

ORDINANCE NO. 2001-1

STATE OF MICHIGAN
COUNTY OF MISSAUKEE COUNTY
BOARD OF COMMISSIONERS

FEBRUARY 13, 2001

ORDINANCE NO. 2001-1
EFFECTIVE MARCH 13, 2001, AS AMENDED

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WHEREAS, The People of Missaukee County did establish the Missaukee County Planning Commission Ordinance of December 9, 1968, and it is now desired to re-adopt this Ordinance to insure proper record of the action is created, NOW THEREFORE, THE PEOPLE OF MISSUKAEE COUNTY DO ORDAIN THAT SAID ORDINANCE SHALL READ AS FOLLOWS:

MISSAUKEE COUNTY PLANNING COMMISSION ORDINANCE

AN ORDINANCE to create a County Planning Commission for the County of Missaukee County as authorized by Act No. 282 of the Public Acts of 1945, as amended, being the County Planning Act, M.C.L. 125.101 et. seq. for the purpose of guiding and accomplishing a coordinated and harmonious development of the County of Missaukee County; and to function in cooperation with other constituted authorities of incorporated and unincorporated areas within the County of Missaukee County and to serve as a coordinating agency for all planning activities and commissions in the County.

THE PEOPLE OF MISSAUKEE COUNTY DO ORDAIN:

101. Creation

There shall be a Missaukee County Planning Commission pursuant to Act No. 282 of the Public Acts of 1945, as amended, hereinafter referred to as the Planning Commission with the powers and duties as therein set forth and staff Planning Department. This Ordinance shall be officially known and described as the "Missaukee County Planning Commission Ordinance."

102. Membership

- A. The Planning Commission shall consist of eleven (11) members appointed by the Missaukee County Board of Commissioners. To be qualified to be a member, and remain a member, of the Planning Commission the individual shall meet the following qualifications:
1. Shall be a resident of Missaukee County;
 2. Shall not be a declared candidate for any political office, except this condition shall not apply to the County Board representative to the Planning Commission (section 102.B.9, of this Ordinance);
 3. Shall not be a member of a township board, planning commission, zoning board or zoning board of appeals;
 4. After an individual's first appointment and before reappointment, should have attended training for county planning commission members, pursuant to section 102.D of this Ordinance;
 5. Shall meet the conditions provided for each individual member provided for in section 102.B of this Ordinance, except the geographical location of the individual's residency may be considered optional.

- B. Whenever possible, the membership shall be representative of the important geographic and interest segments of the County of Missaukee, as follows:
1. One citizen at-large member representing interests of Missaukee County shall be appointed for a three year term of office, or remainder of an unexpired term of office, or an initial three year term of office who meet the following conditions:
 - a. Shall be appointed from names submitted response to advertisements in a newspaper with paid circulation in Missaukee County, and;
 - b. Shall not hold any other office or position in Missaukee County Government other than by virtue of membership on the Planning Commission.
 2. One citizen member representing the environmental interests of Missaukee County shall be appointed for a three year term of office, or remainder of an unexpired term of office, or an initial three year term of office, who meet the following conditions:
 - a. Shall be appointed from names submitted in response to advertisements in a newspaper with paid circulation in Missaukee County, and;
 - b. Shall not hold any other office or position in Missaukee County Government other than by virtue of membership on the Planning Commission, or
 3. Once citizen member representing the agricultural, forestry, or land use interests of Missaukee County shall be appointed for a three year term of office, or remainder of an unexpired term of office, or an initial three year term of office, who meet the following conditions:
 - a. Shall have a background in agriculture and/or agriculture related enterprise, forestry or land use; and
 - b. Shall be appointed from names submitted in response to advertisements in a newspaper with paid circulation in Missaukee County; and
 - c. Shall not hold any other office or position in Missaukee County Government other than by virtue of membership on the Planning Commission; and
 4. One citizen member representing the governmental municipal interests of Missaukee County shall be appointed for a three year term of office, or remainder of an unexpired term of office, or an initial two year term of office, who meet the following conditions:
 - a. Shall be appointed by the County Board from names nominated by the Missaukee County Chapter of the Michigan Townships Association; and
 - b. Shall not hold any other office or position in Missaukee County government other than by virtue of membership on the Planning Commission; and
 - c. May, when possible, be a resident of a township (not a village or city), and
 5. One member representing recreational and tourist interests of Missaukee County shall be appointed for a three year term of office, or remainder of an unexpired term of office, or an initial two year term of office, who meet the follow conditions:
 - a. Shall be appointed by the County Board from names nominated by the Missaukee County Park Commission; and
 - b. Shall not hold any other office or position in Missaukee County Government other than by virtue of membership on the Park Commission and/or Planning Commission; and
 6. One citizen member representing the commercial, industrial and economic interests of Missaukee County shall be appointed

for a three year term of office, or remainder of an unexpired term of office, or an initial two year term of office, who meet the following conditions:

- a. Shall have a background in commercial, industrial or economic development; and
 - b. Shall be appointed by the County Board from names submitted in response to advertisements in a newspaper with paid circulation in Missaukee County; and
 - c. Shall not hold any other office or position in Missaukee County Government other than by virtue of membership on the Planning Commission; and
7. One member representing the transportation, communication interests of Missaukee County shall be appointed for a three year term of office, or remainder of an unexpired term of office, or an initial one year term of office, who meet the following conditions:
- a. Shall be a member of the Manager of the Missaukee County Road Commission; and
 - b. Shall be appointed from names nominated by the Missaukee County Board of Commissioners; and
8. One member representing sanitation, environmental health, housing or human services interests of Missaukee County shall be appointed for a three year term of office or remainder of an unexpired term of office, or an initial one year term of office, who meet the following conditions:
- a. Shall be an employee of the environmental health division of the public health department, or district, which has jurisdiction in Missaukee County, or a member of a county housing committee or county-wide housing organization, or a member in good standing of a county-wide human services coordination organization; and
 - b. Who shall be appointed from names nominated by the environmental health division of the public health department, or district, which has jurisdiction in Missaukee County, or the county housing committee, housing organization, or human services coordination organization; and
9. One member shall be a member of the County Board of Commissioners who meet the following conditions:
- a. Shall be the county's representative, or their designee, to the state multiple-County regional planning agency Missaukee County is within or their designee; and
 - b. Shall be a member of the county zoning board, if one exists; and
 - c. Shall be appointed for a term of office which is concurrent with their elected position on the County Board.
10. One member shall be a member of the County Board of Commissioners who can meet the following conditions:
- a. Shall be the representative to the County Board of Commissioners; and
 - b. Shall be appointed for a term of office which is concurrent with their elected position on the County Board.
11. One member shall represent the Extension service in Missaukee County who meet the following conditions:
- a. Shall be the Extension Director or his/her appointee; and
 - b. Shall be appointed for a term of office which is concurrent with their position with the Extension Service.
 - c. Participating in discussion but non-voting members may be appointed by the Board of Commissioners to serve as technical advisors to the Planning Commission. These non-voting members shall not be paid per diem,

travel, for attending meetings, nor shall vote or make motions. The Commission, in its Rules of Procedure, may include additional officials as "participating in discussion but non-voting members."

- d. Appointed members of the Commission should attend educational programs designed for training members of Michigan Planning Commissions if the adopted Missaukee County budget for that fiscal year includes funds to pay for tuition and travel expenses for the training. Nothing in this paragraph shall deem a member who has not had training from finishing his term of office unless the member resigns or is removed by action of the County Board.

103. Members, Appointment, and terms

In October of each year the Missaukee County Planning director shall determine which members' terms of office expire, shall determine what organizations qualify to nominate members and shall contact, by first class mail, those organizations to solicit nominations. In November of each year if the Planning Director has not received at least two nominations for each office, then the County Clerk shall place an advertisement(s) in a newspaper with paid circulation in Missaukee County to seek additional applications. In December of each year the Missaukee County Board of Commissioners shall consider the applications and nominations received, and appoint members to the Planning Commission by a majority vote for a three year term of office which shall end December 31 of the respective year.

104. Membership; Vacancies

The Missaukee County Board of Commissioners shall fill any vacancy in the membership of the Planning Commission for the unexpired terms in the same manner as the initial appointment and may remove any member for nonperformance of duty or misconduct upon public hearing.

105. Membership, Transition

The Missaukee County Board of Commissioners shall appoint all members of the Planning Commission as specified in Section 101 of the Ordinance in the first instance at the first County Board meeting held in December or within two months, whichever is first, following the effective date of this ordinance. The terms of office of the current Planning Commission shall terminate upon appointment of new members as specified here. The citizen members shall be selected in the first instance from the current members of the Planning Commission who qualify, if any.

106. Membership, Compensation

All voting members of the Planning Commission shall serve as such with compensation equal to the per diem set by the County Board of Commissioners per meeting plus mileage.

107. Meetings

The Planning Commission shall meet at least once every month a majority of the Planning Commission shall constitute a quorum for the transaction of the ordinary business of said Planning Commission. All questions which shall arise at their meetings shall be determined by a vote of the majority of the members of the Planning Commission.

108. Powers and Duties
- a. The Planning Commission shall have their powers and duties as set forth in Act 282 of the Public Acts of 1945, as amended; and Act 183 of the Public Acts of 1943, as amended; and the Planning Commission shall serve as a coordinating agency for all planning committees or commissions that are now or may be within the County of Missaukee County.
 - b. The Planning Commission shall have authority to apply for and receive grants from any government agency, federal government and to receive gifts.
109. Meetings; Records
The Planning Commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which records shall be a public record.
110. Approval, Ratification, and Reconfirmation
All official action taken by the Missaukee County Planning Commission under the Ordinance originally adopted by the County Board on December 9, 1968, and amended August 13, 1973, adopted by the Missaukee County Board of Commissioners is hereby approved, ratified and reconfirmed. The Ordinance shall be in full force and effect from and after its passage and publication.

Passed by the Board of Commissioners of the County of Missaukee County on the 26th day of February, 2003, at its regular meeting with seven (7) commissioners in attendance, 7 voting aye, 0 nay.

Larry Griffith, Chairman
Missaukee County
Board of Commissioners

I hereby certify that the foregoing was duly adopted by the Board of Commissioners of Missaukee County, Michigan, at its regular meeting on the 13th of February, 2001, that of 9 members of the County Board of Commissioners, 7 were in attendance and 7 voted for the adoption of the Ordinance. I further certify that the above and foregoing Ordinance is identical in form with that recorded on the 13th of February, 2001, at page 09-1 in the Book of Ordinances in the County of Missaukee.

Carolyn Flore
Missaukee County Clerk

Adopted by the County Board: February 13, 2001
Published: February 23 and March 2, 2001
Effective Date: March 13, 2001

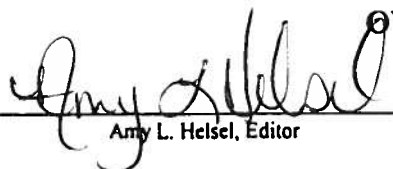
The Missaukee Sentinel

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PROOF OF PUBLICATION

I, Amy L. Helsel, being duly sworn deposes and says that she is an owner and managing partner of *The Missaukee Sentinel* newspaper, a publication of Missaukee Review, Inc., of which she is a corporate officer, published in Lake City, Michigan and in the County of Missaukee in said state and circulating in said County, and that she is familiar with the facts herein set forth; that the order of petition of which printed copy is hereto annexed were published in said newspaper once each week for two successive weeks next prior to the time fixed for the hearing thereof, and that the publication of said order and petition was made in said newspaper on the

Missaukee Co. Planning Commission
Ordinance Amendment on February 23, 2001
and March 2, 2001.

Signed  **OWNER**
Amy L. Helsel, Editor

Dated 3-2-01

**PROPOSED
AMENDMENT TO
MISSAUKEE COUNTY
PLANNING COMMISSION
ORDINANCE 01-1
EFFECTIVE
MARCH 13, 2001**

WHEREAS, The People of Missaukee County did establish the Missaukee County Planning Commission Ordinance of December 9, 1968, and it is now desired to re-adopt this ordinance to insure proper record of the action is created. NOW THEREFORE, THE PEOPLE OF MISSAUKEE COUNTY DO ORDAIN THAT SAID ORDINANCE SHALL READ AS FOLLOWS:

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PLANNING COMMISSION
ORDINANCE**

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THE PEOPLE OF MISSAUKEE COUNTY DO ORDAIN:

101: Creation:

There shall be a Missaukee County Planning Commission pursuant to Act No. 282 of the Public Acts of 1945, as amended, hereinafter referred to as the Planning Commission with the powers and duties as therein set forth and as hereinafter provided and staffed Planning Department. This

ordinance shall be officially known and described as the "Missaukee County Planning Commission Ordinance."

102: Membership:

A. The Planning Commission shall consist of eleven (11) members appointed by the Missaukee County Board of Commissioners. To be qualified to be a member, and remain a member, of the Planning Commission the individual shall meet the following qualifications:

1. Shall be a resident of Missaukee County;

2. Shall not be a declared candidate for any political office, except this condition shall not apply to the County Board representative to the Planning Commission (section 102.B.9, of this ordinance);

3. Shall not be a member of a township board, planning commission, zoning board or zoning board of appeals;

4. After an individual's first appointment and before reappointment should have attended training for county planning commission members, pursuant to section 102.D of this ordinance;

5. Shall meet the conditions provided for each individual member provided for in section 102.B of this Ordinance, except the geographical location of the individual's residency may be considered optional.

B. Whenever possible, the membership shall be representative of the important geographic and interest segments of the County of Missaukee, as follows:

1. One citizen at-large member representing interests of Missaukee County shall be appointed for a three year term of office, or remainder of an unexpired term of office, or an initial three year term of office who meet the following conditions:

a. Shall be appointed from names submitted in response to advertisements in a newspaper with paid circulation in Missaukee County, and;

b. Shall not hold any other office or position in Missaukee County government other than by

virtue of membership on the Planning Commission.

2. One citizen member representing the environmental interests of Missaukee County shall be appointed for a three year term of office, or remainder of an unexpired term of office, or an initial three year term of office, who meet the following conditions:

a. Shall be appointed from names submitted in response to advertisements in a newspaper with paid circulation in Missaukee County, and;

b. Shall not hold any other office or position in Missaukee County Government other than by virtue of membership of the Planning Commission; or

3. One citizen member representing the agricultural, forestry, or land use interests of Missaukee County shall be appointed for a three year term of office, or remainder of an unexpired term of office, or an initial three year term of office, who meet the following conditions:

a. Shall have a background in agriculture and/or agriculture related enterprise, forestry or land use; and

b. Shall be appointed from names submitted in response to advertisements in a newspaper with paid circulation in Missaukee County; and

c. Shall not hold any other office or position in Missaukee County Government other than by virtue of membership on the Planning Commission; and

4. One citizen member representing the governmental municipal interests of Missaukee County shall be appointed for a three year term of office, or remainder of an unexpired term of office, or an initial two year term of office, who meet the following conditions:

a. Shall be appointed by the County Board from names nominated by the Missaukee County Chapter of the Michigan Townships Association; and

b. Shall not hold any other office or position in Missaukee County Government other than by

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virtue of membership on the Planning Commission; and

c. May, when possible, be a resident of a township (not a village or city), and

5. One member representing recreational and tourist interests of Missaukee County shall be appointed for a three year term of office, or remainder of an unexpired term of office, or an initial two year term of office, who meet the following conditions:

d. Shall be appointed by the County Board from names nominated by the Missaukee County Park Commission; and

e. Shall not hold any other office or position in Missaukee County Government other than by virtue of membership on the Park Commission and/or Planning Commission; and

6. One citizen member representing the commercial, industrial and economic interests of Missaukee County shall be appointed for a three year term of office, or remainder of an unexpired term of office, or an initial two year term of office, who meet the following conditions:

f. Shall have a background in commercial, industrial or economic development; and

g. Shall be appointed by the County Board from names submitted in response to advertisements in a newspaper with paid circulation in Missaukee County; and

h. Shall not hold any other office or position in Missaukee County government other than by virtue of membership on the Planning Commission; and

7. One member representing the transportation, communication interests of Missaukee County shall be appointed for a three year term of office, or remainder of an unexpired term of office, or an initial one year term of office, who meet the following conditions:

a. Shall be a member of the Missaukee County Board of Road Commissioners or the Manager of the Missaukee County Road Commission; and

b. Shall be appointed from names nominated by the Missaukee County Board of Road Commissioners; and

8. One member representing sanitation, environmental health, housing or human services interests of Missaukee County shall be appointed for a three year term of office of remainder of an unexpired term of office, or an initial one year term of office, who meet the following conditions:

a. Shall be an employee of the environmental health division of the public health department, or district, which has jurisdiction in

Missaukee County, or a member of a county housing committee or county-wide housing organization, or a member in good standing of a county-wide human services coordination organization; and

b. Who shall be appointed from names nominated by the environmental health division of the public health department, or district, which has jurisdiction in Missaukee County, or the county housing committee, housing organization, or human services coordination organization; and

9. One member shall be a member of the County Board of Commissioners who meet the following conditions:

a. Shall be the county's representative to the state multiple-county regional planning agency Missaukee County is within; and

b. Shall be a member of the county zoning board, if one exists; and

c. Shall be appointed for a term of office which is concurrent with their elected position on the County Board.

10. One member shall be a member of the County Board of Commissioners who meet the following conditions.

a. Shall be the representative to the County Board of Commissioners; and

b. Shall be appointed for a term of office which is concurrent with their elected position on the County Board.

11. One member shall represent the Extension Service in Missaukee County who meet the following conditions:

a. Shall be the Extension Director or his/her appointee; and

b. Shall be appointed for a term of office which is concurrent with their position with the Extension Service.

C. Participating in discussion but non-voting members may be appointed by the Board of Commissioners to serve as technical advisors to the Planning Commission. These non-voting members shall not be paid per diem, travel, for attending meetings, nor shall vote or make motions. The Commission, in its Rules of Procedure, may include additional officials as "participating in discussion but non-voting members."

D. Appointed members of the Commission should attend educational programs designed for training members of Michigan planning commissions if the adopted Missaukee County budget for that fiscal year includes funds to pay for tuition and travel expenses for the training. Nothing in this paragraph shall deem a member who has not had training from finishing his term of office

unless the member resigns or is removed by action of the County Board.

103. Members, Appointment and Terms:

In October of each year the Missaukee County Planning Director shall determine which members' terms of office expire, shall determine what organizations qualify to nominate members and shall contact, by first class mail, those organizations to solicit nominations. In November of each year if the Planning Director has not received at least two nominations for each office, then the County Clerk shall place an advertisement(s) in a newspaper with paid circulation in Missaukee County to seek additional applications. In December of each year the Missaukee County Board of Commissioners shall consider the applications and nominations received, and appoint members of the Planning Commission by a majority vote for a three year term of office which shall end December 31 of the respective year.

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The Missaukee County Board of Commissioners shall fill any vacancy in the membership of the Planning Commission for the unexpired terms in the same manner as the initial appointment and may remove any member for nonperformance of duty or misconduct upon public hearing.

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The Missaukee County Board of Commissioners shall appoint all members of the Planning Commission as specified in Section 101 of the Ordinance in the first instance at the first County Board meeting held in December or within two months, whichever is first, following the effective date of this ordinance. The terms of office of the current Planning Commission shall terminate upon appointment of new members as specified here. The citizen members shall be selected in the first instance from the current members of the Planning Commission who qualify, if any.

106. Membership; Compensation:

All voting members of the Planning Commission shall serve as such with compensation equal to the per diem set by the County Board of Commissioners per meeting plus mileage.

107. Meetings:

The planning Commission shall meet at least once every month and a majority of the Planning Commission shall constitute a quorum for the transaction of the ordinary business of said Planning Commission. All questions which shall arise at their meetings shall be determined by a vote of the

majority of the members of the Planning Commission.

108. Powers and Duties:

A. The Planning Commission shall have their powers and duties as set forth in Act 282 of the Public Acts of 1945, as amended; and Act 183 of the Public Acts of 1943; as amended; and the Planning Commission shall serve as a coordinating agency for all planning committees or commissions that are now or may be within the County of Missaukee County.

B. The Planning Commission shall have authority to apply for and receive grants from any government agency, federal government and to receive gifts.

109. Meetings; Records:

The Planning Commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which records shall be a public record.

110. Approval, Ratification, and Reconfirmation.

All official action taken by the Missaukee County Planning Commission under the Ordinance originally adopted by the County Board on December 9, 1968, and amended August 13, 1973, adopted by the Missaukee County Board of Commissioners is hereby approved, ratified and reconfirmed. This Ordinance shall be in full force and effect from and after its passage and publication