

S T A T E O F M I C H I G A N

BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEGAN

ECONOMIC DEVELOPMENT COMMISSION-ADOPT REVISED BY-LAWS

BE IT RESOLVED, that the Allegan County Board of Commissioners hereby approves the revised by-laws of the Allegan County Economic Development, as attached; and

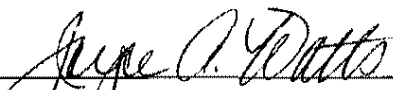
BE IT FURTHER RESOLVED, the Board Chairman and/or County Administrator is authorized to sign the necessary documents on behalf of the County.

Moved by Commissioner Kapenga, seconded by Commissioner Storey to amend the by-laws; Article IV, Section 5 to read:

*Quorum. A majority of the members of the Commission ~~then in office elected~~ constitutes a quorum for the transaction of the business at any meeting of the Commission,*

The motion as amended was approved by roll call vote: Yes - 6 votes. No - 0 votes. Absent - 1 vote.

ATTEST, A TRUE COPY

  
\_\_\_\_\_, Clerk-Register  
APPROVED: December 8, 2016

cc: Admin. - Finance - Human Resources - Economic Development

# **Allegan County Economic Development Commission Bylaws**

The Allegan County Economic Development Commission, hereinafter referred to as “Commission”, is an agency of the County established pursuant to Act 46, Public Acts of Michigan 1966, as amended, and subject to the general control of the County Board of Commissioners, hereinafter referred to as “Board”. The Board may make such rules and regulations in respect to the Commission as it deems necessary.

## **ARTICLE I – PURPOSE**

Section 1. The Commission shall be a voluntary organization created by Allegan County to foster cooperative efforts that will enhance economic development opportunities in the region. The Commission shall assist in providing guidance regarding the Economic Development initiatives for County Economic Development and shall assist in the achievement of economic development goals for Allegan County. In addition, the purpose of the Commission is to:

- A. Investigate and study the conditions affecting the economy of the area, technical studies and statistical research and surveys necessary or useful for the expansion of the economy, and the collection and dissemination of such information.
- B. Recommend to the Board for the study and elimination of restrictions, barriers and burdens imposed by law or otherwise, which may adversely affect or retard the development and expansion of area industry, commerce or agriculture.
- C. Study and advise the Board, industry and interested organizations and associations as to means and methods of providing financing for economic expansion in the county or region.
- D. Promote and encourage the expansion and development of markets for products of the County.
- E. Publicize the material, economic and cultural advantages of the County.
- F. Conduct research and make recommendations to the Board for the general purpose of guiding and accomplishing a coordinated and efficient development of the County in accordance with present and future needs and to best utilize County resources.

## **ARTICLE II - MEMBERSHIP**

Section 1. The Commission shall consist of fifteen members who shall be elected by the County Board of Commissioners. The fifteen memberships will be filled on a priority basis as follows:

### **Priority 1: Economic Development Focus Area**

There should be one representative for each of the following twelve focus areas:

- Agriculture
- Arts and Culture

- Downtowns
- Education – K-12 and post-secondary
- Manufacturing/Industry
- Real Estate/Development
- Recreation and Tourism
- Healthcare
- Workforce Development
- Utilities
- Non-Profit
- Private Sector

In addition to these twelve focus areas, there shall be two County Commissioners and a member of the public at-large. Not more than two County Commissioners shall be on the Economic Development Commission.

**Priority 2: Geography**

Recognizing that Allegan County is large and geographically diverse, membership on the Commission shall be filled with representatives from all regions of the County to the extent possible.

- Section 2. **Terms, Replacement and Vacancies.** Of the initial members elected, an equal number, or as near as practicable, shall be elected for one year, two years and three years. Thereafter, each member shall serve for a term of three years. Subsequent Commissioners shall be elected in the same manner as original members at the expiration of each Commissioner’s term of office. A Commissioner whose term of office has expired shall continue to hold office until the Board has elected his/her successor. The Board may reelect a Commissioner to serve additional terms. If a vacancy is created, the Board shall elect a successor within sixty (60) days to hold office for the remainder of the term of office so vacated.
- Section 3. **Removal.** By a majority vote, the Commission may recommend to the Board that a Commissioner be removed from office for one or more of the following reasons: inefficiency, neglect of duty, misconduct, malfeasance or missing 50% or more of regularly scheduled Commission meetings in a given calendar year.
- Section 4. **Conflict of Interest.** A Commissioner who has a direct interest in any matter before the Commission shall disclose his/her interest prior to any discussion of the matter by the Commission, which disclosure shall become a part of the record of the Commission’s official proceedings. The interested Commissioner shall further refrain from participation in the Commission’s action relating to the matter. Each Commissioner, upon taking office and annually thereafter, shall acknowledge in writing that they have read and agree to abide by this section.

Section. 5. **Compensation.** Members of the Commission may receive compensation and mileage, as set by the Board. The members of the Commission shall not be full-time officers. All members of the Commission shall be reimbursed for actual, reasonable and necessary expenses incurred in the discharge of their duties.

### ARTICLE III – OFFICERS

Section 1. **Officers.** The officers of the Commission shall be elected by the Commission and shall consist of a Chairperson, Vice Chairperson, and Secretary. The Commission may also appoint a Recording Secretary who need not be a member of the Commission. An officer shall not execute, acknowledge, or verify an instrument in more than one capacity if the instrument is required by law or the Bylaws to be executed, acknowledged or verified by two or more officers.

Section 2. **Nomination, Election and Term of Office.** The officers of the Commission shall be elected by the Commission at an annual meeting held during the first calendar quarter of each year. The term of each office shall be for one (1) year. Each officer shall hold office until his/her successor is elected. No person shall hold the same office for more than three successive terms.

Section 3. **Vacancies.** A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled at any meeting of the Commission for the unexpired portion of the term of such office.

Section 4. **Chairperson and Vice Chairperson.** The Chairperson shall be the chief executive officer of the Commission, and may from time-to-time delegate all or any part of his/her duties to the Vice Chairperson. In his/her absence, the Vice Chairperson, shall preside at all meetings of the Commission. He or she shall have general and active management of the business of the Commission and shall perform all the duties of the office as provided by the law or these Bylaws.

Section 5. **Secretary and Recording Secretary.** The Secretary or Recording Secretary shall attend all meetings of the Commission and record all votes and minutes of all proceedings and shall perform like duties for the standing committees when required. They shall further perform all duties of the office of Secretary or Recording Secretary as provided by law or these Bylaws. They shall be sworn to the faithful discharge of these duties.

Section 6. **Delegation of Duties of Offices.** In the absence of any officer of the Commission, or for any other reason that the Commissioners may deem sufficient, the Commission may delegate, from time-to-time and for such time as it may deem appropriate, the powers or duties of such officer to any other officer, or to any Commissioner, provided a majority of the Commission then in office concurs therein.

#### ARTICLE IV - MEETINGS

- Section 1. **Regular Meetings.** The Commission shall hold, at a minimum, four regular meetings per year. Date, time and location for these meetings shall be determined by the Commission.
- Section 2. **Annual Meeting.** The Annual Meeting, which shall be for the purpose of the election of officers, shall be held at the time of the first regular meeting of each year.
- Section 3. **Special Meetings.** The Chairperson or any group of three Commissioners may call a special meeting of the entire Commission, provided each Commissioner is given at least 48 hours advance notice of the meeting and the purpose of the meeting.
- Section 4. **Notice.** Notice of any meetings shall be given in accordance with the Open Meetings Act (Act No. 267 of the Public Acts of 1976 as amended).
- Section 5. **Quorum.** A majority of the members of the Commission elected constitutes a quorum for the transaction of the business at any meeting of the Commission, provided that a majority of the Commission present may adjourn the meeting from time-to-time without further notice. The vote of the majority of the Commissioners present at a meeting at which a quorum is present constitutes the action of the Commission, unless the vote of a larger number is required by statute or by these Bylaws.
- Section 6. **Participation by Communication Equipment.** A member of the Commission or of a committee designated by the Commission may participate in a meeting by means of conference telephone or similar communication equipment by means of which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this provision constitutes presence at the meeting.
- Section 7. **Proceedings.** Proceedings of all meetings of the full Commission shall be governed by the current edition of Robert's Rules of Order and minutes shall be kept and distributed in accordance with the Open Meetings Act (Act No. 267 of the Public Acts of 1976 as amended).
- Section 8. **Committees.** Groups or individuals that represent stakeholder interests can be incorporated into economic development activities as members of short-term, project-specific committees. These committees shall be formed on an ad-hoc basis to complete specific tasks or projects and shall be elected by the Commission as needed.

#### ARTICLE V – FISCAL YEAR

- Section 1. The fiscal year of the Commission shall correspond at all times to the fiscal year of the County of Allegan.

ARTICLE VI – STAFFING

Section 1. **Appointment of Employees.** For the purpose of P.A. 46 of 1966, Section 125.1233, the Director of County Development shall be considered the only appointee of this Commission. Said appointee shall be an employee of Allegan County, reporting directly to the County Administrator, and shall be subject to all County policy as established by the Board of Commissioners. Additional resources may be provided through the Department of County Development consistent with the department’s annual budget as approved by the Board.

ARTICLE VII – MISCELLANEOUS

Section 1. **Waiver of Notice.** When the Commission or any committee thereof may take action after notice to any person or after lapse of a prescribed period of time, the action may be taken without notice and without lapse of the period of time, if at any time before or after the action is completed the person entitled to notice or to participation in the action to be taken submits a signed waiver of such requirements.

ARTICLE VIII - AMENDMENTS

Section 1. Any amendments to these bylaws are subject to final Board approval.

Section 2. **Date of Approval.** These bylaws were approved **December 8, 2016** and shall become effective on that date.

**Signed By:**

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Chairperson \_\_\_\_\_ Date \_\_\_\_\_

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Secretary \_\_\_\_\_ Date \_\_\_\_\_