

BY LAWS OF THE
WESTERN UPPER PENINSULA CITIZENS ADVISORY COUNCIL

ARTICLE I – NAME

The name of this organization shall be the Western Upper Peninsula Citizens Advisory Council (COUNCIL).

ARTICLE II – PURPOSE

Per the UP Advisory Council and MDNR Charter, the COUNCIL will assist the Michigan Department of Natural Resources (MDNR) in being more responsive to the needs of the Western Upper Peninsula. The COUNCIL will advise MDNR on operating in an efficient and effective manner within the constraints of state and federal law, Michigan Natural Resources Commission rules, Department policies, and other legal binding documents (court rulings, etc.). The COUNCIL will provide the MDNR with information, ideas, emerging trends and initiatives in a setting that welcomes diverse interest and in turn provide a vehicle for MDNR to inform the COUNCIL and the broader public they represent about management of public resources.

ARTICLE III – COUNCIL MEMBERSHIP

Section 1: Composition

The COUNCIL shall consist of no more than 20 individuals residing in one of the 10 western counties of the Upper Peninsula of Michigan (Baraga, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Marquette, Menominee and Ontonagon), and be appointed by the UP Deputy Director with concurrence from the Director of the Department of Natural Resources.

Section 2: Substitutes

A COUNCIL member may send a substitute (delegate) who shall not have the voting power of the member. A COUNCIL member shall be considered absent even if a substitute (delegate) is present.

Section 3: Compensation

COUNCIL members shall serve without pay.

Section 4: Terms

COUNCIL members shall serve for terms of four years or until a successor is appointed, whichever is later. Original COUNCIL members shall be staggered in their appointments with one half (1/2) of the members appointed for two (2) years, one half (1/2) of the members appointed for four (4) years.

Section 4: Terms (continued)

In order to maintain the split of staggered terms of office individuals who are selected to fill vacancies on the COUNCIL shall be appointed to serve the unexpired portion of the term of the individual they replace. The staggered terms lengths are determined by the alphabetized list of initial COUNCIL members with the first named member serving a four year term and the second named member serving a two year term and so on down the list. (Added 11-09-2009)

ARTICLE IV – OFFICERS

Section 1: Title and Number

The elective officers of the COUNCIL shall be a Facilitator and Co-Facilitator.

Section 2: Election

Every year, at the first meeting of the year, the members of the COUNCIL shall elect officers from its membership. Officers shall be elected for a one-year term and are not term limited.

Section 3: Facilitator

The Facilitator shall preside and maintain order at meetings of the COUNCIL, serve as liaison to MDNR in arrangement of meetings, field trips, etc, and perform all duties generally pertaining to the office of Facilitator. The Facilitator shall also be the designated spokesperson for the COUNCIL. The COUNCIL shall reserve the right to designate other COUNCIL members to be spokesperson for specific issues and elect Committee Facilitators as needed.

Section 4: Co-Facilitator

The Co-Facilitator shall perform the duties of the Facilitator in his/her absence.

Section 5: Removal

The COUNCIL officers may be removed from office by a vote of 2/3's of majority of the members of the COUNCIL.

Section 6: Vacancies

The COUNCIL may elect a person to fill any vacancy among the elective officers. A person so elected shall serve for the remainder of the term. The time spent filling a vacancy shall not affect the eligibility to be elected to an officer position the following year.

ARTICLE V – MEETINGS

Section 1: Number

The COUNCIL shall meet at least six (6) times per calendar year.

Section 2: Special Meetings

Special meetings may be called by the concurrence of 2/3's or more COUNCIL members.

Section 3: Quorum

The presence of one (1) COUNCIL member over one-half (1/2) of the COUNCIL members appointed constitutes a quorum for the transaction of business at a meeting of the COUNCIL. Decisions of the COUNCIL on Policy Positions and Emergency Resolutions shall be made by Role Call Vote. Those COUNCIL members who vote against a decision can provide concerns/issues to accompany their decision. A majority of the members present and voting are required for official action of the COUNCIL.

Section 4: Policy Position

All proposed policy positions shall be sent to COUNCIL members at least seven (7) days in advance of the next scheduled meeting. Electronic mailings are acceptable.

Any recommendations or reports brought forward by a subcommittee of the COUNCIL must have approval of the majority of the committee of the whole prior to presenting any subcommittee report to any outside entity or to the Department of Natural Resources. (Added 11-09-2009)

Section 5: Emergency Resolutions

The adoption of emergency resolutions, those not sent out (or emailed) seven (7) days prior to the meeting, shall require the approval of three-fourths (3/4) of those present at the meeting for which there is a quorum.

Section 6: Official Records

The official records of the COUNCIL shall be kept by and at the offices of the MDNR. A writing prepared, owned, used, in the possession of or retained by the COUNCIL in the performance of an official function, is subject to the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246.

A MDNR staff member will take minutes during the COUNCIL meeting. A draft of the Meeting Summary will be emailed to COUNCIL members within eight (8) business days of the meeting. Comments received on the Meeting Summary will be incorporated for adoption at the next meeting.

Section 7: Notice

Notice of all meetings of the COUNCIL shall be given at least seven (7) days before the meeting. Meeting Summary of the previous meeting and Agenda with available supporting documentation for the upcoming meeting shall be sent (emailed) to COUNCIL members at least five (5) days prior the meeting (see Appendix A for draft Agenda).

Section 8: Open Meetings

Business that the COUNCIL may perform shall be conducted at a public meeting of the COUNCIL, and held in compliance with the Open Meetings Act, 1976 PA 267, MCL 15.261 to 15.275.

Section 9: Conduct

Roberts Rules of Order shall govern the COUNCIL in which they are not inconsistent with these by-laws, any special rules of order the COUNCIL may adopt, and any statute applicable to this organization. The current Scott, Foresman edition of Robert's Rules of Order shall be the official reference.

Section 10: Public Comment

Public citizens can ask to be placed on the agenda to provide comment on an issue for an upcoming COUNCIL meeting up to ten (10) days prior to the meeting. If public citizens are placed on the agenda, they will have a maximum of five (5) minutes to provide comment. Public citizens may also provide comment on the day of the COUNCIL meeting by filling out a public comment card; they will receive a maximum of three (3) minutes to provide comment. The public comment period will be during the meeting, prior to any decisions the COUNCIL is scheduled to make. Only one (1) individual can speak on behalf of an organization. The public comment portion of the Agenda shall be limited to thirty (30) minutes. The COUNCIL Reserves the right to extend the public comment period. The COUNCIL also reserves the right to extend the discussion privileges to a member of the public during that portion of the meeting in which the COUNCIL is considering an issue.

ARTICLE VI – REMOVAL OF COUNCIL MEMBERS

Section 1: Removal

The COUNCIL may recommend to the UP Deputy Director of the Department of Natural Resources the removal of a member of the COUNCIL for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause upon a 2/3's majority vote of the members.

Section 2: Non-Attendance of Meeting

An individual shall be removed from the COUNCIL if he or she misses three (3) consecutive regular meetings of the COUNCIL. A COUNCIL member shall be considered absent even if a substitute (delegate) is present.

ARTICLE VII – AMENDMENTS

These bylaws may be amended by a two-thirds (2/3) vote of the COUNCIL at a meeting at which a quorum is present, provided that the proposed amendment is circulated to the members

at least ten (10) days in advance of the regular or special meeting at which the members are to vote. The bylaws may not be suspended.

ADOPTED October 22, 2008
Revised and Re-Adopted November 9, 2009

Appendix A.

AGENDA

WESTERN UPPER PENINSULA CITIZENS ADVISORY COUNCIL
REGULAR MEETING

Day Date (Month, Day, Year) – Time PM (Eastern/Central)

Location (ADA accessible)

City, MI

(propose we rotate through the 10 counties of the western UP)

Baraga, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Marquette,
Menominee and Ontonagon

Call to Order

Adoption of Agenda

Approval of Previous Meeting Summary

Public Comment

Reports

Council Committees

UP Field Deputy

DNR Divisions

Special presentations by Council Invitation

Old Business

New Business

Next Meeting Date/Time/Location

Council Member Closing Comments

Adjourn

This notice is posted in compliance with Public Act 267 of 1976, as amended, the Open Meetings Act, MCLA 41.72A (2) (3) and the Americans with Disabilities Act (ADA).