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Title: Board Rules and Procedures

Adoption Date: September 17, 2018 by Board of Trustees
Authority: Section 42.7 (f) of the Compiled Laws of Michigan

Summary Statement:

The Charter Township of Chesterfield Board Rules and Procedures will ensure the practice of efficient, effective, and clear processes for which the Board of Trustees meetings will operate under.

Actual Order as Written:

1. MEETINGS

- 1.1 Regular schedule. The Township Board shall meet in accordance with the annual meeting calendar approved by the Board of Trustees.
- 1.2 Special meetings. The Charter Township Board shall meet in special session at the call of the Township Clerk upon the written request of the Supervisor or two members of the Township Board. Notice of special meetings shall be given to each township board member at least 18 hours in advance of the special meeting. Such notice shall be served personally, left at the member's usual place of residence, or transmitted electronically by the township or the Clerk's designee. The notice shall also contain the time, place, and purpose of the meeting.
- 1.3 Place of meeting. Regularly scheduled meetings shall be held in the Township Municipal Offices located at 47275 Sugarbush, Chesterfield Township. The Supervisor and Clerk may change the meeting to an alternate facility. A notice of such change shall be prominently posted on the door of the regular meeting place. The Clerk shall also post notice of such change in compliance with the Michigan Open Meetings Act.
- 1.4 Time of meetings. Regularly scheduled meetings shall begin at 7 o'clock in the evening unless the board shall by majority vote in session set a different starting time. The Township Board shall not begin considering any matter on the agenda not yet under consideration by the hour of 10:30 P.M. 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.

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

2. PUBLIC NOTICE OF MEETINGS

The Township Clerk shall be responsible for providing the proper notice for all meetings of the township board. Such notification shall include but not necessarily be limited to the following:

- 2.1 Regular meetings. The Clerk shall post or publish a notice within 10 days after the first meeting of the township board in each calendar year, indicating the dates, times, and places of the board's regular meeting schedule.
- 2.2 Schedule change. Whenever the board shall change its regular schedule of meetings, the clerk shall post or publish a notice of the change within 3 days following the meeting in which the change was made.
- 2.3 Emergency meetings. If the board shall schedule a meeting under the provisions of Rule 2.5 or call a special meeting under Rule 2.2, the Clerk shall post a notice of such change immediately and no meeting except emergency meetings shall be held until the notice shall have been posted at least 18 hours. An emergency meeting shall be held only upon the call of the Supervisor or upon the consent of 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.
- 2.4 Notification to media and others. The Clerk shall notify, without charge, any newspaper, radio, or television station of such meeting schedule, schedule changes, or special meetings, whenever such newspaper, radio or television station shall have filed with the Clerk, a written request for such notice. The Clerk shall also notify other individuals or organizations of the regular meeting schedule, changes in the schedule, or special meetings, but only upon their written request and agreement to pay the Township for printing and postage expenses. The Clerk shall submit notification to the media and others via agreed upon form of communication, including electronically.
- 2.5 A public hearing is that portion of a meeting designed specifically to receive input from the public on a single issue. It may be required by ordinance or statute. The time, place, and subject of the hearing must be posted as required by the ordinance or statute and only the posted subject can be discussed. The hearing may be before, during or after a regular meeting or may be at a special meeting called specifically for that purpose. Absent a statutory requirement that the Board set a public hearing, like Act 188 for special assessments, the Clerk is directed to set a hearing date and send out notices. The hearing may be schedule before, during, or after a regular meeting of the board or committee, or may be the subject of a special meeting called

specifically for that purpose. A public hearing may be required by ordinance or statute.

3. QUORUM, ATTENDANCE, CALL OF THE TOWNSHIP BOARD

- 3.1 Quorum. Four members shall constitute a quorum for the transaction of business at all meetings of the township board.
- 3.2 Attendance. No member of the Township board may absent herself or himself from any board meeting without first having notified at least one board member. This should be done as soon as the requirement to miss a meeting is known.

4. MEETING AGENDA

Regular Meeting Agenda: The Township Clerk shall prepare the agenda of business for all regularly scheduled township board meetings. Any other board member or representative of Township committees, boards or commissions or citizens (with support of not less than two board members) desiring to place a matter on the agenda shall notify the Clerk of such item by 12:00 noon 7 days preceding the next regular meeting. Such requests must be submitted through the Clerk's office. All supporting documents pertaining to such agenda item shall also be given to the Clerk along with the notice. The Payment of Bills as submitted by the Finance Department for board approval must also be received by the Clerk by this time in order to receive consideration. Items that the clerk does not receive by the stated deadline shall not be considered by the board except upon the majority consent of the members present.

For the purpose of this section, the term "Specific Board Action" shall mean "a determination, action, vote, or disposition upon a motion, proposal, recommendation, resolution, order, ordinance or measure on which a vote by members of the board is required and by which the board effectuates and/or formulates public policy."

- 4.1 Special meeting agenda. Whenever the board shall be called into a special meeting, the matters to be considered shall be stated in the call of the meeting. No other matters shall be considered except when all members are present and a majority of the board concurs.
- 4.2 Distribution of agenda and materials. Upon completion of the agenda, or no later than 5 days prior to the meeting date, the Clerk shall distribute copies of the agenda together with copies of reports, explanations, etc., that relate to the business matters coming to the board. The Clerk may distribute such materials by mail, by placement in the board members Township mailbox or electronic means.
- 4.3 Order of business. The regular board meeting agenda shall be arranged in the following order of business.
 - 1. Call to order
 - 2. Pledge of Allegiance
 - 3. Roll call
 - 4. Approval of the Agenda (with Addendum)
 - 5. Presentation

6. Department Reports
7. Consent Agenda
 - A) Approval of minutes of previous board meetings
 - B) Approval of Bills
 - C) Utility Bills, bills and charges for reoccurring contract payments for approved contractsFinancial Reports
Management reports
Program or committee reports
Staff appointments
Volunteer appointments
Committee appointments
Correspondence that requires no action
Perfunctory items-formal approval of items that had much past discussion
8. Public Hearings (if necessary)
9. Regular Agenda (pending business or postponed items)
10. Addendum
11. Comments from the Public (5-minute time limit per speaker)
12. Comments from the Board
13. Closed Session (if needed)
14. Adjournment

5. CONDUCT OF MEETINGS

- 5.1 **Chairperson.** The Township Supervisor shall moderate and chair all meetings of the township board. In the absence of the Supervisor, the Clerk is to assume the chair to open the meeting and during the selection of a member, by voice vote, to moderate the meeting. The selected Chairperson pro tempore shall assume the duties of the chair.
- 5.2 **Board members wishing to speak.** They shall first obtain the approval of the chair and each person who speaks shall address the chair. No member shall speak a second time on any motion until all members have had the opportunity to speak once. Members shall address the board and not the public.
- 5.3 **Public Participation.** Those attending the meeting who wish to speak, either during public comments or during a public hearing, shall do so in accordance with the following: Other persons wishing to speak at the meeting shall not speak unless recognized by the chair, and shall state their name and address, or may give the address of the business they represent or community in which they reside. Public comments on agenda items will be limited to 3 minutes per agenda item per speaker. Public comments at the end of the meeting will be limited to 5 minutes per speaker. Comments should avoid coarse language, cursing, and personal attacks, may not be addressed to anyone other than the Board or Chairperson, and will not be guaranteed a reply back during the meeting. Should such speaker request information, they may fill out a comment form and a Board Member or Township employee will respond back in a reasonable time frame.

- 5.4 Disorderly conduct at meetings. The Chairperson may call to order any person who is being disorderly by speaking or otherwise disrupting the proceedings, by failing to be germane, by speaking longer than the allotted time, or by speaking vulgarities. Such person shall thereupon be seated until the Chairperson shall have determined whether the person is in order. If the person shall continue to be disorderly and disrupt the meeting, the Chairperson may order a sergeant-at-arms 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.

6. RECORD OF MEETINGS

- 6.1 Clerk responsibility. The Township Clerk or Deputy Clerk shall be responsible for maintaining the official record and minutes of each meeting of the board. The minutes shall include all the actions of the board with respect to motions. The record shall include the name of the maker, supporter and the vote of each member of the board on all final actions. Corrected minutes must be available no later than the next meeting after correction and must show both the original entry and the correction. The board approved minutes, shall require a wet signature from the Township Clerk and Supervisor. Resolutions and Ordinances shall require a wet signature from the Township Clerk and/or Supervisor as stated on that given document. The Clerk shall maintain in the office of the Clerk, copies of each resolution and ordinance or other matters acted upon by the board. The official minutes signed by the Township Clerk and Supervisor, however, may refer to those matters by an identifying number and title descriptive of the ordinance, resolution, or other matter.
- 6.2 Record of discussion. The Clerk shall not be responsible for maintaining a written record or summary written record of the discussion or comments of the board members nor of comments made by members of the public. The Clerk, however, shall be responsible for audio and/or visual recordings of each entire meeting of the board, and each such recording shall be maintained in the office of the Clerk until such time as the minutes of that particular meeting are approved by the Township board. The Clerk shall retain all audio and/or video recordings of the board meetings for one year. Thereafter, the recording may be deleted unless the recording is pertinent to any legal proceedings then underway, pending, or expected.
- 6.3 Request for remarks to be included. Any member of the board may request to have his or her comments printed as part of the record. If there are no objections by any members of the board, the comments may be included. If there is an objection to such printing of the comments, the board shall decide the matter by majority vote of those present. All comments to be included, as part of the official record shall be provided to the clerk in writing by the member.
- 6.4 Public access to meeting records. The clerk shall make available to members of the public the records and minutes of board meetings in accordance with the Freedom of Information Act. Minutes prepared by the Clerk, but not approved by the board, shall be available for public inspection on the Township's website as soon as

practical. Minutes approved by the board shall be available within five business days of the meeting at which they are approved. The Clerk shall also send copies of approved minutes in compliance with the Michigan Open Meetings Act.

- 6.5 Publication of minutes. The clerk shall be responsible for the preparation and publication of the minutes in accordance with the Michigan Open Meetings Act.

7. COMMITTEES AND COMMISSIONS

- 7.1 Appointment. Annually, within 30 days of the organization of the board, the supervisor shall appoint members of the board to standing committees or commissions. Such recommendation is subject to confirmation by a majority vote of the board members.
- 7.2 Committees or commissions which will have a board representative shall include: Planning, Zoning Board of Appeals, Economic Development, Personnel and Labor Relations (up to three board members), Parks & Recreation, Historical Society, Water & Sewer Rate Advisory Board. Other committees or commissions: May be formed or dissolved by the Township Board. Appointments to said committees or commissions will be decided by a majority of the Township Board.

8. EXECUTIVE (CLOSED) SESSIONS

- 8.1 Procedure. The township board may meet in executive session, closed to the public, in accordance with Michigan Open Meetings Act. The votes (roll call) shall be recorded in the minutes of the meeting at which the decision to hold an executive session was made.
- 8.2 Minutes. At each executive session, the Clerk shall keep a separate record and read to the board the minutes recorded before the executive session adjourns. This record of minutes shall not be disclosed to the public except upon court order. The Clerk may destroy said minutes in compliance with the Michigan Open Meeting Act.

9. SALE OR LEASE OF TOWNSHIP REAL PROPERTY

- 9.1 Sale or Lease of Township Real Property Requires
- A. Open Meeting: Any decision to sell or lease Township-owned real property shall be made by the Township Board at a public meeting, in open session, pursuant to the Michigan Open Meetings Act, being Act 267, Public Acts of 1976, as amended.
 - B. Public Hearing: Prior to the sale or lease of Township-owned real property, the Township Board shall hold at least one (1) public hearing. A Notice of Public Hearing shall be published in a newspaper having a general circulation in the Township at least once and not less than ten (10) days prior to the date of the public hearing.

- C. **Decision to Sell or Lease Real Property:** The decision to approve or disapprove the sale or lease of Township-owned real property shall be made by the Township Board within forty-five (45) days subsequent to the date of the public hearing. The vote to approve or disapprove the sale or lease shall be conducted in open session at a public meeting and shall occur by roll call vote.

- D. **Competitive Bids; Advertisement for Bids; Requirements:**
 - 1 Subsequent to a decision by the Township Board to sell or lease Township-owned real property, competitive bids shall be secured before any written offer to purchase or lease is accepted by the Township.

 - 2 The Board shall advertise for the competitive bids in a newspaper of general circulation in the Township once each week for three (3) successive weeks. The advertisement for bids shall do all of the following:
 - (i) Specify the date and time by which all bids must be received by the Township Board.

 - (ii) State that the Board will not consider or accept any bid received after the date and time specified for bid submission.

 - (iii) Identify the time, date and place of a public meeting at which the Township Board will open and read aloud each bid received by the board by the date and time specified in subsection (i).

 - (iv) The Board shall require each bidder to submit, together with a written bid, and earnest money deposit in an amount not less than ten (10%) percent of the amount of the bid to secure the township from loss or damage by reason of the withdrawal of any bid or by the failure of the bidder to enter into a contract if the bid is accepted by the Township Board.

 - (v) The Township Board shall not open, consider or accept a bid that the Board receives after the date and time specified for bid submission in the advertisement for bids.

- E. **Consideration of Bids; Acceptance/Rejection:** At the public meeting identified in the advertisement for bids, the Township Board shall open and read aloud each bid that the board receives at or before the time and date for bid submission specified in the advertisement for bids. The board may reject any and all bids, and if all bids are rejected, may re-advertise in the manner described by these rules.

The decision to accept a bid for the sale or lease of Township- owned real property shall be made within thirty (30) days after the bids are opened and by roll call vote in open session.

10. MOTIONS

All Board Motions shall pass by a majority vote of those present, unless an exception is provided for in state statute or in these rules.

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

- Fix the time to adjourn
- Adjourn
- Recess
- Clear the floor
- Table
- Vote immediately
- Postpone to a certain time
- Amend

These motions shall take precedence in the order stated above.

10.2 Non-debatable motions: Motions to adjourn, clear the floor, recess, table, vote immediately, and all questions relating to the priority of business, shall be ordered and voted upon without debate.

10.3 3 Rules on procedural motions: A decision to lay on the table shall carry with it all questions to which it is attached.

- A. A motion to vote immediately may be limited by the mover to one or more questions preceding the question itself. A roll call vote may be demanded on the questions to vote immediately. Whenever the question to vote immediately is ordered, any questions, order, or appeal from the decision of the chair shall be decided without debate. If the board rejects a motion to vote immediately, the consideration of the matter shall be resumed as if no motion therefor had been made.
- B. A motion to reconsider shall be in order on any question the board has decided, but no question shall be reconsidered more than once. The motion to reconsider shall be in order, however, on the same day as the vote to be reconsidered was taken and in the next regular meeting following. The motion to reconsider shall be moved only by a member who voted with the majority on the vote to be reconsidered.

A motion to reconsider a motion to amend shall not be in order if the main question has been voted upon. If the board has adopted the question of reconsideration, however, motions to amend shall be in order.

- C. A motion to clear the floor may be made by the chair at any time the chair believes that procedural matters have become sufficiently confused. If the motion is adopted, it shall clear the floor completely of all procedural motions and have the same effect as if all such matters have been withdrawn. The motion shall not be subject to debate nor, if adopted, to a motion to reconsider.
- D. A motion to suspend the rules temporarily may be made at any time. By majority vote the board may temporarily suspend the rules to facilitate the accomplishment of any legal objective of the board in the legal matter.
- E. Any member of the board may appeal any decision of the chair, also known as Challenge the Chair on all appeals the questions shall be "Shall the decision of the chair stand as the judgment of the Township Board?" Appeals shall be debatable except when the township board is under operation of the order to vote immediately or the decision appealed from related to the priority of business. Any such appeal may be laid on the table, but it shall not carry with it the matter before the township board at the time such appeal is taken.
- F. Any Board Member may call for a division or separation of any pending question. The question shall be divided if it contains propositions so distinct that, one being removed, a substantive proposition shall remain.

11. VOTING

Whenever a question is put by the chair, every member present shall vote on all questions decided by the township board. No member present shall abstain from voting yes or no, unless excused by unanimous consent of the other members present.

- 11.1 On demand by the Township Board Member, the vote on any pending question shall be taken by a recorded roll call vote.
- 11.2 When a record roll call vote is demanded and after the chair has stated the question, the Clerk is directed to call the roll; no board member is entitled to speak on the question, nor shall any motion be in order until such roll call is completed and the result announced.

12. PROCLAMATIONS AND TRIBUTES

12.1 Any Board Member may sponsor a Proclamation and present such Proclamation for approval by the Board. Each member may add his or her name only with the permission of the sponsor.

12.2 Any Board Member may prepare and present a Tribute to honor a particular individual or group. A tribute does not require approval of the Board and can be presented under Presentations.

13. AMENDMENTS

Amendments to the board rules shall pass by a majority vote of the members serving as Trustees of the Township Board.

These rules of procedure replace any and all previously approved rules and/or amendments to the previously labeled: Chesterfield Board Meeting Rules and Regulations

These rules shall be in effect until replaced by the board in session.

References:

Michigan Charter Township Act Section 42.7: Township Board Meetings.

Michigan Open Meetings Act: Requirements of Certain Meetings of Public Bodies.

Michigan Townships Association: Board Rules of Engagement.

Michigan Municipal League: Sample Meeting Agendas.

Definitions:

Agenda: a list of items to be discussed at a formal meeting.

Attendance: the action or state of going regularly to or being present at a place or event.

Chairperson: The chairman (also chairperson or chair) is the highest officer of an organized group such as a board, a committee, or a deliberative assembly.

Electronically: By means of electronic equipment or devices.

Minutes: Also known as protocols or, informally, notes, are the instant written record of a meeting or hearing. They typically describe the events of the meeting, starting with a list of attendees, a statement of the issues considered by the participants, and related responses or decisions for the issues.

Motion: A formal proposal put to a legislature body or committee.

Open Meeting: A state or federal law requiring that governmental meetings be open to the public.

Public Hearing: A public hearing is a specifically designated time, place, and opportunity for citizens, community groups, businesses, and other stakeholders to address the Township Board on a particular issue. It allows interested parties to express their opinions and the Township Board to hear their concerns and advice.

Quorum: The minimum number of members of a deliberative assembly (a body that uses parliamentary procedure, such as a township board) necessary to conduct the business of that group.

Resolution: In law, resolution is a written motion adopted by a deliberative body. The substance of the resolution can be anything that can normally be proposed as a motion.

Proclamation: A resolution approved by the Board recognizing or acknowledging an individual, group, or event.

Tribute: Written form of recognition or acknowledgement honoring a group or individual.

Adjourn: Means to end something either temporarily or permanently or to postpone it to another time or place.

Amend: A formal way for asking to change the motion originally made.

Clear the floor: Used to clear the floor completely of all procedural motions and have the same effect as if all such matters have been withdrawn.



Fix the time to adjourn: The motion to Fix the Time to Which to Adjourn is the one that can be made at just about any time, no matter what else is before your meeting. It may become clear at some point in the meeting that you need more time if you're to get everything accomplished that you intended. And you don't want to wait until the next regular meeting to finish things up.

Postpone: The postponement of an item to a later time and date.

Recess: A period of time when the proceedings of a parliament, committee, court of law, or other official body are temporarily suspended.

Table: To remove an item indefinitely. Items that are tabled can be placed back on an agenda with 2/3 vote.

Vote immediately: Motion if adopted, a vote is taken at once on the pending question.

Adoption Certification by

Bradley A. Kersten, Supervisor

Cindy Berry, Clerk