

East Tawas Housing Commission

BY-LAWS

ARTICLE I – THE COMMISSION

1.01 Name of the Commission. The Name of the Commission shall be the “*East Tawas Housing Commission*”.

1.02 Offices of the Commission. The offices of the Commission shall be at the East Tawas Housing Commission Office, 304 W. Bay Street, in the City of East Tawas, Michigan, but the Commission may hold its meetings in accordance with the Michigan Open Meetings Act (MCL 15.261 et. al) at such other place or places as it may from time to time designate by resolution.

ARTICLE II – EXECUTIVE DIRECTOR

2.01 Executive Director. The Executive Director shall be selected and appointed by the commission and shall agree to terms of employment and compensation as established by the Commission. The Executive Director shall have general supervision of the administration of the business and affairs of the Commission, subject to the direction of the Commission. He/she shall be charged with the management of the housing projects of the Commission. Any person appointed to fill the office of the Director, or any vacancy therein, shall have such term as the Commission fixes, to be reviewed annually or per the contract terms. When the office of the Director becomes vacant, the Commission shall appoint a successor.

2.02 Additional Personnel. The Executive Director may from time to time employ such persons **or contractors** he/she determines necessary for the efficient and effective administration of the Housing Commission, subject to the approval of the Commissioners.

2.03 The Executive Director shall have the care and custody of all funds of the Commission and shall deposit or cause to have deposited the same in the name of the Commission in such bank or banks as the Commission may select. He/she may sign all contracts, deeds and other instruments made by the Commission. He/she may sign all orders and checks for the payment of money and shall pay out or cause to be paid out and disburse or cause to be disbursed such moneys under the direction of the Commission. Except as otherwise authorized by resolution of the Commission, all such orders and checks shall be in accordance with the existing check writing policy. The Executive Director shall keep regular books of account showing receipts and expenditures and shall render to the Commission at each regular meeting (or when requested). The Executive Director shall report all of his/her transactions and also the financial condition of the Commission. He/she will be insured under the Housing Commission’s general liability insurance policy.

2.04 The Commission shall conduct a performance evaluation of the Executive Director annually on or before November 1st with changes to become effective January 1 of the following year.

Should the Executive Director be employed through a contract the contract shall be approved by the Commission and reviewed 60 days in advance of its stated renewal. The compensation and employment of the Executive Director will be determined by the Commission.

2.05 The Executive Director shall be the Ex Officio Secretary of the Commission. He/she shall keep or cause to be kept the records of the Commission. Also, shall act or assign staff to act as secretary of the meetings of the Commission and record all votes, and shall keep proceedings of the Commission in a minute book and resolution book to be kept for that purpose.

2.06 No member of the Commission shall be eligible for the office of Executive Director for at least one year following his or her tenure as a commissioner, in accordance with the Annual Contributions Contract.

ARTICLE III – OFFICERS

3.01 Officers. The Officers of the Commission shall be a President, a Vice- President.

The Board shall consist of five (5) Commissioners. Commissioners shall be appointed by the City of East Tawas based on consideration and recommendation of the East Tawas Housing Commission. One Commissioner shall be a tenant of the housing provided by the Commission.

3.02 President. The President shall preside at all meetings of the Commission, except as otherwise authorized by resolution of the Commission. As authorized by the Commission, the President, in addition to the Director, may sign all contracts, deeds and other instruments made by the Commission. At each meeting, the President shall submit such recommendations and information as he/she may consider proper concerning the business, affairs, and policies of the Commission.

3.03 Vice President. The Vice-President shall perform the duties of the President in the absence or incapacity of the President.

3.04 Additional Duties. The Executive Director and the Officers of the Commission shall perform such other duties and functions required by the Commission or State and Federal regulations.

3.05 Election or Appointment. The President and Vice President shall be elected each year at the annual meeting to be held in January of each year. The President and Vice-President shall be elected at the annual meeting of the Commission from among the members of the Commission and shall hold office for one year or until their successors are elected and qualified.

3.06 Vacancies. Should any position on the commission become vacant or a term expires, the City of East Tawas based on consideration and recommendation of the East Tawas Housing Commission will appoint a replacement. Commissioners being reappointed or appointed to a new term shall be appointed for a 5-year term. Commissioners appointed due to a vacancy will hold office for the un-expired portion of the term of the vacant Board position.

3.07 Should the office of the Executive Director become vacant, the Commission shall appoint a successor, as foresaid.

ARTICLE IV – ETHICS

4.01 The East Tawas Housing Commission has adopted an *Ethics Policy*, including a Conflict of Interest provision, which is herein incorporated into these By-Laws by reference.

ARTICLE V - MEETINGS

5.01 Annual Meeting. The annual organizational meeting of the Commission shall be held at the regularly scheduled meeting. At the meeting the following shall be the order of business.

1. Roll Call
2. Elections (President, Vice President)
3. Appointment of Executive Director
4. Appointment of Attorney
5. Designation of Bank Depositories
6. Appointment of Accounting
7. Appointment of Auditor
8. New Business/Schedule of regular meeting dates for the year
9. Commissioner Comments
10. Adjournment

5.02 Regular Meetings. Meetings shall be held with notice at the regular meeting place of the Commission on the day of each month fixed during the annual meeting, or on such day recommended by the Executive Director and approved by the Commission. All meetings shall be noticed and conducted pursuant to the Michigan Open Meetings Act. (MCL 15.261 et.al)

5.03 Special Meetings. The President of the Commission may, when deemed expedient, and upon approval of two members of the Commission, call a special meeting of the Commission for the purpose of transacting any business designated in the call. The call for a special meeting may be delivered at any time prior to the proposed meeting to each member of the Commission at least 18 hours prior to the date of such meeting or other requirement, in conformance with the State of Michigan Open Meetings Act. At such special meeting no business shall be considered other than that designated in the call, but if all members of the Commission are present at such special meeting any and all business may be transacted at such special meeting.

5.04 Quorum. At all meetings of the Commission, three members of the Commission shall constitute a quorum for the purpose of transacting business, provided that a small number may meet and adjourn to some other time or until a quorum is obtained.

5.05 Members of the Commission are expected to attend the meetings of the Commission. Members of the Commission shall be allowed three (3) excused absences per annum. Commissioner shall notify either the President of the Commission or the Executive Director if unable to attend a regularly scheduled meeting. If a Commissioner exceeds three (3) excused absences from regularly scheduled meetings, the Commission may ask him/her to explain before the Commission and the Commission reserves the right to recommend to the Mayor that the Commissioner shall be relieved of their duties and a new Commissioner appointed by the Mayor

5.06 Manner of Voting. The voting on approval of bills and disbursements and on all resolutions coming before the Commission shall be by roll call or ayes and nays acknowledged and entered upon the minutes of such meeting. The President or any member of the commission can call for a roll call vote on any other item if they deem necessary.

5.07 Order of Business. At the regular meetings of the Commission, the following order of business shall include:

1. Roll Call
2. Approval of Minutes
3. Public Comment
4. Approval of Bills & Disbursements
5. Directors Report
6. Old Business
7. New Business
8. Adjournment

All resolutions shall be in writing and shall be copied in the resolution book of the Commission.

5.08 Manner of Voting. The manner of voting shall be determined by the President or in the alternative, pursuant to Roberts Rules of Order.

ARTICLE VI – AMENDMENTS

6.01 Amendments to By-laws. The By-laws of the Commission shall be amended only with the approval of at least three members of the Commission at a regular or special meeting.

Adopted: January 6, 1969, Resolution #2

Amended: June 21st, 2011, Resolution #08-2011

Amended: November 7, 2017, Resolution #06-2017

Amended: December 11, 2018, Resolution #14-2018

Amended: February 21, 2023, Resolution