commission, regardless of vacancies, shall constitute a quorum for the transaction of business and the taking of official action for all matters before the Planning Commission. Whenever a quorum is not present at a regular or special meeting, those present shall adjourn the meeting to another day.
- G) **Motions.** All actions by the Planning Commission shall be in the form of a motion or resolution.
- 1) *Restate Motions.* All motions shall be restated by the Chair before a vote is taken.
 - 2) *Findings of Fact.* All resolutions and actions taken in an administrative capacity, including, but not limited to, special use permits, subdivisions, zoning, site plan review, planned unit developments, review and submission on another municipality's proposed plan, review and submission on a capital improvement, and review of township zoning, shall include each of the following parts:
 - a. Findings of fact, listing what the Planning Commission and Zoning Ordinance determine to be relevant facts in the case;
 - b. Conclusions, listing reasons based on the facts for the Planning Commission's action, which may include a finding of compliance, or noncompliance, with respect to standards; and
 - c. The Planning Commission's action: recommendation or position, approval, approval with conditions, or disapproval.
- H) **Voting.** Voting by the Planning Commission shall be conducted in public meetings.
- 1) *Present to Vote.* Members must be present to vote; proxy voting shall be prohibited.
 - 2) *Must Vote.* All members present must vote, unless excused for a conflict of interest.
 - 3) *Majority Vote.* The affirmative vote of a majority of the total number of seats on the Planning Commission, regardless of vacancies or absences, shall be necessary for the adoption, or recommendation for adoption, of any motion, resolution, plan, or amendment of a plan.
 - 4) *Roll Call Votes.* Voting for the adoption of resolutions shall be by roll call vote, recorded as "yes" or "no." Any member may request other votes be conducted as a roll call vote.
 - 5) *Voice Votes.* Voting on actions other than resolutions shall be by voice vote and shall be recorded as "yes" or "no", unless a roll call vote has been requested.
 - 6) *Tie Vote.* Votes that do not receive a majority, as outlined above, have failed. The Planning Commission should work towards a majority decision. If this cannot be achieved, the Planning Commission shall clearly summarize their issues to provide direction to an applicant or the Township Board.
- I) **Planning Commission Action.** Action by the Planning Commission on any matter on which a public hearing is held shall not be taken until the public hearing has been concluded.
- J) **Parliamentary Procedure.** Parliamentary procedure for Planning Commission meetings shall be informal but shall be based on Robert's Rules of Order Newly Revised. These Bylaws shall control where there is any conflict between them and Robert's Rules of Order Newly Revised.
- K) **Public Participation.** All regular and special meetings, hearings, records, and accounts shall be open to the public.
- 1) *Action Items.* All public comment on non-agenda items or items not listed as "Action Items" on the agenda shall be presented at the beginning and end of the meeting, where provided in the agenda. All public comment on items listed as "Action Items" on the agenda shall be presented during consideration of that "Action Item." In addition, Planning Commissioners may direct questions to members of the public. To help the public prepare for the meeting, documents in the Township's possession related to the item shall be made available at Dexter Township Hall for inspection by members of the public before the meeting.
 - 2) *Identify.* A speaker is requested to enter their name and address to the meeting sign-in sheet in order to make public comments, so their comments may be accurately attributed to the speaker. Speakers are requested to ~~must~~ identify themselves prior to addressing the Planning Commission.
 - 3) *Time Limit.* The amount of time allowed for each public comments of a person speaking at a Planning Commission meeting, on a particular agenda item or during public comment, shall be limited to five (5) minutes. This time may be extended by the Chair, unless there is an objection by a majority of Planning Commission members.
 - 4) *Number of Times.* Members of the public may each speak one (1) time per public hearing or public comment section. At the discretion of the Chair, a member of the public may speak additional times after all

members of the public who wish to speak have been able to speak, unless there is an objection from the majority of the Planning Commission.

- 5) *Representation.* Any person may appear or be represented by authorized agents, such as attorneys, engineers, architects, etc. Such agents shall present evidence of the extent of their authorization, if requested by any member.
 - 6) *Cross Examination.* Members of the public shall not cross examine each other. All questions shall be directed to the Chair, who may request answers.
- L) Order of Business & Agenda.** The Director of Zoning and Planning, or designee, shall prepare a draft agenda for each meeting and the order of business shall be as outlined below. The Planning Commission may amend its agenda at a meeting by an affirmative vote of the members present:
- 1) Call to Order
 - 2) Pledge of Allegiance
 - 3) Conflict of Interest & Ex-parte Contact Review
 - 4) Approval of Agenda
 - 5) Public Comment (*non-agenda items*)
 - 6) Action Items (*unfinished business then new business*)
 - 7) Approval of Minutes
 - 8) Election of Officers (*as necessary*)
 - 9) Township Board of Trustees Update (*as necessary*)
 - 10) Zoning Board of Appeals Update (*as necessary*)
 - 11) Concerns of Planning Commission Members, Director of Zoning and Planning, Supervisor, and Recording Secretary
 - 12) Review of Bylaws (*as necessary*)
 - 13) Public Comment (*non-agenda items*)
 - 14) Future Agenda Items
 - 15) Adjournment
- M) Distribution of Agenda.** The agenda and accompanying materials shall be distributed to Planning Commission members at least one (1) week before the Planning Commission meeting. Distribution may be by way of pick-up at the Township Hall, or if practical, electronic delivery.
- N) Placement of Items on the Agenda.**
- 1) *Submittal.* The Director of Zoning and Planning may receive items on behalf of the Planning Commission.
 - 2) *Completeness Review.* Items received by the Director of Zoning and Planning shall be reviewed for completeness by the Director of Zoning and Planning or designee before being forwarded to the Planning Commission or being placed on the agenda. The Director of Zoning and Planning shall review the proposed agenda with the Planning Commission Chair before posting and being forwarded to the Planning Commission.
 - 3) *Director of Planning & Zoning Review.* Items received by the Director of Zoning and Planning shall be set aside to be received by the Planning Commission at its next regularly-scheduled meeting. The Planning Commission may act on those items of a minor nature not requiring public notice or postpone action to the earliest available regular or special Planning Commission meeting. Those items of a major nature or items normally receiving staff review, analysis, or recommendation shall be postponed until the earliest available regular or special Planning Commission meeting following the conclusion of these reviews, analyses, or recommendations.
 - 4) *Agenda Placement.* After the Director of Zoning and Planning has determined the item's appropriateness and completeness, the Director of Zoning and Planning shall establish the date at the earliest available regular or special meeting on which the Planning Commission shall take action, such date allowing proper public notice and the planning staff adequate time to prepare recommendations for Planning Commission consideration. The Director of Zoning and Planning shall review the proposed agenda with the Planning Commission Chair before posting and being forwarded to the Planning Commission.
 - 5) *Deadlines.* Items shall be submitted according to a schedule of deadlines adopted by the Township.
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Article 7: Record

- A) **Minutes & Record.** The Secretary, or designee, shall keep a record of Planning Commission meetings which shall, at a minimum, include an indication of the following:
- 1) *Meeting Posting.* Copy of the meeting posting pursuant to the Open Meetings Act.
 - 2) *Minutes & Attachments.* Copy of the minutes and all its attachments, or references thereto, which shall include a summary of the meeting, in chronological sequence of occurrence:
 - a. Time and place the meeting was called to order;
 - b. Attendance of Planning Commission members and other dignitaries;
 - c. Indication of others present, listing names if others choose to sign in and/or a count of those present.
 - d. List, including subject, date, and author, all applicable correspondence and reports received and considered;
 - e. Summary of points made in public participation or at a hearing by the applicant, officials, and members of the public. An alternative is to attach a copy of the public's statement, petition, or letter (or reference thereto, including the subject, date, and author) if it is provided in written form;
 - f. Full text of all motions introduced, whether seconded or not, who made the motion and who seconded the motion. All decisions shall be stated as a resolution, which shall include the following, as applicable:
 - i. A statement of what is being approved or denied (*e.g. site plan, special use permit, subdivision, land division, shared driveway, recommendation for zoning amendment, master plan, etc.*);
 - ii. The location of the property involved (*tax parcel number and address or other means of identification, if no address exists*);
 - iii. What exhibits were submitted;
 - iv. What evidence was considered (*summary of, or reference to, discussion by Planning Commission members, the applicant(s), and members of the public at the meeting(s)*);
 - v. The findings of fact;
 - vi. Reasons for the decision made;
 - vii. The decision (*e.g., approve, deny, approve with modification*);
 - viii. A list of all conditions of approval, if any;
 - ix. The most recent map/drawing/site plan;
 - x. The type of vote (*i.e., a roll call vote or a voice vote*) and its outcome. If a roll call vote, indicate who voted yes, no, or a statement the vote was unanimous. If not a roll call vote, then simply a statement, such as: "the motion passed/failed after a voice vote;"
 - xi. If applicable, that a person making a motion withdrew it from consideration.
 - g. All the Chair's rulings;
 - h. All challenges, discussion, and vote/outcome on a Chair's ruling;
 - i. All parliamentary inquiries or points of order;
 - j. When a Planning Commission member enters or leaves the meeting;
 - k. When a Planning Commission member or Planning Staff has a conflict of interest and when that individual ceases and resumes participation in discussion, voting, and deliberations at a meeting.
 - l. All calls for an attendance count, the attendance, and ruling if a quorum exists or not.
 - m. The start and end of each recess;
 - n. Summary of announcements;
 - o. Summary of informal actions or agreement on consensus; and
 - p. Time of adjournment.
- B) **Office of Record.** The Dexter Township Planning and Zoning Department shall be the office of record for the Planning Commission.
- C) **Retention.** Planning Commission records shall be preserved and kept on file according to the following schedule:
- 1) *Public Records.* Minutes, bonds, oaths of officials, zoning ordinances, master plans, other records of decisions, Planning Commission or department publications, and correspondence shall be retained permanently:

- 2) *Financial Records.* The general ledger, account journals, bills and/or invoices, receipts, purchase orders, and vouchers shall be retained in accordance with the Township's record retention policy.

Article 8: Committees

- A) **Executive Committee.** The Executive Committee shall be a standing committee of the Planning Commission. It may deal with recommendations to the Planning Commission and Township Board on matters of the Planning Commission budget; employment of a Director of Zoning and Planning; and anything else directed to the Executive Committee by the Planning Commission.
 - 1) *Membership.* Its membership shall be the Chair, Vice-Chair, and Secretary of the Planning Commission, and they shall hold the same offices on the Executive Committee.
 - 2) *Limited Power.* The Executive Committee has limited power to act only when time constraints require action before the next regularly-scheduled Planning Commission meeting. Such actions shall be reported at the next regularly-scheduled Planning Commission meeting and are subject to the Planning Commission's review and/or veto.
- B) **Ad Hoc Committees.** The Planning Commission or Chair may establish and appoint ad hoc committees for special purposes or issues, as deemed necessary. Less than a quorum of the Planning Commission shall serve on an ad hoc committee at any given time.
- C) **Citizen Committees.** The Planning Commission or Chair may establish and appoint citizen committees for special purposes or issues, as deemed necessary. Membership can be any number but less than a quorum of the Planning Commission shall serve on the committee at any time. The purpose of citizen committees is to have more citizen and municipal government involvement and to use individuals who are knowledgeable or expert in a particular issue before the Commission and to better represent various interest groups in the Township.
- D) **Subservient to the Planning Commission.** All committees are subservient to the Planning Commission and report their recommendations to the Planning Commission for review and action. The Planning Commission can overrule any action of any committee.
- E) **Same Principles.** The same principals of these Bylaws for the Planning Commission shall also apply to all committees of the Planning Commission including, but not limited to:
 - 1) *Officers.* Officers of committees are appointed by the Chair of the Planning Commission at the time the committee is created or are elected by the committee's membership at their first meeting. Officers, at a minimum, include a Chair and Secretary-Vice-Chair;
 - 2) *Quorum.* A committee's quorum shall be at least half the total appointed membership of the committee;
 - 3) *Voting.* Only those appointed members of a committee who are present at the time of a vote shall be eligible to cast a vote;
 - 4) *Minutes.* The Secretary of the committee shall keep minutes of the committee meetings in the same format used by the Planning Commission and filed in the same office as the Planning Commission's minutes;
 - 5) *Staff.* Committees have reasonable use of Planning Department staff time, assistance, and direction for performing the work of the committee; and
 - 6) *Public.* Committee meetings shall be open meetings available for public attendance and participation, and minutes of the meetings are to be available for public inspection under the same principles found in the Open Meetings Act, unless specifically exempted by the Open Meetings Act.

Article 9: Mileage & Per Diem

Planning Commission members may be compensated for their services, as provided for by the Township Expense Reimbursement Policy.

Article 10: Hearings

- A) **Plan Hearings.** Before adopting or amending any part of a plan, as defined in the Planning Act, the Planning Commission shall hold a public hearing on the matter. Notice shall be given as specified in the Planning Act.

- B) **Zoning Hearings.** Before making a recommendation on a zoning amendment to the Township Board or making a decision on a site plan, special land use, or planned unit development, the Planning Commission shall hold a public hearing on the matter. Notice shall be given as specified in the Zoning Ordinance and the Zoning Act.
- C) **Special Hearings.** In addition to those required by law, the Planning Commission may, at its discretion, hold such public hearings or conferences as it decides will be in the public interest.

Article 11: Zoning Responsibilities

- A) **Zoning Adoption or Amendment.** The Planning Commission shall review and act on all proposed zoning ordinances or zoning amendments pursuant to the Zoning Act. At least one (1) public hearing shall be held on each proposed zoning ordinance or amendment, with notices given as specified in the Zoning Ordinance and the Zoning Act. After the public hearing, action shall be in the form of a recommendation to the Township Board. At a minimum the recommendation shall include:
 - 1) *Zoning Plan.* A zoning plan for the areas subject to zoning or zoning amendment of Dexter Township;
 - 2) *Zoning Districts.* The establishment of or modification of zoning districts, including the boundaries of those districts, if applicable;
 - 3) *Text or Map.* The text of a zoning ordinance or amendment with the necessary maps and zoning regulations to be adopted for a zoning district or the zoning jurisdiction as a whole;
 - 4) *Administration.* The manner of administering and enforcing the zoning ordinance; and
 - 5) Findings of fact.
- B) **Special Land Use.** The Planning Commission shall review and act on all special land use permit applications pursuant to the Zoning Act and Zoning Ordinance. At least one (1) public hearing shall be held on each proposed application for special land use permit, with notices given as specified in the Zoning Ordinance and the Zoning Act. After the hearing, action shall be in the form of a resolution which contains, or is included in the minutes, findings of fact and the Planning Commission's action.
- C) **Planned Unit Developments.** The Planning Commission shall review and act on all planned unit developments, including open space communities and commercial planned unit developments, pursuant to the Zoning Act and Zoning Ordinance. At least one (1) public hearing shall be held on each proposed application for special land use permit, with notices given as specified in the Zoning Ordinance and the Zoning Act. After the hearing, action shall be in the form of a resolution which contains, or is included in the minutes, findings of fact and the Planning Commission's action.
- D) **Site Plan Review.** The Planning Commission shall review and act on all those site plans which the Zoning Ordinance requires Planning Commission action. Action shall be in the form of a resolution which contains, or is included in the minutes, findings of fact and the Planning Commission's action.
- E) **Zoning Ordinance Interpretation, Variances, & Appeals.** The Planning Commission shall not act on, or otherwise hear issues on zoning ordinance interpretation, zoning map interpretation, or variances. Such matters shall be exclusively the jurisdiction of the Zoning Board of Appeals.

Article 12: Planning Responsibilities

- A) **Master Plan.** The Planning Commission shall make and approve a Master Plan as a guide for development within Dexter Township in accordance with the Planning Act. At least every 5 years after adoption of a Master Plan, the Planning Commission shall review the Master Plan and determine whether to amend the Master Plan or adopt a new Master Plan.
- B) **Adjacent Master Plan Review.** The Planning Commission shall review all adjacent or contiguous local government Master Plans when submitted to Dexter Township by those governments.
 - 1) *Purpose.* The review process is intended to increase coordination of planning between adjacent communities.
 - 2) *Focus of Review.* The review shall focus on consistencies or inconsistencies with the Township's adopted Master Plan with respect to border issues, issues of greater than local concern, comparison with contents of the adopted Master Plan, comparison to other relevant adopted plans, policies, or ordinances, and comparison to various implementation agencies.

- C) **Annual Report to the Township Board.** The Planning Commission shall make an annual written report to the Township Board concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.
- D) **Other Responsibilities.** The Planning Commission shall carry out other responsibilities prescribed in the Planning Act, the Zoning Act, the Zoning Ordinance, and other Township ordinances.

Article 13: Planning Commission Staff

- A) **Authorization.** The Planning Staff may consist of a Director of Zoning and Planning with such other personnel as may be authorized by the Township Board.
- B) **General Responsibility.** The Planning Staff may be charged with assisting the Planning Commission with its duties, including preparation of reports, distribution of materials, and such other work as authorized by the Township Board.
- C) **Recording Secretary.** Planning Staff may include a Recording Secretary, who shall not be a Planning Commission member or a member of any of its committees.
 - 1) *Minutes.* A Recording Secretary shall take notes for minutes at each meeting and shall prepare a first draft of minutes for the Planning Commission.
 - 2) *Other Duties.* A Recording Secretary shall perform other duties as may be ordered by the Township Board, Planning Commission, or Secretary.
- D) **Advocacy.** The Planning Staff shall not attempt to represent the views or comments of a member of the public at a public hearing or Planning Commission meeting. Staff shall indicate that a member of the public wishes to make their views known and that they should do so directly to the Planning Commission in person, through an agent, or by providing written comment. Staff should avoid situations of appearing to advocate for an individual or group. Nothing herein is intended to prevent Planning Staff from helping an individual or group be better informed and to present their own views. Nothing herein is intended to prevent Planning Staff from expressing their own views as private citizens or professional consultants.

Article 14: Adoption, Repeal, Amendments, & Miscellaneous

- A) **Adoption.** Upon adoption of these Bylaws of March 26, 2019, they shall become effective on March 26, 2019, and all previous Bylaws shall be repealed.
- B) **Amendment.** These Bylaws may be amended at any regular or special meeting by the affirmative vote of five (5) members of the Planning Commission, provided copies of the proposed bylaws were promulgated to the Planning Commission at least ten (10) days before the meeting.
- C) **Annual Review.** The provisions of these Bylaws shall be reviewed by the Planning Commission annually at the first regular meeting of the year.
- D) **Suspension of Bylaws.** A rule of these Bylaws may be suspended or waived at any meeting for a single agenda item by unanimous vote of Planning Commission members present, unless such rule is set by state law or local ordinance.

Article 15: Bylaws Interpretation

The power of the Planning Commission to interpret these Bylaws shall be absolute.

The undersigned, being the duly appointed executives of the Dexter Township Planning commission, hereby certify that the foregoing Bylaws were adopted at a duly noticed Planning Commission meeting on the 26th day of March, 2019, at which a quorum was present, and that the members voted thereon.

Steve Burch, Chairperson

Marty Straub, Vice-Chairperson

Tom Lewis, Secretary

*Note: Mr. Tom Ehman was Vice-Chair throughout the revision of these Bylaws with Mr. Marty Straub being seated in his place, and being elected Vice-Chair, on March 26, 2019.

Adopted 03 26 2019