

STATE OF MICHIGAN
COUNTY OF WASHTENAW
AUGUSTA CHARTER TOWNSHIP

FINAL

A RESOLUTION ADOPTING
Augusta Township Board of Trustees
Meeting Rules and Responsibilities

RESOLUTION 17-03

At a regular meeting of the Augusta Charter Township Board of Trustees, Washtenaw County, Michigan, held in the Board Chambers at 8021 Talladay Road, Whittaker, Michigan 48190, on the 23rd day of January 2017 at 7:00 p.m.

WHEREAS, The Board of Trustees wishes to establish new Meeting Rules and Responsibilities pursuant to the provisions of Section 42.7 of the Compiled Laws of Michigan; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees adopts the attached Meeting Rules and Responsibilities effective immediately;

Motion to approve Resolution was offered by Howard and seconded by Ortiz
Roll Call: Aye: 6 Nays: 0 Absent: 1
Motion Passed.

RESOLUTION DECLARED ADOPTED. Brian Shelby 1/24/17
Brian Shelby, Augusta Township Supervisor

CERTIFICATE

I, Belynda Domas, the elected and acting Clerk of Augusta Charter Township, hereby certify that the foregoing resolution was adopted by the Township Board, as presented at a meeting on January 23, 2017, at which meeting a quorum was present by a roll call vote of said members as herein set forth; that said resolution was ordered to take immediate effect.

Belynda Domas 1-24-17
Belynda Domas, Augusta Charter Township Clerk

**Augusta Charter Township Board of Trustees
Meeting Rules and Responsibilities**

1. **Authority.** These rules are adopted by the Charter Township of Augusta pursuant to the provisions of Section 42.7 of the Compiled Laws of Michigan.
2. **Board Member Responsibility and Civic Trusteeship** [MCL 15.342 (1-7), MCL 42.1-42.34]
MCL 15.263 (1-3)

The Board shall:

- a) transact all business at legally called and noticed meetings. No Board members shall have the power to act in the name of the township outside Board meetings unless that person has been specifically designated to do so by official Board action. MCL15.263 MCL 42.5
- b) make the staff and citizens aware that only the Board, not individual members, has the right to take official action for the township. MCL 42.5
- c) maintain effective communication with the community, including providing timely updates on significant issues.
- d) ensure every effort is made to secure input from all affected groups during policy formulation and prior to its adoption.
- e) stay abreast of community, state and national issues impacting on township government;
- f) protect the assets of the township;
- g) respect diverse opinions and encourage open debate amongst its members. When possible, decisions will be reached through consensus.
- h) seek to establish and maintain satisfactory working relationships with all governmental, and private agencies with interests compatible with those of the township
- i) foster an atmosphere of cooperation among all community groups and organizations whose operations are affected by township activities
- j) foster an atmosphere of cooperation and open lines of communication with all governmental agencies having an interest in the township's activities.
- k) Uphold all township resolutions, policies and ordinances in a fair and equitable manner for all residents of the Township

3. Meetings

3.1(a) Regular schedule. The Board shall meet twice monthly. The dates of regular board meetings shall be set and posted within 10 days of the Calendar of fiscal year of the newly elected Board. These will then be posted, stating the date times and place of the meetings on the Township's bulletin boards, website and paper of record if free. [MCL15.265 (2)]. Regularly scheduled meetings shall be held in the Township Hall Annex/Meeting Room.

3.1(b) Meetings will be held in a public meeting facility. Regular meetings of the Board and Special Meetings will routinely take place at the Augusta Charter Township Hall Annex/Modular Meeting Building. [MCL 15.265(6)]

A meeting of a public body may only take place in a residential dwelling if a nonresidential building within township or school system is not available without cost to the public body. For a meeting of a public body that is held in a residential dwelling, notice of the meeting shall be published as a display advertisement in a newspaper of general circulation in the city or township in which the meeting is to be held. The notice shall be published not less than 2 days before the day on which the meeting is held, and shall state the date, time, and place of the meeting. The notice shall be at the bottom of the display advertisement, set off in a conspicuous manner, and include the following language: *"This meeting is open to all members of the public under Michigan's open meetings act"*. [MCL 15.265(6)]

3.1(c) Large Public meetings. Whenever the regular meeting place of the Township Board appears to be inadequate for members of the public to attend the Supervisor or the Clerk may change the meeting to a larger facility located in the Township. A notice of such change shall be prominently posted on the door of the Regular Meeting Place. The Clerk will also give notice of such change in the place of meeting in the newspaper if time permits. The Clerk and/or Supervisor will also post the change of venue on the Township website and Bulletin Boards. (MCL 15.265)

3.1(d) Change of schedule and notification. If there is a change in the schedule of regular meetings of a public body, there shall be posted within 3 days after the meeting at which the change is made, a public notice stating the new dates, times, and places of its regular meetings. [MCL15.265 (3)].

3.2 Special Meetings. A Special Meeting of the township board shall be called by the Township Clerk pursuant to subsection (3) on the written request of the supervisor or at least 2 members of the township board. [MCL 42.7(2)]. **Notice of Special Meetings** shall be given to each township board member at least 18 hours in advance of the Special meeting. As email has become the standard for formal notification of Special meetings in the workplace including governmental agencies, this can and will serve as the official notice to Augusta Charter Township Board members and acknowledgment will be with a "Read Receipt"

Public Act 528 of 2012, which took immediate effect December 31, 2012, amended the Open Meetings Act requirements for special meeting notices (MCL 15.265). The notice of a special meeting or rescheduled regular meeting must be posted at least 18 hours prior to the meeting, and now it must be visible to the public for the full time it is posted. Also, if the township has a website that includes monthly or more frequent updates of public meeting agendas or minutes, the notice must be posted either on the homepage or on a separate webpage dedicated to public notices for special meetings and accessible via a prominent and conspicuous link on the website's homepage that clearly describes its purpose for public notification of those special meetings.

This will be done on the Township's webpage as well as notices in the appropriate papers of record at no charge and in the outside bulletin boards.

3.3 Time of Meeting. Regularly scheduled meetings shall begin promptly at 7:00 pm if there is a quorum (4 members). Late arrivals will be noted in the minutes in order to reflect their attendance. The Board will not begin considering any matter on the Agenda not yet under consideration by 9:00 pm except by unanimous consent of the Board members present. Matters on the Agenda and not yet acted upon at the time of adjournment will be placed on the agenda of the next Regular meeting or Special meeting if one is called.

3.4 Change of Schedule. Changes of the regular schedule may not be made except upon the approval of a majority of the Board members in session. In the event the Board meets and a quorum is not present, the Board upon action of a majority of those present, may adjourn the meeting to another day provided that proper notice to members and the public is given.

In order to minimize inconvenience to the public and the Board of Trustees, the Board has established a policy of board members notifying the Supervisor no later than 3:00 pm on the day of a regularly scheduled meeting that they will be absent. This may be done by email or telephone. This will allow the Supervisor opportunity to determine if a quorum will actually be present. Upon determining the absence of a quorum the Supervisor shall contact each Board member via a "high priority" email with a "read receipt request" and post notices on the bulletin boards, meeting room and the website that the meeting is canceled due to the lack of a quorum.

It is common practice in business and municipal workplaces that employees must call in sick by a certain amount of time before they are scheduled to be at work. This is a professional courtesy and professional practice and would allow the Supervisor to take care of the cancellation notices BEFORE the close of business for the Hall.

Members who must be absent from a meeting may participate by telephone conference calling when notification and arrangements for such have been made with the Supervisor at least 24 hours in advance of the meeting. **The meeting must be properly noticed with the location of where the absent member will be teleconferencing from made available to the public.** The absent member may participate in making motions, discussion and voting but

cannot chair the meeting via telephone. At least one or more more members must be present physically at the appointed meeting location (a quorum would be preferred) and a speaker phone must be used where all members of the board and the Public can hear the proceedings. (The Michigan Attorney General in Opinion #6835 of February 13, 1995, cited in a letter to Evelyn M. David, Membership Information Director, Michigan Townships Association from John H. Bauckham Attorneys for Michigan Townships Association,. May 22, 2002)

4. Quorum: Attendance; Required Vote

4.1 Quorum. Four members shall constitute a quorum for the transaction of business at all meetings of the Township board. [MCL 42.7(5)].

4.2 Attendance. The Township Board by a vote of not less than 2 members may compel the attendance of Board Members and other Officers of the Township at a regular or special meeting and enforce orderly conduct in a meeting. [MCL 42.7(8)].

5. Agendas

5.1 Regular Meeting and Special Meeting Agenda. The Township Supervisor shall prepare the Agenda of business for all Township Board meetings. All Officers and Trustees who desire to have any business placed on the agenda shall notify the Township Supervisor and all other Board members via Township email with a cover memo and supporting documentation by 12:00 noon at least five days prior to the Township Board meeting. Any Board Member wishing to make a presentation longer than 10 minutes must notify the Supervisor of this with their submission of their Agenda item so that timing can be taken into consideration. The Supervisor shall ensure that the Agenda and all supporting documentation is printed and available for distribution no later than 4:00 pm four days prior to the Board meeting and that at the close of business the complete Board Packets will be available in the Township Annex for Board members to pick up and posted on the Township's website for the Board and Public's convenience. Material that is **Confidential due to Attorney-Client Privilege will NOT be included in the General Board Packet but will be submitted to the Board members as a separate set of documents both in print and as an email and not be published on the Township's website. The Supervisor will provide the publishable copy of the Agenda and Meeting Packet to the webmaster for posting to the Township website.**

Items not submitted with a cover memo and supporting documentation will not be considered at the Board meeting unless determined to be of an urgent nature and approved as such by the vote of the Board. The Supervisor shall make access to the Township Annex available to all Board members by the first Friday before their first Board meeting so that they may access their Board Packets.

5.2 Special Meeting Agenda. Whenever the Board shall be called into a Special meeting, the matters to be considered shall be stated in the Notice of the Meeting. However, if all of the members of the Board are present at a special meeting, then business that might lawfully come before a regular meeting of the Board may be transacted at the Special Meeting. [MCL 42.7(4)]

Public Hearings shall be scheduled for 6pm preceding the Board meeting:

5.3 Distribution of agenda and materials. Agendas for regularly held Board Meetings are prepared by the Supervisor and notification of their completion is sent via Township email of the Friday prior to the meeting. If completed before the end of business (4:00 pm) the Agenda and Board Packets containing all reports, explanations, etc. will be held in the Township Hall for pick-up by the Officers and Trustees. After 4:00 pm the Agenda and Board Packets will be in the Township Hall Annex for Officers and Trustees to pick up. If a board member is ill or the Annex is inaccessible the Board member may make arrangements with another Board member to obtain their packet or print it from the Township's website. The Supervisor will provide a copy of all Confidential Attorney-Client communications that will be referenced in the Meeting to Board members via email at the same time Board Packets are made available.

5.4 Order of Business. The Agenda shall be arranged in the following order of business. The Supervisor (Chair) will organize the agenda to accommodate for time needed to adequately cover specific agenda items.

1. Call to order
2. Pledge of Allegiance
3. Roll call
4. Approval of minutes (*applicable for Consent **Agenda** if board provides feed back by Tues, then revised minutes can be done by noon Thurs*)
5. Public comment 1 (limit to 3 minutes/person)
6. Board Response and Correspondence
7. Guest Presentations (accommodate hourly consultants, citizen groups and other guests who may not need or want to sit through the majority of the board meeting) (*Professionals will be asked in advance if their presentation will require more than 30 minutes so that the board can schedule special meeting at 6pm to accommodate their presentation*)
8. Reports (*could be part of a **Consent Agenda** and approved with one vote to accept all*)
 - a) Fire Dept.
 - b) Commissions/Committees/Liaisons /
 - c) Supervisor/Utilities/Board & Commission vacancies

d) Treasurer

e) Clerk

9. Unfinished Business *(since already made available for review from previous meetings should go fairly quickly depending on number of items – 15-40 min)*

10. New Business *(business not under consideration by 9:00 will be tabled to the next meeting except by unanimous consent of the Board members present)*

The Board will adhere to a limit of 3-5 minutes per member for discussion of motions to be voted on. Time limits for discussion can be extended if more discussion is needed by a vote of the Board.

11. Public Comment 2 (3 minute limit/person) *(3-15 min.)*

12. Board Response (limited to 5 minutes per member and comments restricted to responding to the public comment and not about other Board members. Order of response rotates so no one individual consistently has the "last word"- thus eliminating the impression that any one member has more authority than another, or their opinion or response is more valid). *(max. time 35 min. Ave time 10-15 min.)*

13. Adjournment (by 9:30 pm)

6. Conduct Of Meetings

6.1 Chairperson The Supervisor, shall be the moderator of all regular or special meetings of the township board, and to preserve order. The Supervisor is responsible for ensuring that members are dealt with evenly, time limits are applied consistently among Board members and the public, dealing with procedural objections and protecting Board members from verbal attacks.

If the Supervisor is not present, the township board, under the direction of the township clerk, shall elect by voice vote a member of the township board to chair the meeting. The township clerk has the same powers and duties as the moderator until a "Temporary Chair" is chosen. The Temporary Chair holds the same responsibilities as the Supervisor for moderating the meeting, dealing with procedural objections and ensuring fair response times for both members of the Public and the Board. To ensure equal time and opportunity the Chair will check in with each Board member for their responses. A request by two (2) or more Board Members for extended recognition could extend the time limits for certain speakers if thought necessary to more fully cover or explore an area of Board and/or Public concern. MCL 42.7 (6) **In accordance with MTA recommendations, if the Chair has a significant bias regarding a specific agenda item before the Board, he/she will appoint another Board member to chair that particular discussion to ensure impartial deliberations.**

6.2 Board members wishing to speak should first be recognized by the chair. This will be done by the Chair asking each member if they would like to speak on the topic at hand and then ensuring all members have equal opportunity and time to speak. Other persons at the meeting may not speak unless recognized by the chair. Board members may request that the Chair recognize another board member if they believe that the Chair has not recognized and allowed equal time and consideration to another Board member. By a vote of the Board, a member of the audience will be permitted to address the Board during consideration of an item provided that person's comments conform to the subject being discussed and they are orderly in their conduct (see Sec. 6.3 below). MCL 42.7 (6)

6.3 Disorderly Conduct at meetings. The Supervisor/Chair may call to order any person who is being disorderly by speaking or otherwise disrupting the proceedings, by carrying on side discussions at the Board table while a recognized member is speaking, if a member of the Board or audience is failing to speak on topic before the Board, by speaking beyond the allotted time without approval of the Board, or by speaking vulgarities, insults or threats. The person shall then be seated until the Supervisor/Chair shall have determined whether the person is in order. If the person shall then be called out of order, he or she shall not be permitted to speak at the same meeting except on special leave of the Township Board. If the individual(s) continues to be disorderly and disrupt the meeting the Supervisor/Chair may ask the individual(s) to leave the meeting and contact the appropriate policing authority. No person shall be removed from a public meeting except for an actual breach of the peace committed at the meeting. MCL 15.263 (6)