

**MICHIGAN DEPARTMENT OF NATURAL RESOURCES
RULES OF PROCEDURE FOR THE
MICHIGAN TRAILS ADVISORY COUNCIL**

Approved May 20, 2020

ARTICLE I – PUBLIC MEETINGS

Section 1: Regular Meetings

Regular meetings of the Council may be held quarterly, or as needed, for the transaction of business as may be brought before the Council. Business that the Council may perform shall be conducted at a public meeting of the committee held in compliance with the Open Meetings Act, 1976 PA 267, MCL 15.261 to 15.275.

Section 2: Special Meetings

Special meetings of the Council may be called at any time by the Chairperson, or upon written request for same, filed by not less than two (2) members of the Council. All members of the Council shall be notified of special meetings at least fourteen (14) days before the date of the meeting. The reason for the meeting shall be stated and the Council shall discuss only the business stated.

Section 3: Public Meetings and Records

All meetings and records of the Council shall be open to the public. The official records of the Council shall be kept by and at the offices of the Department of Natural Resources (DNR). 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.

Section 4: Public Appearance

All persons wishing to address the Council must declare their intent by completing a **Public Appearance Card** prior to, or during the Public Appearance portion of the meeting. Persons addressing the Council will be requested to identify their name, address and the organization they belong to, if any. In those instances, in which a person is representing an organization, the presenter should indicate whether their comments represent the official views of the organization. Persons contacting the staff assistant on or before the Friday preceding the meeting will be allowed five (5) minutes for their presentation. Persons signing up after the Friday preceding the meeting will be allowed up to three (3) minutes at the discretion of the Chairperson. The Public Appearance segment of the meeting will last until closed by the Chairperson or by vote of the Council.

Section 5: Public Notices of Meetings

The Council, at its last regularly scheduled meeting of the calendar year, shall adopt a meeting schedule for the following calendar year. Public notice of the annual meeting schedule of regular meetings shall show the regular dates and times for the meetings and the place at which the meetings will be held. Public notice for all regular and special meetings shall be given by posting a copy of the notice on the Department of Natural Resource and Environment calendar and website. Agendas for regular meetings shall be posted on the website no later than fourteen (14) days prior to the meeting. Agendas for special meetings shall be posted on the website no later than seven (7) days prior to the meeting.

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Section 6: Quorum

Fifty-one percent (51%) or more, members of the Council, shall constitute a quorum at any regular or special meeting for the purpose of transacting business of the Council. Action can be taken only by a concurring vote of the majority of the Council membership present.

Section 7: Actions of the Council

The Council shall act through resolutions to express its will and intent and recommendations. A resolution may be offered by any Council member and shall be clearly worded to reflect the will and intent of the Council and shall be approved by a majority vote of the Council.

Section 8: Voting

Voting shall be by a voice vote. A roll call may be requested by any member of the Council at any time and be duly recorded in the minutes of the meeting. Any Council member with a conflict of interest on any issue shall declare themselves and abstain from voting on that issue. A majority vote of the remaining members will bind.

Section 9: Vacancy

A vacancy on the Council occurring other than by expiration of a term shall be filled by the Governor in the same manner as the original appointment for the balance of the unexpired term. A vacancy shall not affect the power of the remaining members to exercise the duties of the Council.

Section 10: Parliamentary Authority

All meetings shall be governed by any statute pertinent to this Council, and using simplified **Robert's Rules of Order**, in all cases where they are applicable, and in which they are not inconsistent with these **Rules of Procedure** and any special rules of order the Council may adopt. Those being: **Motion, Amendment, Amending the Amendment, Substitute Motion, Speaking on Motions or Amendments, End Debate, Table, Point of Information, Point of Order or Appeal from Chair.**

Section 11: Agenda

The agenda for each regular meeting shall be prepared by the Council's Staff Assistant, in consultation with the Chairperson and other Council Members, on the basis of all materials received by the staff assistant, either written or oral, fourteen (14) days before convening of the next regular meeting and published not less than seven (7) days prior to, or immediately upon, preparation of same. An agenda for special meetings shall be prepared and sent to Council Members with the notification of the meeting.

Section 12: Recording the Proceedings

The Council's Staff Assistant shall be responsible for recording and preparing the minutes of each regular and special Council meeting. The minutes shall be in the form of summary, except motions and resolutions of the Council.

ARTICLE II - OFFICERS

Section 1: Chairperson and Vice-Chairperson

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The Officers of the Council shall consist of a Chairperson and Vice-Chairperson. The Governor shall designate a member of the Council to serve as the Chairperson of the Council at the pleasure of the Governor. The Council may select a member of the Council to serve as Vice-Chairperson of the Council. An annual election shall be held for Vice-Chairperson.

Section 2: Chairperson Duties

The Chairperson shall normally represent the Council at such official functions as the Council shall specify. The Chairperson shall be charged with the responsibility of calling for such regular and special meetings of the Council, as are necessary, to enable the Council to carry out its assigned duties and responsibilities. The Chairperson shall preside over all such meetings and shall be entitled to vote on any matter the same as any other Council member.

Section 3: Vice-Chairperson Duties

The Vice-Chairperson shall preside in the absence of the Chairperson, and shall assume the duties of the Chairperson, whenever the absence of the Chairperson necessitates such action, or when the Chairperson shall request the Vice-Chairperson to preside when both are present.

ARTICLE III – DUTIES OF THE MEMBERS OF THE COUNCIL

Section 1: Council Duties

The Council shall advise the Director of the DNR and the Governor on the creation, development, operation, and maintenance of motorized and non-motorized trails in the state, including, but not limited to, snowmobile, biking, equestrian, hiking, off-road vehicle, and skiing trails. In advising the Director and Governor on the creation and development of motorized and non-motorized trails in the state, the Council shall seek to have the trails linked wherever possible. The Council may perform additional related duties as provided by Executive Orders No. 2009-45 and 2009-54, other law, or as requested by the Director or the Governor.

The Council may establish advisory workgroups as considered necessary to assist in performing the duties and responsibilities of the Council. The Council may hire or retain contractors, subcontractors, advisory, consultants, and agents and may make and enter into contracts necessary or incidental to the exercise of the powers of the Council and the performance of its duties as the Director of the DNR considers advisable and necessary, in accordance with state statute, and the rules and procedures of the Civil Service Commission and the Department of Technology, Management, and Budget (DTMB), subject to available funding. The Council may accept donations of labor, services, or other things of value from any public or private agency or person.

Members of the Council shall refer all legal, legislative, and media contacts to the DNR. The Council shall make recommendations to the DNR on the expenditure of money in the Trailways Fund and advise the DNR on the implementation of Public Act 451 of 1994 Part 721 Michigan Trailways, MCL 324.72101-324.72115.

In addition to the responsibilities provided in this section and otherwise provided by law, the advisory council shall do both of the following:

- (a) Make recommendations to the director on the expenditure of money in the fund.
- (b) Advise the director on the implementation of this part and the establishment and operation of Pure Michigan Trails and Pure Water Trails.

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Section 2: Staff Support and Budget

The Council shall be staffed and assisted by personnel from the DNR, subject to available funding. Any budgeting, procurement, or related management functions of the Council shall be performed under the direction and supervision of the Director of the DNR.

Section 3: Compensation

Members of the Council shall serve without compensation. Members of the Council may receive reimbursement for necessary travel and expenses consistent with state statutes and the rules and procedures of the Civil Service Commission and the DTMB, subject to available funding. All requests by Council members for reimbursement of expenses for Council related activities (except regular and special meetings) shall be made to the staff assistant, in writing, in advance of incurring the expenses.

ARTICLE IV - AMENDMENTS

This **Rules of Procedure**, in all or in part, may be amended by a concurring vote of two-thirds of the Council membership made at any regular or special meeting, provided that the proposed amendment is provided in writing with the agenda for that meeting.

ARTICLE V – ADVISORY WORKGROUPS AND SUBCOMMITTEES

Section 1: Rules of Procedure

Articles I and II of the Rules of Procedure for the Michigan Trails Advisory Council shall apply to all Advisory Workgroups and Subcommittees of the Council.

Section 2: Chairperson and Other Officers

The Chairperson and other Officers of the Advisory Workgroups shall be appointed by the Chairperson of the Council.

The Chairperson and other Officers of the Equine Trailways Subcommittee shall be appointed by the members of the Subcommittee.

Section 3: Vacancy

A vacancy on the Advisory Workgroup or Subcommittee occurring other than by expiration of a term shall be filled by the same manner as the original appointment for the balance of the unexpired term. A vacancy shall not affect the power of the remaining members to exercise the duties of the Advisory Workgroup or Subcommittee.

Section 4: Reports and Plans

The Advisory Workgroups and Subcommittees shall provide meeting updates, reports, and plans to the Council to assist in performing the duties and responsibilities of the Council

Section 5: Duties of the Members

Members of the Advisory Workgroups and Subcommittees shall refer all legal, legislative, and

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media contacts to the DNR. The Advisory Workgroups and Subcommittees shall make recommendations to the Council and the DNR on the implementation of Public Act 451 of 1994 Part 721 Michigan Trailways, MCL 324.72101-324.72115.