



COUNTY OF OTTAWA HOUSING COMMISSION

Rules of Procedure (i.e. By-Laws)

Article I – The Commission

Michigan Counties have been delegated the right to create 5-member county housing commission. See MCL §125.653(3)(d) (“Act”).

Name of Commission

The name of the Commission shall be the “Ottawa County Housing Commission.”

Offices of the Commission

The offices of the Commission shall be at 12220 Fillmore Street, West Olive, Michigan, but the Commission may hold meetings at such other place or places as it may from time to time designate.

Pursuant to MCL §125.653, the Chairperson of the Ottawa County Board of Commissioners shall perform all of the duties relative to the Housing Commission that are to be performed by the chief administrative officer of a city or village under the Act relative to a local housing commission.

Membership

Appointment

Subject to the ratification of the Ottawa County Board of Commissioners, the Chairperson of the Ottawa County Board of Commissioners shall appoint the members of the Housing Commission to 5-year terms, with the first members of the Housing Commission receiving staggered terms.

Resignation

Any member desiring to resign from the Commission shall submit a written or oral resignation to the Commission or to the County Board of Commissioners.

Removal

At the request of the Commission President, the Ottawa County Board of Commissioners may remove any member of the Housing Commission for any reason.

Removal for Absenteeism

A member shall be removed from the Commission without vote for the following:

- I. Failure to attend less than 75% of all meetings without excuse of the Commission President within one (1) calendar year. Such removal shall be

documented and a letter sent to the removed member explaining the reason for removal. A photocopy of the removal letter shall be forwarded to the Ottawa County Board of Commissioners.

Article II – Officers

The officers of the Commission shall be a President, Vice-President and Secretary. No one person may hold more than one office at any one time.

Duties, Responsibilities and Elections

President

The President shall preside at all meetings of the Commission. At each meeting the President shall submit such recommendations and information as he or she considers appropriate concerning the business, affairs, and policies of the Commission.

Vice-President

The Vice-President shall perform the duties of the President in the absence or incapacity of the President; and in case of the resignation or death of the President, the Vice-President shall perform such duties as are imposed on the President until such time as the Commission shall select a new President.

Secretary

The Secretary shall notice the meetings of the Commission in compliance with the Open Meetings Act and keep the records of the Commission and record all votes, and keep the proceedings of the Commission in a journal, and shall perform all duties incident to the office of Secretary. The duties and responsibilities of the Secretary may be delegated to the County Administrator, who may assign them to Ottawa County staff in his or her discretion.

Additional Duties

Members of the Commission shall perform such other duties and functions as may from time to time be required by the Commission, By-Laws, rules and regulations of the U.S. Department of Housing and Urban Development. Additionally, pursuant to authorizing statute, the Housing Commission shall make an annual report of its activities to the County Board of Commissioners, and shall make other reports as the County Board of Commissioners may from time to time require.

Committees and Subcommittees

Committees and subcommittees may be formed from time to time as needs require, with the consent of the Commission. Such committees and subcommittees shall consist of not

more than two (2) Commission members. Such committees and subcommittees shall not perform official action on behalf of the Commission, but shall be empowered to perform research and present recommendations to the Commission as a whole.

Elections and Appointments

The President, Vice-President and Secretary shall be elected at the annual meeting of the Commission from among members of the Commission, and shall hold office for one year or until their successors are elected and qualified. The elections shall be by roll call vote.

Vacancies

Should the offices of President, Vice-Chair or Secretary become vacant, the Commission shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired term of said office.

Article III – Purpose and Restrictions

The Housing Commission shall have the powers, duties and responsibilities conferred by the Housing Commission Ordinance, MCL 125.651, et seq., or otherwise by federal and/or state statute, except for the following:

Debt

The Housing Commission shall have no authority to assume debt or issue bonds or notes in its name or the name of Ottawa County, without the formal approval of the Ottawa County Board of Commissioners for each specific debt instrument. In no event, may the Housing Commission incur any liability for the general or other funds of Ottawa County.

Operating Restrictions

The Housing Commission may not operate within any incorporated area within Ottawa County without a contract authorizing such operation that is approved by the Housing Commission, Ottawa County Board of Commissioners and the incorporated unit of government's legislative body. Such a contract, however, may not confer any authority restricted by this Ordinance. Moreover, such a contract must require the Housing Commission to comply with local zoning, unless otherwise agreed to by the local unit's legislative body.

Acquisition of Interest

The Housing Commission shall have no authority to acquire any interest in real estate, whether by lease, fee or other contract, without the formal approval of the Ottawa County Board of Commissioners for each specific acquisition.

Article IV – Meetings

Meeting Procedures

All regular and special meetings of the Commission shall be conducted according to the Open Meetings Act and the rules contained in Robert's Rules of Order.

Annual Meeting

The annual meeting of the Commission shall be the first meeting that occurs after January 1 of each year. During the annual meeting the Commission shall elect officers and review its By-Laws.

Regular Meetings

Notice of regular meetings shall be posted in accordance with the Open Meetings Act, MCL 15.251 et seq. The notice of the meeting shall contain the date, time, location of the meeting, and an agenda, which shall list all normal business that the Commission reasonably expects to address during the meeting. The meeting shall be open to the public, and persons receiving services managed by the Commission shall be encouraged by the Commission to attend.

Special Meetings

The President of the Commission may, when he or she deems necessary, call a special meeting of the Commission for the purpose of transacting Commission business. During an emergency, Commission members may call a special meeting in the absence of the President. Notice of the special meeting shall be posted in accordance with the Open Meetings Act. The notice of the meeting shall contain the date, time, location of the meeting, and an agenda, which shall list all business that the Commission reasonably expects to address during the meeting.

Quorum and Presence

At all meetings of the Commission, three (3) members of the Commission shall constitute a quorum for the purpose of transacting business; providing that a smaller number may meet informally and adjourn to some other time or until a quorum is obtained. However, no official business or action may be taken until a quorum is present. With the permission of the Commission President, pursuant to MCL 15.263, a member may participate by telephone or electronically and may be counted as present for purposes of establishing a quorum and for voting.

Resolutions

Actions internal to the Commission may occur on oral motions. All actions involving third parties or implementing the tasks assigned to the Commission in the Ordinance shall be by

written resolutions entered into a journal of the proceedings of the Commission. All motions may occur by voice “yes,” “no,” or “abstain” vote. Resolutions must be approved upon roll call vote with the votes of individual Commission members shall be entered into a journal of the proceedings of the Commission. The Board Chair shall make the final determination as to whether an action requires a motion or resolution.

Manner of Voting

Unless otherwise provided above, the voting on all questions coming before the Commission shall be by voice “yes,” “no,” or “abstaining” vote or by roll call vote at the call of the Commission President. Approving, dissenting, and abstaining votes shall be entered into the journal of the meetings, except where the vote is unanimous it shall only be necessary to so state. Unless waived by a majority of members present, business requiring a vote must appear on the previously published agenda of each meeting.

Official Action

Except as otherwise provided in these By-Laws or by law, the vote of a majority of the Commissioners present at a regular or special meeting in which a quorum is present shall constitute an official action by the Commission.

Article VI – Approval and Amendments

Approval of By-Laws

These By-Laws must be approved by at least 3 members of the Commission at a meeting held after thirty (30) days written notice of the proposed By-Laws to all Commission members.

Amendments to By-Laws

The By-Laws of the Commission shall be amended only with the approval of at least three of the members of the Commission at a regular or special meeting called after thirty (30) days written notice of the proposed Amendments to these By-Laws to all Commission members.