

## Township Board Rules

### I. AUTHORITY AND DEFINITIONS

1.1 **Authority.** These rules are adopted by the Board of Trustees of the Charter Township ("Township Board") of Mt. Morris pursuant to the provisions of **MCL 42.7(f)**.

1.2 **Definitions.** The following definitions apply to these Township Board Rules:

A. ***Unfinished Business:*** Any matter previously brought before the Township Board during a prior meeting which is being addressed at the current Township Board meeting;

B. ***New Business:*** Any matter that will be raised for the first time at the current Township Board meeting;

C. ***Board Comments:*** Announcements by a Township Board member concerning Township events or community activities in which a Township Board member is involved;

D. ***Attorney Reports:*** Report by Township Attorney of any legal issue of the Township being addressed by a Township Attorney;

E. ***Police Chief Reports:*** Report of the Chief of Police regarding any issue related to the Township Police Department.

F. ***Fire Chief Reports:*** Report of the Chief of Fire Department regarding any issue related to the Township Fire Department.

### II. MEETINGS

2.1. **Regular Schedule.** The Township Board will meet on the second and fourth Mondays of each month in regular session. If any regularly scheduled meeting falls on one of the legal holidays, the regular meeting will be held on the next secular day that is not a holiday.

2.2. **Special Meetings.** The Township Board will meet in special session, provided as follows:

A. Special Meetings will be scheduled at the call of the Township Clerk upon written request of the Supervisor or 2 members of the Township Board.

## Township Board Rules

B. Notice of special meetings must be given to each Township Board member at least 24 hours in advance of the special meeting.

2.3. **Place of Meeting.** Regularly scheduled meetings must be held in the Township hall, provided as follows:

A. Whenever the regular meeting place of the Township Board appears to be inadequate to accommodate all of the public expected to attend, the Supervisor and Township Clerk may change the meeting to a larger facility located in the Township.

B. A notice of such change must be prominently posted on the door of the regular meeting place.

2.4. **Time of Meetings.** Regularly scheduled meetings must begin at 5:30 p.m. unless the Township Board, by a majority vote, sets a different starting time.

2.5. **Change in Schedule.** Changes in the regular schedule may not be made except upon the approval of a majority of the Township Board members in session. In the event the Township Board meets and a quorum is not present, the Township Board, upon the 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.

### III. NOTICE OF MEETINGS

3.1 **Public Notice of Meetings.** The Township Clerk is responsible for providing the proper notice for all meetings of the Township Board as provided in this **Section III**.

3.2 **Regular Meetings.** The Township Clerk must 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 Township Board's regular meeting schedule. The Township Clerk must also post the schedule and schedule changes on the Township webpage.

3.3. **Schedule Change.** Whenever the Township Board changes its regular schedule of meetings, the Township Clerk must post or publish a notice of the change within 3 days following the meeting in which the change was made.

3.4. **Emergency Meetings.** If the Township Board reschedules a meeting under the provisions of **Rule 2.5** or calls a special meeting under **Rule**

## Township Board Rules

2.2, the Township Clerk must post a notice of such change immediately and no meeting except emergency meetings may be held until the notice has been posted at least 24 hours. An emergency meeting may be held:

- A. Only upon the consent of 2 Township Board members; and
- B. Only if a delay would threaten severe and imminent danger to the health, safety, and welfare of the public.

3.5. **Notification to Media and Others.** The Township Clerk must 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 has filed with the Township Clerk, a written request for such notice. The Township Clerk must 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 Township Clerk must mail all such notices pursuant to this rule by first class mail.

### IV. REGULAR MEETING AGENDA

4.1 **Regular Meeting Agenda.** The Township Clerk must prepare the agenda of business for all regularly scheduled Township Board meetings, provided that:

- A. Any Township Board member desiring to place a matter on the agenda must notify the Township Clerk of such item in writing by noon on the Wednesday preceding the next regular meeting.
- B. The order of such items on the agenda must be the same as they were received by the Township Clerk and be placed under the heading of "Pending Business" or "New Business" as appropriate.
- C. Items that the Township Clerk does not receive by the stated deadline will not be considered by the Township Board except upon the unanimous consent of the members present.

4.2 **Special Meeting Agenda.** Whenever the Township Board is called into a special meeting, the matters to be considered must be stated in the call of the meeting. No other matters may be considered except when all members are present and a majority of the Township Board concurs.

## Township Board Rules

4.3 **Distribution of Agenda and Materials.** Upon completion of the agenda the Township Clerk must immediately distribute copies of the agenda together with copies of reports, explanations, etc., that relate to the business matters coming to the Township Board. The Township Clerk may distribute such materials by email or by leaving the same in the mail box of each board member at the Township Office.

4.4 **Order of Business.** The agenda must be arranged in the following order of business:

- A. Call to order;
- B. Pledge of Allegiance;
- C. Roll Call;
- D. Approval of minutes;
- E. Payment of Bills;
- F. Brief public comment as to agenda items only;
- G. Unfinished Business;
- H. New Business;
- I. Public Comments;
- J. Board Comments;
- K. Attorney Reports;
- L. Police Chief Report;
- M. Fire Chief Report;
- N. Closed Session (if any);
- O. Open Session to take any action required by Closed Session.
- P. Adjournment.

## Township Board Rules

### V. CONDUCT OF MEETINGS

5.1 **Conduct of Meetings.** Meetings must be conducted as provided in this **Section V**.

5.2 **Chairperson.** The Township Supervisor must moderate and chair all meetings of the Township Board. In the absence of the Township Supervisor, the members of the Township Board then present must by roll call vote appoint a the chairperson pro tem, who must assume the duties of the chair.

5.3 **Approval to Speak.** Township Board members wishing to speak must first obtain the approval of the chair and each person who speaks must address the chair. Other persons at the meeting may not speak unless recognized by the chair. No member may speak a second time on any motion until all members have had the opportunity to speak once.

5.4 **Disorderly Conduct at Meetings.** The Township Supervisor 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, provided as follows:

A. Such person must at the direction of the Township Supervisor be seated until the Township Supervisor determines whether the person is in order.

B. If a person is called out of order by the Township Supervisor, he or she will not be permitted to continue to speak at the same meeting except on special leave by the Township Board.

C. If the person continues to be disorderly and disrupt the meeting, the Supervisor may order the Chief of Police, or his designate, to remove the person from the meeting.

D. No person may be removed from a public meeting except for an actual breach of the peace committed at the meeting.

5.5 **Time Limits.** Comments at a Board Meeting must be within the following limitations:

A. Comments (as provided in **Rule 4.4F** and/or as provided in **Rule 4.4I**) by any member of the public must be 2 minutes or less; and

## Township Board Rules

B. Comments (as provided in **Rule 4.4J**) by a Board Member must be 5 minutes or less.

### VI. RECORD OF MEETINGS

6.1. **Clerk Responsibility.** The Township Clerk or Deputy Township Clerk is responsible for maintaining the official record and minutes of each meeting of the Township Board. The minutes must include all the actions of the Township Board with respect to motions. The record must include the name of the mover and the vote of each member of the Township Board on all final actions.

6.2. **Record of Discussion.** The Township Clerk is not responsible for maintaining a written record or summary written record of the discussion or comments of the Township Board members or of comments made by members of the public, provided as follows:

A. The Township Clerk may make an electronic recording of each entire meeting of the Township Board.

B. Any recording made by the Township Clerk must be maintained by the Township Clerk until the minutes of that meeting are approved by the Township Board.

C. Any recording may be erased after the minutes of that meeting are approved by the Township Board, unless the recording is pertinent to any legal proceedings then underway, pending, or anticipated.

6.3. **Requests for Remarks to be Included.** Any member of the Township Board may request, during the meeting of the Township Board, to have his or her remarks included in the minutes of the meeting, provided as follows:

A. The Township Clerk may summarize the substance of the remarks;

B. The member whose remarks are included in the minutes must provide the Township Clerk with any objection, in writing, to the summary prepared by the Township Clerk no later than noon of the meeting at which the minutes will be approved;

C. The member whose remarks are included in the minutes who does not provide a written objection to the summary prepared by the

## Township Board Rules

Township Clerk, as provided in **Rule 6.3B**, shall be deemed to have waived any objection thereto.

6.4. **Public Access to Meeting Records.** The Township Clerk must make available to members of the public the records and minutes of Township Board meetings in accordance with the Freedom of Information Act, provided as follows:

A. Minutes prepared by the Township Clerk, but not approved by the Township Board, must be available for public inspection not less than 7 business days following the meeting.

B. Minutes approved by the Township Board must be available within 7 business days of the meeting at which they were approved.

C. The Township Clerk must promptly send copies of Minutes to persons who have subscribed and paid the fee therefor as determined by the Township Board.

6.5. **Publication of Minutes.** The Township Clerk must arrange for publication of a summary of the Minutes in the Genesee County Herald within 7 days after approval by the Township Board of the Minutes.

## VII. COMMITTEES

7.1. **Appointment.** Annually, within 30 days of the organization of the Township Board, the Supervisor must appoint members of the Township Board to standing committees as listed under **Rule 7.3**.

7.2. **Committee Chair.** The person first listed on the roster of each committee must be the committee chair. In the absence of the committee chair at any committee meeting, the person next listed must assume the chair.

7.3. **Committee Duties and Responsibilities.** Each committee must investigate any matter referred to it by the Township Supervisor or the Township Board and must report, in writing, its findings to the Township Board without undue delay. Upon the motion of any Township Board member, and approval of a majority of the Township Board, the Township Board may discharge a committee from further consideration of any matter.

7.4. **Committee Meetings.** A majority of the members of the committee constitutes a quorum. Meetings of committees must be open to members of the public within the provisions of the Open Meetings Act, provided as follows:

## Township Board Rules

A. Each committee must maintain a written record of its meetings and must deliver such record to the Township Clerk.

B. The Township Clerk must maintain a separate file for each committee.

C. The record of each committee must include at least the following: the date and place of the meeting, members attending, and any final recommendations that the committee has approved.

D. Such meeting record constitutes a public record within the meaning of the Freedom of Information Act, and is made available to any person as required by that act.

E. No committee may sit during a session of the Township Board unless the Township Board grants it leave to do so.

**7.5. Committee of the Whole.** Whenever the Township Board meets in "working meetings," the Township Board must meet as a committee of the whole, provided as follows:

A. The Township Supervisor must preside. In the absence of the Township Supervisor, the members of the Township Board then present must by roll call vote appoint a chairperson pro tem, who must assume the duties of the chair.

B. Meetings of the committee of the whole must conform to the requirements of the Open Meetings Act with respect to public notice except when the Township Board must devolve into a committee of the whole at one of its regular meetings.

C. The rules of the Township Board must be observed in meetings of the committee of the whole as far as they are applicable, except with respect to limiting debate, moving to vote immediately, and taking a roll call vote.

D. Ordinances referred to the committee of the whole, unless otherwise ordered by the committee, must be read aloud by the Township Clerk and then considered and adopted by sections. All amendments must be offered in writing and read aloud by the Township Clerk.

## Township Board Rules

E. Whenever the committee of the whole must have completed its deliberations, a member must move that the committee rise and report to the Township Board. The motion to rise is always in order and must be decided without debate. Motions recommending action by the Township Board must take precedence in the same order as analogous motions in the Township Board. A motion to reconsider any matter of substance acted upon by the committee of the whole and made by a member of the voting majority must always be in order.

### VIII CLOSED SESSIONS

8.1 **Procedure.** The Township Board may meet in closed session, closed to the public, upon motion of any member and upon roll call majority vote of the Township Board. The votes must be recorded in the minutes of the meeting at which the decision to hold a closed session was made.

8.2 **Purposes.** The Township Board may hold closed sessions only for the following purposes:

A. To consider the dismissal, suspension, or disciplining of an employee; or to hear complaints or charges against such a person, but only when the subject of the proposed action or charges requests the meeting to be closed.

B. To consider strategy connected with the negotiation of collective bargaining agreement.

C. 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.

D. To consult with the Township attorney regarding trial or settlement strategy in connection with specific pending legislation but only when an open meeting would have a detrimental effect on the Township's litigation or settlement position.

E. To review the specific contents of an application for employment to a Township office and the applicant requests that the application remain confidential. Whenever the Township Board meets to interview an applicant it must be in open session.

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

## Township Board Rules

### IX. MOTIONS AND RESOLUTIONS

9.1. **Statement by Chair, Written Motions, and Resolutions.** No motion or resolution may be adopted until the motion or resolution is stated by the person chairing the meeting.

9.2. **Order of Motions.** Whenever a question is under debate, no motion may be received except a motion to:

- A. Adjourn
- C. Recess
- D. Vote immediately
- E. Table
- F. Postpone
- G. Amend

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

9.3. **Nondebateable Motions.** The motion to adjourn, recess, vote immediately, table, postpone or amend must be ordered and voted upon without debate.

9.4. **Rules on Procedural Motions.** A decision to lay on the table must carry with it all questions to which it is attached.

9.5. **Motion for Immediate Vote.** A motion to Vote Immediately may be limited by the mover to one or more questions preceding the main question itself. A roll call vote may be demanded on the question to vote immediately. Whenever the question to vote immediately is ordered, any questions, order, or appeal from the decision of the chair must be decided without debate. If the Township Board rejects a motion to vote immediately, the consideration of the matter must be resumed as if no motion therefor had been made.

### X. VOTING

10.1. **Voting.** Whenever the chair puts a question to the members, every member present must vote on all questions decided by the Township Board. No

## Township Board Rules

member present may abstain from voting "yes" or "no," unless excused upon the consent of the two-thirds of the members present.

10.2 **Record of Vote.** The vote on any pending final measure must be taken in such a way that the record can show how each member voted. The manner must be by a record roll call vote unless the chairperson concludes that all members are in agreement in which case he may state, "Without objection the chair must direct the Township Clerk to enter a unanimous affirmative (or negative) roll call vote. Is there Objection? Hearing none, the Township Clerk will enter a unanimous affirmative (or negative) roll call vote."

10.3 **Record Roll Call Vote.** When a record roll call vote is demanded on a question and after the chair has stated the question, the Township Clerk is directed to call the roll; no member of the Township Board is entitled to speak on the question, nor must any motion be in order until such roll call is completed and the result announced.

## XI. PARLIAMENTARY AUTHORITY

11.0 **Parliamentary Authority.** Robert's Rules of Order, Newly Revised Edition, 2000 govern all questions of procedure that are not otherwise provided by these rules or state law.

## XII. INTRODUCTION AND CONSIDERATION OF ORDINANCES

12.1. **Review by Township Attorney.** Each ordinance, before being introduced, must be approved as to form and section numbers by the Township attorney.

12.2. **Order for Consideration.** The regular order for consideration of proposed ordinances must be:

A. Introduction, first reading by title.

B. Final reading and vote. The final reading must be in full unless otherwise ordered by a majority of those members present.

12.3. **Final Adoption.** Following the last public hearing on a proposed ordinance, the votes must be taken on a record call of the roll. No motion must be declared adopted without an affirmative vote of 4 members.

12.4. **Publication and Effective Date.** No ordinance may become effective until 30 days following the publication of the ordinance unless the

## Township Board Rules

Township Board must declare by majority vote that the ordinance must have immediate effect on publication of the ordinances. The Township Board must not declare immediate effect for any ordinances that imposes a penalty for a violation thereof.

12.5. **Record of Ordinances.** Following the publication of any new ordinance or a revision thereof, the Township Clerk must comply with the provisions of **MCL 41.192** with respect to the recording of such ordinances.

### XIII INTRODUCTION AND ADOPTION OF ADMINISTRATIVE RESOLUTIONS

13.1. **Definition.** Any action regarding the operation or matters concerning the administration of Township government or containing statements of policy applicable to internal operations of the Township and which is not adopted as an ordinance must be declared an administrative resolution.

13.2. **Introduction.** Any Township Board member may introduce an administrative resolution at any regular or special meeting of the Township Board in the regular course of business.

13.3. **Order for Consideration.** The regular order for consideration of proposed administrative resolution must be:

A. Introduction, first reading by title, and reference to the appropriate committee as determined by the Supervisor.

B. Written report by the committee considering the administrative resolution and placement on the agenda under pending business – adoption of resolution.

C. Final reading and vote. The final reading must be in full unless otherwise ordered by a majority vote of those members present.

13.4. **Form.** Each administrative resolution must conform to the form required for the introduction and adoption of ordinances.

13.5. **Committee Review.** The Township Supervisor must refer all proposed administrative resolutions to an appropriate Township Board committee. The committee must review the proposal and invite the affected department(s) of the Township to comment and state any objections they may have. In the committee's written report to the Township Board must include a summary of objections made to the committee. Any administrative resolution report without

## Township Board Rules

recommendation must automatically lie on the table until ordered removed by the Township Board.

13.6. **Board Consideration and Vote.** The Township Board may consider the committee recommendation and proceed to adopt the administrative resolution, or it may refer the matter to the committee of the whole where further comment and objections may be heard. When the committee rises it must make its report to the Township Board. The Township Board may then vote on final adoption. A motion to amend the administrative resolution must be in order at any time prior to final adoption. On the final adoption of all proposed administrative resolutions, the vote must be taken on a record call of the roll. No motion may be declared adopted without an affirmative vote of 4 members.

13.7. **Notification and Effective Date.** Upon the final adoption of an administrative resolution, the Township Clerk must notify each Township department head of the Township Board action. Such notification must be by title or summary. The Township Clerk must have available a copy of the full administrative resolution.

13.8. **Record of Administrative Resolutions.** The Township Clerk must keep a paper copy of each administrative resolution of the Township Board in a separate file or book with appropriate subcategory by subject covered. The record of each administrative resolution must provide the date of adoption, the record vote of each Township Board member by name, and any amendments thereto adopted by the Township Board.

13.9 **Numbering System.** The Township Clerk must develop a system of numbering and titling such administrative resolutions and an index of matters included in the total of such resolutions.