

CHARTER TOWNSHIP OF FLUSHING
6524 N. SEYMOUR ROAD
FLUSHING, MICHIGAN 48433
810-659-0800 FAX: 810-659-4212
MINUTES OF THE PLANNING COMMISSION MEETING
DATE: April 8, 2019 TIME: 7:00 P.M.
WEB ADDRESS <http://www.flushingtowship.com>

MEMBERS OF PLANNING COMMISSION

Chair – Jerome Doyle	Ronald Voigt
Vice Chair – Mark Newman	Christopher Czyzio
Secretary – Ronald Flowers	William Mills
Board of Trustees Representative – Terry A. Peck	
Joyce A. Wilson, Recording Secretary	

PRESENT: Ronald Flowers, Ronald Voigt, Mark Newman and Christopher Czyzio

ABSENT: Jerome Doyle, William Mills and Terry Peck

OTHERS PRESENT: Three other individuals

I. MEETING CALLED TO ORDER at 7:09 P.M. by Planning Commission Vice Chair **MARK NEWMAN** with Roll Call and Pledge to the American Flag.

II. APPROVAL OF AGENDA: COMMISSIONER FLOWERS MOVED, supported by Commissioner Voigt to approve the agenda as submitted.

THE MOTION CARRIED.

III. APPROVAL OF PREVIOUS MINUTES:

COMMISSIONER FLOWERS MOVED, supported by Commissioner Czyzio to approve the minutes of the February 11, 2019 meeting.

THE MOTION CARRIED.

IV. OLD BUSINESS: None

V. NEW BUSINESS:

1. Discussion of Planning Commission By-Laws with Rowe Engineering

Ms. Caitlyn Habben of Rowe Engineering was present to review with the Planning Commission the existing By-Laws and Rules of Procedures. In addition, the Planning Commission had received some suggested updated By-Laws prepared by Ms. Habben of Rowe Engineering. A copy of the revised By-Laws is made a part of the official minutes and included below:

**CHARTER TOWNSHIP OF FLUSHING PLANNING COMMISSION
BY-LAWS AND RULES OF PROCEDURES**

Article 1. AUTHORITY

These rules of procedures are adopted by the Charter Township of Flushing, Genesee County, Planning Commission (hereafter referred to as the Commission) pursuant to Public Act 33 of 2008, as amended, and Public Act 267 of 1976, as amended, the Open Meetings Act. These Bylaws are adopted by the Commission to facilitate the performance of its duties as outlined in P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act. These Bylaws are also adopted to facilitate the duties of the Commission for administration of a zoning ordinance as outlined in P.A. 110 of 2006, as amended, being the Michigan Zoning Enabling.

Article 2. MEMBERSHIP

2.1 Membership: The Planning Commission shall consist of seven (7) members. One of the Planning Commission members shall be a Township Board member. The seven (7) members, as established by the Township board, are appointed by the Township Supervisor. The term of the Planning Commission members is three (3) years. Planning Commission members may be reappointed.

Article 3. OFFICERS

3.1 Selection: At the January meeting, the Commission shall select from its membership a Chairperson, Vice-Chairperson, and Secretary who shall serve for a twelve (12) month period and who shall be eligible for re-election.

3.2 Duties: The three positions of Chairperson, Vice-Chairperson, and Secretary shall have the following duties:

- a. A Chairperson shall preside at all meetings and shall conduct all meetings in accordance with the rules provided herein.
- b. The Vice-Chairperson shall act in the capacity of the Chairperson in the absence of the Chairperson and shall succeed to the office of Chairperson in the event of a vacancy in that office, in which case the Commission shall select a successor to the office of Vice Chairperson at the earliest practicable time.
- c. The Secretary shall be responsible for signing the minutes to certify them and other documents as directed by the Planning Commission. In the event the Secretary is absent, the Chairperson or acting Chairperson shall appoint a temporary Secretary for such meeting.
- d. ~~The Township Clerk or the Clerk's designee will serve as the recording secretary of the Planning Commission for purposes of recording and preparing a draft of the proposed minutes for each meeting for the secretary to review prior to presenting to the Planning Commission.~~

3.3 Tenure: The officers shall take office immediately following their election. They shall hold their office for a term of one (1) year, or until their successors are elected and assume office.

Article 4. MEETINGS:

~~4.1 Preliminary Review: Designated Township Staff and members of the Planning Commission designated by the Chairperson shall meet to discuss the preliminary plan with the applicant. Preliminary review can be requested by the applicant and are optional.~~

~~4.21 Meeting Notices: All meetings shall be posted at the Charter Township of Flushing Hall according to the Open Meetings Act.~~ The notice shall include the date and time of the meeting.

~~4.32 Regular Meeting: Regular meetings of the Commission shall be held monthly in the Charter Township of Flushing Hall on a date established by the Commission and approved by the Board of Trustees. Any changes in the date or time of the regular meetings shall be posted and noticed in the same manner as originally established. When a regular meeting date falls on or near a legal holiday, the Commission shall select suitable alternate dates in the same month. in accordance with the Open Meetings Act.~~

~~4.43 Hearings: Hearings shall be scheduled and due notice given in accordance with the provision of the Acts and ordinance cited in Section 1. Public Hearings conducted by the Planning Commission shall be run in an orderly and timely fashion. This shall be accomplished by the following procedure:~~

- a. The public hearing will be opened.
- b. Staff reports if any shall be presented.
- c. The public shall be invited to speak on the matter. Each speaker will be asked to give their name and address for the record. Each speaker shall be limited to ~~five-three~~ **(35)** minutes. The Chairperson may grant additional time to any speaker.
- d. Following public comment, the Planning Commission will question staff and the public.
- e. Following questioning by the Commission, members of the Planning Commission will close the public hearing portion of the meeting. The Commission members will discuss the matter and take whatever action is appropriate.

4.54 Motions: Motions shall be restated by the Chairperson before a vote is taken. The name of the maker and supporters of the motions shall be recorded.

4.65—Quorums: ~~Five~~ **Four (45)** members, or a majority of the persons currently seated on the Planning Commission, shall constitute a quorum for the transaction of business and the taking of official actions.

- a. No official action shall be taken as to the adoption of the Township's Master Plan to the Township Board without an affirmative vote of 2/3 of the members, as required Section 43(2) of the Michigan Planning Enabling Act.
- b. Any amendment or other business is based on the majority of those members present.
- c. Whenever a quorum is not present at a regular or special meeting, those present may adjourn the meeting to another time or may meet for the purpose of accumulating public comments on such matters as are on the agenda. No official action(s) may be taken.

Article 5. Conflict of Interest and Incompatibility of Office:

5.1 Consist of: A conflict of interest shall be defined as potential or real interest where the decision of a member may be affected by self-interest. Each member of the Commission shall avoid conflicts of interest and/or incompatibility of office. As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:

- a. Issuing, deliberating on, voting on, or reviewing a case concerning him or her.
- b. Issuing, deliberating on, voting on, or reviewing a case concerning work on land owned by him or her or which is adjacent to land owned by him or her.
- c. Issuing, deliberating on, voting on, or reviewing a case involving a corporation,

company, partnership, or any other entity in which he or she is a part owner, or any other relationship where he or she may stand to have a financial gain or loss.

d. Issuing, deliberating on, voting on, or reviewing a case which is an action which results in a pecuniary benefit to him or her.

e. Issuing, deliberating on, voting on, or reviewing a case where his or her employee or employer is an applicant or agent for an applicant, or has a direct interest in the outcome.

ef If a member believes an issue before the Commission may place the member in a conflict of interest, the member shall disclose the circumstances of the possible conflict of interest to the Commission. The Commission, by majority vote, shall decide if the situation involves a conflict of interest. If the Commission determines a conflict of interest exists, the affected member shall leave the table.

5.2 Declaring: When a conflict of interest exists, the member of the Commission, or committee, shall do all of the following immediately, upon first knowledge of the case and determining that a conflict exists:

a. Declare a conflict exists at the next meeting of the Commission or committee;

b. Cease to participate at the Commission or committee meetings, or in any other manner, or represent one's self before the Commission, its staff, or others; and

c. During deliberation of the agenda item before the Commission or committee, leave the meeting or remove one's self from the front table where members of the Commission sit, until that agenda item is concluded.

d. If a member of the Commission is appointed to another office, which is an incompatible office with his or her membership on the Commission, then on the effective date of the appointment to the other office, that shall result in an automatic resignation from the Commission. If a member of another office is appointed to the Commission, which is an incompatible office with his or her membership in the other office, then on the effective date of the appointment to the Commission, that shall result in an automatic resignation from the other office.

Article 6. PUBLIC ENGAGEMENT:

All regular and special meetings, hearings, records, resolutions, transactions, and findings and determinations of the Planning Commission shall be open to the public.

The petitioner or the petitioners' representative shall be permitted a reasonable amount of time for presentation generally not to exceed five (5) minutes, to speak on issues before the Planning Commission or on topics of general interest to the Planning Commission.

All persons as part of public comment shall be given a reasonable amount of time, generally not to exceed three (3) minutes to speak on issues before the Planning Commission or on topics of general interest to the Planning Commission.

The Planning Commission **Chairperson** may grant additional time to any speaker ~~who has made prior arrangements with the Planning Department within 48 hours before the Planning Commission meeting.~~

Article 7. VOTING:

All members of the Planning Commission shall have an obligation to vote unless they have recused themselves

Article 8. FREEDOM OF INFORMATION PROVISIONS

All records, files, publications, correspondences, and other materials are available to the public for reading, copying, and other purposes as governed by the Freedom of Information Act (FIOA)

~~Article 8.~~ **Article 9. AMENDMENTS:**

These rules may be amended by 2/3 majority vote of the present members of the Planning Commission. All members shall receive an advance copy of the proposed amendments seven (7) days prior to the meeting at which such amendments are to be considered.

~~Article 9.~~ **Article 10. ADOPTION:**

These by-laws were amended at the _____, 2019 Planning Commission meeting and will take immediate effect and supersede all previous by-laws.

Supervisor Thorsby informed the Commission that Dennis Judson, the Township Assessor, will be appointed the Zoning Administrator as Mr. Thorsby had learned at a conference that the Supervisor should not be the Zoning Administrator.

VI. PUBLIC COMMENTS

OPEN FOR COMMENTS: 8:25 P.M.

No comments made

CLOSED FOR COMMENTS: 8:26 P.M.

VII. COMMISSION COMMENTS

No comments made

VIII. Next Regular Meeting: *Monday, Tuesday*, May 13, 2019 at 7:00 P.M.

ADJOURNMENT:

The meeting adjourned the meeting at 8:29 P.M.

MARK NEWMAN, Vice Chair

RONALD FLOWERS, Secretary

Date of Approval

Joyce A. Wilson, Recording Secretary
04/08/2019 Plan. Com. Mtg.