

**KALAMAZOO COUNTY  
ANIMAL SERVICES AND ENFORCEMENT ADVISORY BOARD  
BYLAWS**

**ARTICLE I  
NAME**

The name of this body is the Kalamazoo County Animal Services and Enforcement Advisory Board.

**ARTICLE II  
AUTHORITY**

The Kalamazoo County Animal Services and Enforcement Department was established by the Board of Commissioners and operates pursuant to the rules promulgated under P.A. 287 of 1969, as amended. In addition to P.A. 287 of 1969, the Department is also responsible for enforcement of the Kalamazoo County Animal Control Ordinance and its provisions. The Department is managed by a Director, which reports to the Deputy County Administrator.

While the Animal Services and Enforcement Advisory Board functions under no specific statutory authority, it is created under the discretion of the Board of Commissioners for specific and limited purposes.

**ARTICLE III  
Powers and Duties; Annual Report**

1. Work with the Animal Services and Enforcement Department and, consistent with Federal and State laws, rules and guidelines, advise the County Board of Commissioners on issues relating to Animal Services and Enforcement.
2. Advocate at the local, state and federal levels for resources to assist in addressing Animal Services and Enforcement issues.
3. Serve as an advisory panel on the management of the County's Animal Services and Enforcement operation and facility.
4. Provide an annual report to the County Board of Commissioners outlining the activities and accomplishments of the Board.

**ARTICLE IV  
BOARD ORGANIZATION**

Section 1. Board Membership: The Animal Services and Enforcement Advisory Board (Board) shall be under the general control of the Board of Commissioners of Kalamazoo County and shall consist of nine (9) members, with confirmation of such appointment or removal by a majority of the Board of Commissioners. The membership shall consist of the

following with the caveat that should any specified category remain vacant for longer than four (4) months, it may be filled by a member of the General Public\*:

- 1 - Veterinarian
- 1 - Member of an Animal Welfare Group in Kalamazoo County
- 1 - County Commissioner
- 1 - Representative of a Police Agency
- 1 - Representative of the Kalamazoo County Humane Society
- 4\*(+) General Public

Section 2. Term of Members: The term of office of a Board member shall be three (3) years from January 1 of the year of appointment and each member shall hold office thereafter until his/her successor is appointed and qualified. Appointments shall initially be made for staggered one (1), two (2), or three (3) year terms so that terms of members are overlapping. A member may be reappointed.

Section 3. Vacancies in Office: When a vacancy occurs on this Board, either by death, resignation, or removal, the vacancy shall be filled by the Board of Commissioners for the unexpired term. The Humane Society and the Animal Welfare Advisory Board (AWAB) shall submit a member for approval by the Kalamazoo County Board of Commissioners.

Section 4. Neglect of Duties: Board members shall attend meetings and functions of the Board. Board members shall be required to attend a minimum of 75% of the regular meetings per year. In cases where such does not occur, the Board may seek a Board member's resignation and/or request the County Board of Commissioners to remove the Board member.

Section 5. Officers: The Board shall elect each year during the month of January a Chairperson, Vice Chairperson and Secretary.

Section 6. General Conduct: The Animal Services and Enforcement Advisory Board shall function as a unit; therefore, individual members shall not speak for the Board unless authorized by the Board to do so.

Section 7. Powers and Duties: The Board shall have such powers and duties as shall from time to time be provided by law or be assigned by the Kalamazoo County Board of Commissioners.

## **ARTICLE V**

### **OFFICERS AND STAFF**

Section 1. Chairperson: The Chairperson's duties and powers shall include the following:

- A. He/she shall preside at all meetings of the Board.
- B. He/she shall appoint all standing and special committees of the Board and all commissions or agencies established by law or by the Board, subject to approval of the Board.

- C. He/she shall serve as an ex-officio member of all committees and sub-committees of the Board.
- D. He/she shall be the ceremonial representative of the Board and shall perform such other duties as specified by law, the Kalamazoo County Board of Commissioners, or by custom.

Section 2. Vice Chairperson: The Vice Chairperson shall preside in the absence of the Chairperson and shall perform such other duties as may from time to time be assigned.

Section 3. Secretary: The Secretary shall be the Secretary of the Board and shall perform such duties as may from time to time be assigned.

Section 4. Clerical Support: Clerical support for the Board will be provided by the Animal Services and Enforcement Department. The clerical staff shall have the following duties:

- A. Record all proceedings of the Board.
- B. Make regular entries of all resolutions and decisions upon all questions.
- C. Record the vote of each member on any questions submitted to the Board, if requested by any member present.
- D. Prepare copies of the minutes of the proceedings of the Board for distribution to the members of the Board pursuant to Article VI, Section 6.
- E. Perform such other and further duties as the Board may require.

## **ARTICLE VI** **MEETINGS**

Section 1. Regular Meetings: Except as otherwise required by law, or provided by the Board, regular meetings of the Board shall be as follows.

- A. The Board shall meet annually on the second Tuesday of February. Additional meetings of the Board may be convened by the Chairperson, as requested by any member of the Board, County Commission, and/or agency employee.
- B. All regular meetings of the Board shall be held at the Animal Services and Enforcement Department, 2500 Lake Street, unless the Board shall otherwise specify.
- C. All meetings of the Board shall be held in accessible public facilities and shall be conducted according to the Open Meetings Act.
- D. Unless a motion of adjournment shall otherwise direct, any regular meeting of the Board may be reconvened by the Board Chairperson by serving on the other members a written notice of the time and purpose of any such reconvened meeting; provided,

however, service may be waived in writing by a member; said waiver shall become a part of the permanent record. Service of such notice may be made by delivering the notice to the members personally, or by leaving the same at each member's residence with some person of the household at least eighteen (18) hours before such meeting is to take place, or by depositing the same in a government mail receptacle enclosed in a sealed envelope plainly addressed to such member at his/her last known residence address at least seventy-two (72) hours before such meeting is to take place. Such service may be made by a member of the Board or by any employee or agent of the Board. A public notice stating the date, time, and place of a rescheduled regular or special meeting shall be posted at the Animal Services and Enforcement Department and County Board office eighteen (18) hours before the meeting. Any adjournment necessitated because of a lack of a quorum shall be sine die, subject to being reconvened by the Chairperson of the Board as provided in this Subsection (MVLS 15.265).

Section 2. Special Meeting: The Chairperson or any two (2) members of the Board upon written notice being served to each member or left at his/her place of residence at least eighteen (18) hours prior to such meeting may call a special meeting. Members may waive notice of any special meeting either before or after the holding thereof. A public notice stating the date, time, and place of special meeting shall be posted at the Animal Services and Enforcement Department and County Board office at least eighteen (18) hours before the meeting (MCLA 15.265).

Section 3. Adjourned Meetings: Any legal meeting of the Board may be adjourned from time to time as the Board may deem necessary.

Section 4. Quorum: A majority of the members shall constitute a quorum for the transaction of the business of this Board.

Section 5. Voting: Except as otherwise provided by statute, all questions shall be determined by the votes of a majority of the members present.

Section 6. Distribution of Minutes: Proposed minutes shall be available for public inspection not more than eight (8) business days after each meeting. A copy of the proposed minutes shall be mailed to each member not less than six (6) days prior to the next regularly scheduled meeting.

Approved minutes shall be available for public inspection not later than five (5) business days after the meeting in which the Board approves the minutes. Corrections in the minutes shall be made not later than the next meeting after the meeting to which the minutes refer. Corrected minutes shall be available no later than the next subsequent meeting after corrections. The corrected minutes shall show both the original entry and the correction.

Section 7. Citizen Participation: Any citizen may comment on agenda items prior to the taking of a vote thereon. Citizens after being recognized, shall identify themselves by name and address and shall ordinarily limit their presentation to four (4) minutes unless the time is otherwise extended by the Chairperson or by the vote of the Board.

Section 8. Open Meetings Act and Freedom of Information Act: The Board is a public body and as such shall be governed by the Michigan Open Meetings Act (Act 267 of the Public Acts of 1976, as amended) and the Michigan Freedom of Information Act (Act 442 of the Public Acts of 1976, as amended).

Section 9. Rules of Order: Robert's Rules of Order, newly revised, shall govern the Board and its committees in all of the deliberations except as modified by these bylaws. The Rules of Order of business may be suspended at any meeting by a two-thirds' (2/3) vote of those present.

## **ARTICLE VII** **COMMITTEES**

Section 1. Committees: The Board shall establish a committee structure by which to accomplish its tasks. The Board, from time to time, may establish special committees as necessary. Committee membership may include non-members of the Board.

Section 2. Appointment of Committees: The Chairperson of the Board shall have the power to appoint to such committees such members as shall be required thereon.

Section 3. Criteria: Committee members shall be selected on the basis of their qualifications in the subject matter to be considered by the Committee and shall, as nearly as possible, be representative of the people of the County.

## **ARTICLE VIII** **RULES OF GENERAL CONDUCT AND PROCEDURE**

Section 1. General Conduct: A member shall not use profane, intemperate or discourteous language or conduct.

Section 2. Conflict of Interest:

- A. No member shall be a party, directly or indirectly, to any contract between himself/herself and the County except as provided in Subsection C below (MCLA 15.322).
- B. No member shall directly or indirectly solicit any contract between the County and (1) himself/herself; (2) any firm (meaning a co-partnership or other unincorporated association) of which he/she is a partner, member, or employee; (3) any private corporation in which he/she is a stockholder owning more than one percent of the total outstanding stock of any class where such stock is not listed on a stock exchange, or stock with a present total market value in excess of \$25,000 where such stock is listed on a stock exchange, or of which he/she is a director, officer, or employee; or (4) any trust of which he/she is a beneficiary or trustee; nor shall he/she take any part in the negotiations for such a contract or in the re-negotiation thereof, amendment thereto, or approval thereof; nor shall he/she represent either

party in the transaction except as provided in Subsection C below (MCLA 15.322).

- C. (1) Subsections A and B shall not apply to a member who is paid for working an average of 25 hours or less per week for the County.
- (2) A contract as defined in and limited by Subsections A and B involving the County and a member shall meet all of the following requirements:
- (a) The member promptly discloses any pecuniary interest in the contract to the Board, which has the power to recommend approval of the contract to the County Board of Commissioners, which disclosure shall be made a matter of record in its official proceedings.

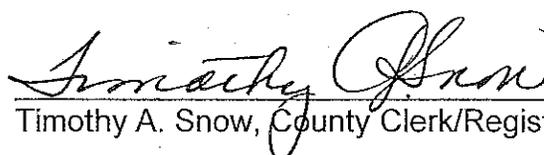
#### **ARTICLE IX** **AMENDMENT**

These bylaws may be amended, altered, changed, added to, or repealed by the affirmative vote of a majority of the members of the entire Board at any regular or special meeting, provided notice of the intention to amend and a copy of the proposed amendment had been included in the call; however, the adoption of the amendments is subject to the approval of the Board of Commissioners. Further, a two-thirds' (2/3) vote of the entire Board shall be required when a motion to amend, alter, change, add to, or repeal these bylaws is not included on the regular call. The Board of Commissioners shall have the right to amend said bylaws at anytime, with or without action by the Animal Services and Enforcement Advisory Board.

The Kalamazoo County Board of Commissioners approved these amended bylaws at a regular meeting held on March 15, 2011.

#### **KALAMAZOO COUNTY BOARD OF COMMISSIONERS**

  
Deborah J. Buchholtz, Chairperson 3-15-2011

  
Timothy A. Snow, County Clerk/Register 3-15-2011