

**OAKLAND COUNTY  
MATERIALS MANAGEMENT PLANNING COMMITTEE  
BYLAWS**

**ARTICLE I – DEFINITIONS**

**1.1 Definitions.** The following words and expressions are used throughout this document, whether used in the singular or plural, shall be defined, read, and interpreted as follows:

- a) County Approval Agency (CAA): is the entity that assumes responsibility and is authorized to approve the MMP. The CAA is the Oakland County Board of Commissioners.
- b) Designated Planning Agency (DPA): is the agency specified by the CAA that shall serve as the primary government resource in the planning area for administering and developing the MMP. The DPA is the Office of the Oakland County Executive.
- c) Designated Planning Agency Representative: is the specific individual of the DPA designated as the primary contact for the MMP. The Designated Planning Agency Representative is Whitney Calio, Principal Planner, Oakland County Department of Economic Development.
- d) Materials Management Plan (MMP): is a new plan that will replace the existing Solid Waste Management Plan after approval from EGLE that seeks adequate materials management capacity for all nonhazardous solid waste generated in the county with a focus on developing strategies to utilize materials to their best and full potential prior to final disposal.
- e) Michigan Department of Environment, Great Lakes & Energy (EGLE): is the primary state agency overseeing the Materials Management planning process and administering Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451.

**ARTICLE II – NAME AND ESTABLISHMENT**

**2.1. Name.** The name of this committee shall be the Oakland County Materials Management Planning Committee (herein referred to as the “MMPC” or the “Committee”).

**2.2. Establishment.** The MMPC was established by the Oakland County Board of Commissioners (“BOC”) pursuant to Miscellaneous Resolution 2024-4217 and Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (the “Act”).

### **ARTICLE III – PURPOSE AND RESPONSIBILITIES**

**3.1 Purpose.** The Committee is established, in accordance with the Act, primarily, to assist and guide Oakland County in the development and implementation of a new MMP.

**3.2 Responsibilities.** The responsibilities of the MMPC are to:

- a) Provide recommendations and guidance to the DPA Representative for all provisions identified in the Act for the preparation of the MMP.
- b) Review and approve the DPA Work Program.
- c) Identify relevant local materials management policies and priorities.
- d) Ensure coordination in the preparation of the MMP.
- e) Advise the county and municipalities with respect to the MMP.
- f) Ensure that the DPA is fulfilling the requirements of the Act as to both the content of the MMP and public participation.
- g) Provide information via the DPA Representative to the Oakland County Board of Commissioners, which is designated as the County Approval Agency (CAA) under the Act.
- h) Shape the MMP program's philosophy and long- and short-term goals and objectives.
- i) Provide the final level of approval of the draft MMP before it is presented to the CAA for approval.

**3.3 Restrictions on Activities.** The following restrictions apply:

- a) The Committee will hold no funds or financial assets.
- b) The Committee will not participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office or ballot proposal and will not publish or distribute statements relating to political campaigns or ballot proposals.

### **ARTICLE IV – Membership**

**4.1 Appointment.** The MMPC is a permanent, self-guiding body. Appointments to the MMPC shall be made and comply with the following:

- a) Consist of eleven (11) voting members.
- b) The members shall be selected pursuant to the criteria listed in the Act.
- c) The members shall be appointed by the Oakland County Board of Commissioners.

- 4.2 Terms.** All initial MMPC members shall be appointed for a term of five (5) years. Their immediate successors shall be appointed for 2-, 3-, 4-, or 5-year terms such that, as nearly as possible, the same number are appointed for each term length. Subsequently, members shall be appointed for terms of 5 years. A member may be reappointed.
- 4.3 Resignation.** A member shall indicate their intent to resign from the Committee by:
- a) Submitting a written statement to the Chairperson of the Oakland County Board of Commissioners with an effective date of resignation and the reason(s) for resignation.
  - b) Provide a copy of the written statement to the Chairperson of the MMPC and the DPA Representative.
  - c) A member's resignation is effective when the BOC approves it (by majority vote) or appoints the member's successor.
- 4.4 Committee Vacancy.** If a vacancy occurs on the MMPC, the CAA shall make an appointment for the unexpired term in the same method, pursuant to the Act, as the original appointment.
- 4.5 Member Removal.** The MMPC may, upon a majority vote, recommend to the CAA for the removal of a MMPC member. The CAA may remove a member of the MMPC for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance while on the Committee.

## **ARTICLE V – MEETINGS**

- 5.1 Regular Meetings.** All regular MMPC meetings shall comply with the following:
- a) Regular meetings of the MMPC will be held on a timely and consistent basis.
  - b) Be open to the public.
  - c) Be held at a location determined by the DPA Representative with assistance from the Committee Chairperson.
  - d) Meetings shall comply with the Michigan Open Meetings Act (OMA) and will be held in person with a virtual option available when possible and as permitted by law.
  - e) Robert's Rules of Order shall be the parliamentary authority of the MMPC and shall govern the proceedings of the MMPC in all cases not conflicting with these Bylaws, the OMA, or the law.



## **5.2 Election of Officers.**

- a) At the first meeting of each calendar year, the MMPC shall elect from among its members a Chairperson, Vice Chairperson and any other officers deemed necessary.
- b) Any member of the Committee may place the name of another member in nomination for office. Nominations do not require a second.
- c) The nomination and election of the Chairperson and Vice Chairperson shall be separate.
- d) Election of the Chairperson and Vice Chairperson shall be by roll call vote.
- e) The vote of a majority of current members is required to elect the Chairperson and Vice Chairperson.
- f) The term for each officer is one year.
- g) An officer may resign by written notice to the Committee. The resignation will be effective upon its receipt and vote of acceptance by the Committee, or at a subsequent time specified in the notice of the resignation and upon its vote of acceptance by the Committee.

## **5.3 Chairperson.** The MMPC Chairperson will:

- a) Preside over all MMPC meetings.
- b) Be the primary contact person for the MMPC and the DPA Representative.
- c) Call meetings to order and formally close them; note whether a quorum is present; extend every courtesy to the discussion of the motions; repeat and/or explain each motion before it is voted upon.

## **5.4 Vice Chairperson.** The MMPC Vice Chairperson will:

- a) In the absence of the Chairperson, exercise all powers normally vested in the Chairperson and perform any other duties lawfully prescribed by the Committee or the Chairperson.
- b) In the absence of both the Chair and Vice Chairpersons, the Committee members present at the meeting will designate by a majority vote, a present Committee member to act as Chair for that meeting.

## **5.5 Notice of Meetings.** The DPA will provide written notice of all Committee and Subcommittee meetings, which shall be mailed and/or emailed to each member of the Committee and other parties in compliance with the Act at least ten (10) calendar days prior to the date of each meeting. A schedule of the regular MMPC meeting dates will be posted on the County's website for public notice. Notice of all MMPC meetings will state the purpose or purposes of the meeting and the business to be transacted at the meeting.

**5.6 Special Meetings.** Special meetings may be requested by the DPA Representative or the MMPC Chairperson in accordance with the Notice of Meetings requirements in Section 5.5, above.

**5.7 Quorum.** A majority of the members of the MMPC constitutes a quorum for the transaction of business at a meeting. For the purposes of determining the quorum, the number of members of the MMPC is the number as established under Article IV, excluding any unfilled vacancies. The affirmative vote of a majority of the number of members of the MMPC as established under Article IV is required for official action of the MMPC.

**5.8 Conducting Business.**

- a) In consultation with the Chairperson, the DPA Representative shall prepare the agenda for each regular meeting.
- b) MMPC members may contact the DPA Representative or the MMPC Chairperson to request that items be placed on the agenda or may request that an item appear on a future agenda. If approved by the Chairperson, such requested items will be placed on the agenda of the next meeting or a subsequent meeting.
- c) Members of the public may contact the DPA Representative or the MMPC Chairperson to request that items be placed on the agenda or that an item appear on a future agenda. If approved by the Chairperson, the proposed item will be placed on the agenda of the next meeting or a subsequent meeting.

**5.9 Subcommittees.** The Committee may create subcommittees as deemed necessary in the preparation of the MMP.

- a) The size of the subcommittee shall be the lesser of the following: (i) five members, or (ii) less than half the number of total Committee members.
- b) All subcommittee meetings shall be open to the public.
- c) Each subcommittee will report to the full MMPC on topics and recommendations discussed in subcommittee meetings.
- d) A Subcommittee is advisory, only authorized to make recommendations to the MMPC or DPA, and only has such other advisory duties as delegated to them by the Committee.

**5.10 Voting.**

- a) Each member of the MMPC has one (1) vote. There is no proxy voting.
- b) Each member shall be physically present during the motion and discussion of the voting issue at hand to be eligible to vote unless otherwise permitted by law.
- c) Each member understands that the MMPC is not a separate legal entity, and any voting approvals shall be treated as a recommendation to the DPA and/or the CAA regarding the MMP.

#### **5.11 Conflict of Interest.**

- a) Disclosure. All Committee members shall comply with the Standards of Conduct for Oakland County Officers and Employees. When a Committee member or an officer is affiliated with an organization seeking to provide services or facilities to the County and/or MMPC, or when a Committee member or officer has any duality of interest or conflict of interest, real or apparent, such affiliation or conflict of interest shall be disclosed to the Committee and made a matter of record, either when the interest becomes a matter of Committee action or as part of a periodic procedure to be established by the Committee. An affiliation with an organization will be considered to exist when a Committee member or officer or a member of their immediate family or a blood relative is an officer, director, trustee, partner, owner, employee, or agent of the organization, or has any other substantial interest or dealings with the organization.
- b) Voting. Any Committee member or officer having a duality of interest or conflict of interest on any matter shall not vote, use their personal influence on the matter, or participate in the discussions or deliberations on the matter, even if permitted by law. The minutes of the meeting should reflect that the disclosure was made and that the interested Committee member abstained from voting.

#### **5.12 Public Participation.**

- a) Public comments regarding agenda items will be received as those items are taken up by the MMPC.
- b) Public comments on non-agenda matters will be received during the Public Comment portion of the meeting.
- c) Persons wishing to address the MMPC shall identify themselves and state their address and the reason for addressing the MMPC.
- d) Persons shall limit their comments to three (3) minutes unless the time is extended by the Chairperson or by a majority vote of the MMPC members.



- e) The Open Meetings Act allows persons to record or broadcast the MMPC meetings. However, such actions shall result in a minimum of disruption of the meeting. The Chairperson shall determine if the actions are disrupting the meeting, and the Chairperson shall have the right to direct that those actions be modified and not cause further disruption for the remainder of the meeting.

**ARTICLE VI – Amendments to Bylaws**

- 6.1 Amendments to Bylaws.** These MMPC bylaws may be amended as recommended by the DPA Representative or the Committee Chairperson. Each proposed amendment will be sent to each MMPC member at least ten (10) calendar days before the meeting in which it is to be discussed. The MMPC may debate the amendment and provide feedback before such amendment is implemented by the DPA. An amendment to the Bylaws shall require an affirmative vote of a majority of the members of the MMPC.

**ARTICLE VII – Dissolution**

- 7.1 Dissolution.** The MMPC may be dissolved by a resolution passed by the Oakland County Board of Commissioners.

**ENDORSEMENT**

The foregoing Bylaws were adopted by an affirmative vote of a majority of the MMPC members at a regular meeting held on August 27, 2024.

Date:

10-2-2024

Signed:



Robert Hoffman, Committee Chair