

# **SOUTHCENTRAL MICHIGAN MATERIALS MANAGEMENT PLANNING COMMITTEE**

## **BY-LAWS**

### **ARTICLE I NAME**

This organization shall be known as The Southcentral Michigan Materials Management Planning Committee (SMMMPC).

### **ARTICLE II OFFICE**

The office and mailing address of the Materials Management Planning Committee shall be: *300 S. Westnedge Ave, Kalamazoo, MI 49007*

### **ARTICLE III PURPOSE AND FUNCTION**

#### **Section 1. Purpose**

The purpose of this organization, in accordance with the State of Michigan's Materials Management Program pursuant to Part 115 of the Natural Resources and Environmental Protection Act of the Michigan Acts of 1994 (the "Act"), is to:

- A. Implement a new Materials Management Plan (MMP) that will focus on sustainable material management approaches such as recycling and composting instead of landfilling waste; and
- B. To provide recommendations and guidance to the Southcentral Michigan Planning Council who shall serve as the Designated Planning Agency (DPA) pursuant to the Act.
- C. To provide information through the DPA to Branch and St. Joseph Counties Commission, who is designated as the County Approval Agency under the Act and the MMP; and
- D. To provide a new MMP to the State of Michigan and the CAA pursuant to the terms and conditions of the Act.

## **Section 2. Function**

The function of the MMPC is to:

- A. Meet on a consistent and timely basis to provide recommendations and guidance to the DPA for the Work Plan that is to be submitted to the State of Michigan.
- B. Review and approve the DPA work program.
- C. Provide guidance and recommendations for all issues identified in Part 115 of the Act to the DPA.
- D. Shape the MMP program's philosophy and long- and short-term goals and objectives.
- E. Provide the final level of approval of the MMP before it is presented for CAA approval.

## **Section 3. Establishment: Members**

The Southcentral Michigan Materials Management Planning Committee shall consist of at least eight (8) members, all of which shall be approved by the Branch or St. Joseph County Commission. All members shall be selected pursuant to the criteria listed in the Act. One (1) member shall be elected by Committee Members to be the Chairperson.

## **Section 4. Term of Office**

All MMP Committee members shall serve for five (5) years. If proscribed by the Act, members shall be re-appointed by the Branch or St. Joseph County Administrator who also is the only person who can authorize their removal. The MMPC can, however, upon a majority vote, recommend to the County Administrator the acceptance or removal of a MMPC member. In case of a vacancy or change in status, all members shall continue to serve until a successor is duly appointed in the same manner as the original appointment for the duration of the unexpired term.

## **Section 5. Resignation**

A member will indicate his/her intent to resign by submitting a written statement with an effective date of resignation to the Branch or St. Joseph County Administrator and copies to the chairperson of the SMMMPC. Each committee member shall provide the Administrator at least thirty (30) days' notice before any such resignation shall become effective.

## **ARTICLE IV** **CHAIRPERSON**

### **Section 1. Chairperson**

The Chairperson will:

- A. Preside at all SMMMPC meetings. The DPA representative shall communicate directly with the Chairperson prior to each meeting, providing an agenda for each meeting. Committee members shall have the ability to pose questions to the chair prior to each meeting and request that certain items be included in subsequent agenda meetings.
- B. In consultation with the DPA representative the Chair shall generate the agenda for each regular meeting; call meetings to order and formally close them; note whether a quorum is present; extend every courtesy to the discussion of the motions; repeat and/or explain each motion before it is voted upon.

## **ARTICLE V** **COMMITTEES**

### **Section 1. Committees in General**

The DPA Representative shall identify for the Committee any necessary ad hoc subcommittees as necessary to assure business is properly conducted.

## **ARTICLE VI** **MEETINGS**

### **Section 1. Regular Meetings**

Regular meetings of this MMPC will be held on a timely and consistent basis and open to the public. Meetings will be held at a location determined by the Chair with assistance from the DPA. Meetings shall comply with Michigan's Open Meetings Act and will be held in person and via zoom.

### **Section 2. Notice of Meetings**

Written notice shall be mailed to each member of the SMMMPC at least seven (7) calendar days prior to the date of each regular meeting. A schedule of the Committee Meeting dates will be posted on the SCMMP website for public notice.

### **Section 3. Special Meetings**

With a 48-hour written notice to MMPC membership, special meetings may be requested by the DPA Representative.

### **Section 4. Quorum**

A quorum will consist of a simple majority of current members. The SMMMPC is not a separate legal entity under Michigan law and does not have the legal ability to execute agreements. Therefore, the DPA shall have discretion to conduct a meeting if a majority of the members are not present. The DPA shall have the responsibility to provide all members with a summary of any held official meeting.

### **Section 5. Conducting Business**

Business shall be conducted in accordance with Robert’s Rules of Order and any applicable laws or regulations of Branch or St. Joseph Counties or state and federal law. All meetings shall be held in full compliance with the Open Meetings Act, MCL 15.261 *et seq.* Public notice of the time, date, and place of meetings shall be posted in the manner required by the Open Meetings Act.

### **Section 6. Voting**

- A. Each member of the MMPC has one (1) vote. Proxy voting is not allowed.
- B. Each member shall be present during the motion and discussion of the voting issue at hand to be eligible to vote.
- C. Each member understands that the SMMMPC is not a separate legal entity, and any voting shall be treated as a recommendation to the DPA regarding issues brought before the Committee. If circumstances prevent a member from being physically present, a member may participate in the discussion and vote by teleconference or videoconference if they are present for all discussions related to a motion on which they are voting.

### **Section 7. Conflict of Interest**

- A. Members of the SMMMPC shall –
  - (1) Not have a financial conflict of interest with either County, including any delegate agency.
  - (2) Notify the DPA of any potential conflict of interest.
  - (3) Be fully compliant with the provisions of either Branch or St. Joseph County’s Ethics Ordinance, Ord. No. 2014-734.

## **ARTICLE VII** **MEETINGS**

The DPA may amend these SMMMPC by-laws, provided that the DPA supply the amendments to the SMMMPC at least ten (10) calendar days prior to the next scheduled SMMMPC meeting. The SMMMPC may debate the amendment and provide feedback before the DPA implements it.

**Adopted:** \_\_\_\_\_

**Signatures**

\_\_\_\_\_  
\_\_\_\_\_, **Chairperson**  
**MMPC**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
\_\_\_\_\_, **DPA**  
**Designated Representative**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
\_\_\_\_\_, **Secretary**  
**MMPC**

\_\_\_\_\_  
**Date**