

# **Delta Township Compiled Policy Manual**

<b>Title:</b>	<b>Rules of Procedure</b>
<b>Adoption Date:</b>	<b>January 1, 1989</b>
<b>Revision Date:</b>	<b>August 2, 2021</b>

**General Purpose:** To further define rules of procedure for the Township Board as pertains to routine handling of meeting agendas, holiday conflicts with scheduled meetings, schedule of meetings, start times, etc.

**Summary Statement of Policy:** The rules of procedures define the types of meetings held by the board, the circumstances for those meetings, the content of the agendas, records of the meetings, and meeting conduct.

**Actual Policy as written:**

**1. AUTHORITY**

These rules are adopted by the Township Board of the Charter Township of Delta pursuant to the Charter Township Act of 1947, as amended.

**2. MEETINGS**

**2.1 Regular Schedule:**

The Township Board shall meet on the first and third Monday of each month in regular session. If any regularly scheduled meeting falls on one of the following holidays, New Year's Day, Martin Luther King Day, Memorial Day, Fourth of July, Labor Day or Christmas Day, the regular meeting shall be held on the next secular day that is not a township holiday, unless action is otherwise taken by the Township Board.

**2.2 Special Meetings:**

Special meetings shall be called by the Township Clerk upon the request of the Township Supervisor or the written request of two (2) members of the Board. Notice of Special Meetings shall be given to each member of the Board at least 24 hours in advance of the Special Meeting. Such notice shall be served personally or left at the members' usual place of residence by the Township Clerk or their designee. Notice may be made by e-mail if given written approval from such members. The notice shall contain the time, place and purpose of the meeting.

2.3 Place of Meeting:

Regular scheduled meetings will be held in the Meeting Room A at the Township Administration Building. Whenever the regular meeting place shall appear to be inadequate for members of the public to attend, the Township Clerk may change the meeting to a larger facility. A notice of such change shall be prominently posted on the door of the regular meeting place. If time permits, the Township Clerk shall publish the change of the meeting place in the newspaper.

2.4 Time of Meetings:

Regularly scheduled meetings shall begin at 6:00 p.m. unless the Township Board, by majority vote, sets a different starting time. The Township Board shall not begin considering any matter on the agenda not yet under consideration by 10:00 p.m., except by a majority vote of the members present. Matters on the agenda and not yet acted upon at the time of adjournment will be placed on the agenda for the next regular meeting or special meeting if one is called.

2.5 Changes in Schedule:

Changes in the regular schedule of meetings may be made upon the approval of a majority of members in session.

2.6 Committee of the Whole:

On the second Monday of each month the Township Board shall meet at 6:00 p.m. in committee of the whole sessions to discuss outstanding issues confronting the Township. No formal Board action is taken in these sessions. If no agenda items are submitted for discussion the Township Board shall be notified and the respective meeting will be cancelled.

**3. PUBLIC NOTICE OF MEETINGS**

The Township Clerk shall be responsible for providing the proper notice for all meetings of the Township Board.

3.1 Regular Meeting:

The Township Clerk shall post a notice within ten (10) days after the first meeting of the Township Board in each calendar year indicating the dates, times and places of the regular meeting schedule.

3.2 Schedule Change:

Whenever the Township Board shall change its regular scheduled meeting, the Township Clerk shall post a notice of the change within three (3) days

following the meeting in which the change was made.

### 3.3 Emergency Meetings:

If the Township Board shall reschedule a meeting under the provisions of Rule 2.5 or call a special meeting under Rule 2.2, the Township Clerk shall post a notice of such a change immediately, and no meeting except an emergency meeting shall be held until the notice shall have been posted 18 hours. An emergency meeting shall be held only upon the consent of 2/3 (two thirds) of the members and only if a delay would threaten severe and imminent danger to the health, safety and welfare of the public.

## 4. QUORUM

Four (4) members shall constitute a quorum for the transaction of business at all meetings of the Township Board.

## 5. REGULAR MEETING AGENDA

The Township Manager shall prepare the agenda of business for all regularly scheduled Township Board meetings. Any other member or representative of committees, boards or commissions desiring to place a matter on the agenda shall notify the Township Manager of such items by 12 o'clock noon on the Thursday preceding the next regular meeting.

The agenda of business and all related materials shall be provided to the Township Supervisor for approval. Upon approval, the agenda and all related materials shall be available for the Township Board in the afternoon of the Friday preceding the next regular meeting.

### 5.1 Special Meeting Agenda:

Whenever the Township Board shall be called into a Special Meeting, the matters to be considered shall be stated in the call of the meeting. No other matter shall be considered except when all members are present and a majority of the body concurs.

### 5.2 Order of Business:

The Agenda shall be arranged in the following order of business:

1. Call to Order
2. Opening Ceremonies
3. Roll Call
4. Presentations and Proclamations
5. Set/Adjust Agenda
6. Public Hearings

7. Communications
8. Public Comment (Max. three minutes)
9. Introduction of Ordinances
10. Passage of Ordinances
11. Consent Agenda
12. Items Removed from Consent Agenda
13. Items of Business
14. Public Comment (Max. three minutes)
15. Committee of the Whole – Discussion Items
  - a. Manager’s Report
  - b. Department Report
  - c. Items of Discussion
16. Adjournment

### 5.3 Consent Agenda:

All items under this heading will be acted upon as presented. These items will not be discussed individually unless a request is made to remove the item for discussion.

When removing an item from the Consent Agenda, the chair must first inquire of the Board, then the audience, of any item that they wish removed from the consent agenda for consideration separately. Any request will automatically remove said item from the consent agenda and it will be considered separately.

## 6. CONDUCT OF MEETING

### 6.1 Chairperson:

The Township Supervisor shall moderate and chair all meetings of the Township Board. In the absence of the Township Supervisor, the Township Board will appoint the Township Clerk, or if the Township Clerk is absent, the Township Treasurer as chair for that Board meeting.

### 6.2 Members of the Public:

Members of the public at the meeting shall not speak unless recognized by the chair. Members of the public shall be limited to speaking for a maximum of three (3) minutes on any agenda item under discussion. Prior to speaking, members of the public must also identify themselves with their name and address.

### 6.3 Disorderly Conduct at Meetings:

The chairperson may call to order any person who is being disorderly by speaking or otherwise disrupting the proceeding by failing to be germane, by speaking longer than the allotted time, or by speaking vulgarities. Such persons

shall there upon be seated until the chair shall have determined whether the person is in order. If a person so engaged in presentation shall be called out of order, he or she shall not be permitted to continue to speak at the same meeting except on special leave by the Township Board. If the person shall continue to be disorderly and disrupt the meeting, the chair may order the Sheriff's Department to remove the person from the meeting. No person shall be removed from a public meeting except for an actual breach of the peace committed at the meeting.

## **7. ELECTRONIC PARTICIPATION DUE TO MILITARY DUTY**

- 7.1 The following definition and procedures shall apply to accommodate the absence from a public meeting, workshop and/or work session (hereafter "meeting") of a member of the public body due to military duty:
- a. "Military Duty" means (a) training and service performed by an inductee, enlistee or reservist or any entrant into a temporary component of the armed forces of the United States, and (b) time spent in reporting for and returning from such training and service, or if rejection occurs, from the place of reporting, pursuant to a lawful order.
  - b. The Board member who will be absent from a meeting due to military duty shall notify the Township Manager of the intended absence and affected dates sufficiently in advance of the public meeting to allow the public to provide input on any business that will come before the public body, along with an email address and telephone number where that member can be reached during the absence from the meeting for military duty.
  - c. Upon notification by the Township Manager to the Township Clerk of the absence under this sub-section, the Township Clerk shall post a notice of the affected public meeting, which shall include a notification to the public of the name of the member who will be absent due to military duty and a notification that the member may be contacted through the Board member's email or by a written message submitted to the Township Manager's office.
  - d. The Board member who will be absent from a public meeting due to military duty shall be permitted to participate in, and vote on, business before the public body in a manner determined by the Township I.T. Director, or their designee, to ensure 2-way communication wherever feasible, ideally utilizing a form of teleconferencing whenever possible.
  - e. The member of the public body who will be absent from a meeting due to military duty shall be considered present at the public meeting.

## **8. RECORD OF MEETINGS**

### **8.1 Recording Responsibility:**

The Township Clerk shall be responsible for maintaining the official record and minutes of each meeting of the Township Board. The minutes shall include all of the actions of the Township Board with respect to motions. The records shall include the names of the mover and seconder and the vote of the Township Board. The record shall also state if the vote was by roll call, and when by roll call, the record shall show the "Yes," "No," or abstention for each member.

Upon the absence of the Township Clerk, the Township Treasurer shall act as recording secretary for that meeting.

The Township Clerk shall maintain in the office of the Township Clerk copies of each Resolution and Ordinance or other matter acted upon by the Township Board.

### **8.2 Record of Discussion:**

The Township Clerk shall be responsible for making a live stream video recording of each regular meeting, and such recording shall be maintained in the office of the Township Clerk until the minutes for that meeting are approved by the Township Board. The live stream video recording of meetings shall be made available on the Township website via a link to a third-party website and retained for a period of one year following each meeting.

### **8.3 Request for Remarks to be Included:**

Any member may request to have his or her comments printed as part of the record. If there are no objections by any member, the comments may be included. If there is an objection to such printing of the comments, the Township Board shall decide the matter by majority vote. Such comments, included as part of the official record, shall be transcribed exactly by the Township Clerk from the electronic tape recording.

### **8.4 Public Access to Meeting Records:**

The Township Clerk shall make available to members of the public the records and minutes of official meetings in accordance with the Freedom of Information Act. Minutes prepared by the Township Clerk, but not approved by the Body, shall be available for public inspection not more than eight (8) business days following the meeting. Minutes approved by the Township Board shall be available within five (5) business days of the meeting at which they were approved.

8.5 Publication of Minutes:

The Township Clerk shall be responsible for publication of a synopsis of the minutes at least once a month.

**9. EXECUTIVE SESSIONS**

9.1 Procedure:

The Township Board may meet per the Open Meetings Act, PA 267 of 1976, in executive session, closed to the public, upon the motion of any member and concurrence of 2/3 (two thirds) of the members present. The vote shall be recorded in the minutes of the meeting at which the decision to hold an executive session was made.

9.2 Purposes:

The Township Board shall hold executive sessions only for the following purposes:

1. To consider the dismissal, suspension or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of a public officer, employee or staff member, or individual agent, if the named person requests a closed hearing. A person requesting a closed hearing may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open sessions.
2. Strategy and negotiation sessions connected with the negotiation of a Collective Bargaining Agreement.
3. To consider the purchase or lease of real property prior to the time that an option to lease or purchase such real property is secured.
4. To consult with legal counsel regarding trial or settlement strategy in connection with specific pending litigation but only when an open meeting would have a detrimental effect on the Township Board's litigating or settlement position.
5. To review and consider the specific contents of an application for employment or appointment to a public office if a candidate requests that the application remain confidential. Whenever the Township Board shall meet to interview an applicant it shall be an open session.
6. To review other matters exempt from disclosure by state or federal law

9.3 Minutes:

At each executive session, the Township Clerk shall keep a separate record. This record of minutes shall not be disclosed to the public except upon court order.

These minutes may be destroyed one year and one day after approval of the minutes of the regular meeting at which the closed session was approved.

**10. MOTIONS AND RESOLUTIONS**

10.1 Statement by Chair:

No motion or resolution shall be adopted until the motion or resolution is restated by the person chairing the meeting.

10.2 Order of Motions:

Whenever a question is under debate, no motion shall be received except a motion to:

1. Fix the time of the next meeting.
2. Adjourn.
3. Recess.
4. Vote immediately.
5. Lay on the table.
6. Postpone to a certain time.
7. Postpone indefinitely.
8. Amend.
9. Approve abstention from voting.

These motions shall take precedence in the order in which they are stated above.

10.3 Non-Debatable Motions:

The motions to adjourn, to recess, to lay on the table and to vote immediately shall be ordered and voted upon without debate.

**11. VOTING**

Whenever a question is put by the Chair, every member present shall vote. No member present shall abstain from voting "yes" or "no" unless excused by the unanimous consent of the other members of the Township Board present. Conflict of interest shall be the sole reason for a request to abstain from voting.

#### Conflict of Interest:

If a member feels they have a conflict of interest on any agenda item, they shall notify the chair immediately. The Township Board shall then determine if a conflict does in fact exist. If excused by the Board that member will be allowed to abstain and will not participate in the deliberation on that item.

#### 10.2 Roll Call Vote:

Roll call votes will be taken on any Ordinance, on the Consent Agenda and other items as required by law.

On demand by any member the vote on any pending question shall be taken by a roll call vote.

In all roll call votes, the names of the members of the Township Board shall be called in alphabetical order and the name called first on any roll call shall be called last on the next roll call vote.

### **12. PARLIAMENTARY PRACTICE RULES**

The rules of Parliamentary Practice as contained in the current edition of Robert's Rules of Order shall govern the Township Board in all cases to which they are applicable, provided they are not in conflict with these rules, with the Township Ordinances, or the laws of the State of Michigan.

### **13. ORDINANCE ADOPTION**

#### 13.1 Introduction:

Every proposed ordinance shall be introduced in writing. Following introduction of a proposed ordinance, the Township Board may set a date for the Public Hearing on the proposed ordinance.

#### 13.2 Publication:

Following introduction of a proposed ordinance, the Township Clerk shall publish the proposed ordinance. The Public Hearing may not be held sooner than five (5) days after the publication.

#### 13.3 Adoption:

After the Public Hearing, the Township Board may consider a resolution enacting the proposed ordinance.

13.4 Publication After Adoption:

Each ordinance shall be published in full within ten (10) days after its adoption by the Township Board.

**14. APPOINTMENTS**

Where no appointment procedure is defined by law, or ordinance, such appointments will be made by the Township Supervisor and be subject to the approval of a majority of the Township Board.