

BY-LAWS

HOUGHTON LAKE IMPROVEMENT BOARD

HOUGHTON LAKE, MICHIGAN

ARTICLE I

ORGINIZATION

The Houghton Lake Improvement Board (HLIB) was formed under the authority of Michigan P.A. 451 of 1994, part 309 being MCL 324.30901-324.30929, and has been in existence since 2001.

ARTICLE II

PURPOSE and Method

The HLIB was established in 2001 to manage nuisance aquatic vegetation including native and invasive species such as Eurasian water milfoil, curly leaf pondweed, phragmites, starry stone wort, purple loosestrife, etc. The HLIB, in cooperation with the consultant(s), shall develop and implement an annual vegetation management plan.

The HLIB may hire a consultant(s) to direct the technical aspects of lake management. The board may hire herbicide applicators, mechanical harvesters, DASH (diver assisted suction harvesting), or other contractors as needed.

ARTICLE III

MEMBERSHIP

The HLIB shall consist of the following:

A member of the county Roscommon board of commissioners, appointed by the chairperson of the county board of commissioners. An alternate to the commissioner may also be appointed.

One representative of each township (Denton, Lake, Markey, and Roscommon Townships) appointed by the respective township boards. An alternate for each member may be appointed by each township board.

The county drain commissioner. An alternate may be appointed by the drain commissioner.

A Riparian member, elected by the members of the lake board meeting the following criteria. Only a person who has an interest in a land contract or a recorded interest in the title to a piece or parcel of land that abuts the lake to be improved is eligible to be elected and serve under this section. The term served by this member shall be 4 years in length.

The lake board shall elect a chairperson, vice chair, secretary, and treasurer. The term of office for each position shall be for two years and shall take place at the last regular meeting of the year. The duties of the secretary and treasurer may be combined at the discretion of the board.

A majority of the members of the HLIB constitutes a quorum. An alternate may be seated to create a quorum.

The concurrence of a majority in any matter within the duties of the HLIB is needed for the determination of a matter.

Officers:

Chair:

The Chair shall preside over all regular and special meetings of the HLIB. It is the responsibility of the Chair:

- 1. To open the meeting on time and call the members to order.**
- 2. To announce the business before the HLIB in the order outlined in the agenda.**
- 3. To recognize members entitled to the floor and direct questions to consultants and members.**
- 4. To ensure participation of the full membership in discussions.**
- 5. To call for a vote on all questions before the HLIB and to announce the results of the vote.**
- 6. To protect the meeting from disruption and to keep the discussion focused and balanced.**
- 7. To expedite business under rules of procedure compatible with the rights of the members and the public.**
- 8. To enforce the observance of order among the members and the public. The Chair shall decide all questions of order unless preferring to submit the question for a decision of the HLIB.**
- 9. To inform the HLIB, when appropriate, on a point of order pertinent to pending business.**
- 10. To authenticate by his/her signature, as required, all acts, orders proceedings of the HLIB**
- 11. To have the privilege of motions, discussion and voting on all matters.**
- 12. To authorize attendance of HLIB members in an official capacity as a representative to any meeting, convention, conference or gathering deemed important to the conduct of the HLIB.**

13. To authorize approved expenditures, per attached purchasing policy.

14. To appoint committees, as needed, and approved by the HLIB and each appointed Committee shall present a written report to the Board as requested.

Vice Chair:

Shall act for the Chair in his/her absence.

Secretary-Treasurer:

Secretary:

1. Shall act for the Chair in the absence of the Chair or Vice-Chair
2. Shall be responsible for assuring the minutes of all meetings are accurate, kept in continuing files.
3. Shall oversee the development of written policy to ensure accuracy and maintain updated copies.
4. Shall prepare draft minutes and post to the HLIB website for member and public viewing in accordance with the "Open Meetings Act."
5. Shall report correspondence addressed to the HLIB.
6. Shall ensure that meeting places and times are posted at the respective township halls (4) as well as on the HLIB website in compliance with the "Open Meetings Act."
7. Shall respond to FOIA requests. The HLIB may request legal counsel if needed.

Treasurer:

- 1. Shall be responsible for the payment of all approved invoices.**
- 2. Shall prepare a statement of all revenues and expenditures for each board member and alternate present at each board meeting**
- 3. Shall prepare an annual budget to be reviewed and approved by the HLIB and a yearend account of all revenues and expenditures.**
- 4. Shall approve authorized expenditures that are consistent with the HLIB approved budget or approved purchasing policy.**

ARTICLE IV

MEETINGS

Regular meetings: Meetings are scheduled throughout the year to do business, as necessary. Meetings are generally scheduled for the subsequent year at the last meeting of the previous year. Meetings may be canceled or rescheduled by the Chair or the Board with due notice of four (4) days. **An exception may be made if weather conditions are not conducive to safe travel.**

Special Meetings: Special meetings may be called by the Chair or any two (2) members of the Board by providing notice to all members of the Board by email or written notice. Notice must be posted at least 18 hours prior to the meeting.

Agenda for Regular Meetings: The agenda for regularly scheduled meetings of the HLIB will be prepared by the Chair or Secretary and at a minimum, consist of the following order of business: Call to Order; Roll Call; Approval of Agenda; Approval of Minutes; Public Comment (agenda items only); Old Business; New Business; Public Comments; Board Member Comments.

Meeting Minutes: Draft proceedings of all meetings of the HLIB will be prepared and distributed to other members and posted to the HLIB website (houghtonlakeib.com) in compliance with the Michigan Open Meetings Act. Final approved minutes shall be available within five (5) days after approval.

Open Meetings Act: All business conducted by the HLIB shall be held as public meetings in compliance with the Michigan Open Meetings Act, Act267, of the Public Acts of Michigan of 1976, as amended. All meetings shall be posted in the township halls of Denton, Lake, Markey, and Roscommon as well as the HLIB website (houghtonlakeib.com).

If a meeting occurs elsewhere, that location will also be posted.

Parliamentary Law: All proceedings of the HLIB shall be conducted in accordance with Robert's Rules of Order.

Quorum: A quorum shall consist of a majority of the membership of the HLIB. This is four (4) members. A quorum shall be required for the HLIB to conduct any business.

Voting: All actions taken by the HLIB shall be by a motion or resolution adopted by the affirmative vote of a majority of the HLIB members in attendance at a meeting of the HLIB. All members of the HLIB shall vote on all matters unless a conflict of interest occurs.

Board Member Comment: Board members shall be allowed to address the Board with the same time limits as public comment.

Public Comment: A person shall be allowed to address the HLIB during any meeting during Public Comment periods. See article VI on Public Comments.

Time Limits: Each person shall be limited to one (1) three (3) minute comment per session. A person shall also be allowed to submit written material or comments to the HLIB.

ARTICLE V

CONFLICTS OF INTEREST

Determination of conflict: To best serve the interest of the community, HLIB members should disclose any conflict of interest which may be perceived as influencing their decision. The question of whether a potential conflict of interest exists is a matter that should be brought before the Board. A conflict may exist where the member has a financial interest in the project, such as a direct relationship in a development, a professional or personal association with the applicant, or the project could be perceived as having a direct impact on the individual's livelihood.

Procedures:

- 1.** A member with a potential conflict of interest should disclose the conflict to the satisfaction of the full membership and the disclosure shall become part of the official record prior to any deliberation on a matter.
- 2.** At the request of the member with the potential conflict the remaining HLIB members shall discuss the potential conflict and may vote to determine whether the conflict is significant enough to warrant abstention.
- 3.** A member abstaining due to a conflict shall not take part in the discussion of that item and may leave the Board seating area.
- 4.** The remaining members of the HLIB may require participation of a member if the member is needed for the quorum necessary for official action or to conduct duties as required by law. In such cases, the member with the potential conflict shall not take part in any deliberation or discussion on the matter.

ARTICLE VI

PUBLIC COMMENT

Importance of Public Comment

The HLIB values comments from the public. The board has enjoyed a rich history of public involvement in decision-making, before, during, and after decisions have been made. Oftentimes board members rely on the public to bring issues of concern to its attention. To balance the input of public comments with the traditional rules of order that public bodies follow to enhance their ability to engage in discussion and make informed decisions, the following guidelines have been established.

Guiding Principles:

- 1. Rules of Order related to Public Comment are consistent with other public meetings.**
- 2. Public comment is welcomed and valued.**
- 3. Everyone will be treated fairly and equitably.**

Public Comment Guidelines:

Public Comment is limited to three minutes per person.

All people requesting comment will be asked to stand (if capable) and state their name and address.

Speakers are asked to express themselves in a civil manner, with due respect for the dignity and privacy of others who may be affected by your comments.

Public comments shall be addressed to the board only. Personal attacks against any board member, the entire board, or any person attending the meeting will result in their time being terminated immediately.

Public comment must be germane to the HLIB's scope and range of authority.

Public comment will not be allowed throughout the normal business meeting (unless requested by the chair)

The public has no right to address the board during deliberations on a particular matter. (OAG, 1977-1978, No 5310, p 465, 468, June 7, 1978)

The Board Chair may, together with the full board, address issues brought forward during the Public Comment opportunity. After the Public Comment opportunity, items may be placed on a future agenda if it requires more discussion or action.

Adopted 7-26-22.

ARTICLE VII

PURCHASING POLICY

\$1-\$1,000	Chair or Treasurers discretion
\$1,001-\$3,000	For emergency purchases. Requires a minimum of two HLIB members for approval.
\$3,001-\$10,000	Requires up to three quotes. Quotes may be solicited by mail, phone, or advertisement. Requires approval from majority of HLIB members.
\$10,000+	Requires the board to advertise for “Request for Proposal” in local newspaper or an appropriate publication. Bids may also be solicited by invitation.

Upon approval of the “Board” engineering firms, state agencies, and consulting firms may be exempt from this policy.

Revised and adopted 9-20-16.

ARTICLE VIII

BY-LAW AMENDMENTS

Amendments: The HLIB By-Laws may be amended at any regular or special meetings by an affirmative vote of two thirds (2/3) (or 5 votes) of the full membership of the HLIB.

Severability: If any provision of these By-Laws shall be invalid or unenforceable by a court, then the unenforceable or invalid provisions shall be struck from the By-Laws.

Adopted on: April 18, 2024