

**VEVAY TOWNSHIP
BOARD OF TRUSTEES**

RESOLUTION NO. 2020-14

A RESOLUTION TO AMEND RESOLUTION #2020-10 AND RE-ESTABLISHING RULES FOR ELECTRONIC/REMOTE MEETINGS FOR ATTENDANCE BY TOWNSHIP BOARD MEMBERS, AND OTHER PUBLIC BODIES OF THE TOWNSHIP, AND MEMBERS OF THE PUBLIC AT REMOTE MEETINGS AS PROVIDED FOR UNDER THE OPEN MEETINGS ACT.

Vevay Township Board of Trustees, Ingham County, Michigan, hereby resolves:

At a [regular/special] meeting of the Vevay Township Board of Trustees ("Board") held at 780 Eden Road, Mason, Michigan 48854, in the County of Ingham, State of Michigan, on the 14th day of December 2020, at 6:30 o'clock in the PM.

Present: Sherwood, Lazet, Kean, McNeilly, and Lacasse

Absent: None

The following preamble and resolution were offered by Lacasse and supported by Kean:

WHEREAS: Public Act 228 of 2020 amended the Open Meetings Act, PA 267 of 1976, section 3 and added section 3a to allow for electronic/remote meetings under certain circumstances,

WHEREAS: In the interest of the public health, safety, and welfare, the Board finds electronic/remotes meetings to be of value to the Board and others participating in public meetings under this Resolution and as provided by law;

WHEREAS: The Board desires to establishes rules to guide and facilitate electronic/remote meetings as provided by law;

WHEREAS: The Board desires to authorize and directs its Township Supervisor, Clerk, Treasurer, and Township Staff to take all necessary measures to enable the Board to facilitate public meetings as permitted under the Open Meetings Act.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board authorizes and directs its Township Supervisor, Clerk, Treasurer, and Township Staff to take all necessary measures to enable the Board to facilitate public meetings as permitted under the Open Meetings Act.

The Board immediately authorizes its Board members, Township Staff, and members of the general public to attend all public meetings of the Board as permitted under the Open Meetings Act and hereby establishes the following rules:

1. The Board may conduct electronic meetings with remote participation for any reason through the end of 2020, as provided below:
 - a. Any member of an elected or appointed Board may choose to attend a meeting of that Board electronically for any reason.
 - b. All members of elected or appointed Boards or Commission may be required to attend meetings of those Boards or Commission electronically by vote of the Board.
 - c. All members of the media and public wishing to attend a meeting of any of the Board's elected or appointed Boards or Commission must do so electronically, or as limited under state or local health orders.
2. Between January 1, 2021 and December 31, 2021, the Township of Vevay provides:
 - a. Any member of an elected or appointed Board or Commission may choose to attend a meeting of that Board or Commission electronically due to military duty, a medical condition (i.e., an illness, injury, disability or other health-related condition), or a statewide or local state of emergency or state of disaster declared pursuant to law or charter by the governor or a local official or local governing body that would risk the personal health or safety of members of the public or the public body if the meeting were held in person.
 - b. Upon a vote requiring such by the Board, all members of an elected or appointed Board or Commission may be required to attend a meeting of that Board electronically if a statewide or local state of emergency or state of disaster is declared pursuant to law or charter by the governor or a local official or local governing body that would risk the personal health or safety of members of the public or the public body if the meeting were held in person.
 - c. Upon a vote requiring such by the Board, all members of the media and public wishing to attend a meeting of any of the Board's elected or appointed boards must do so electronically if a statewide or local state of emergency or state of disaster declared pursuant to law or charter by the governor or a local official or local governing body that would risk the personal health or safety of members of the public or the public body if the meeting were held in person.

3. After December 31, 2021, only members of public bodies who are absent due to military duty may participate remotely in public meetings.
4. Procedures:
 - a. A meeting of a public body held electronically must be conducted in a manner that permits 2-way communication so that members of the public body can hear and be heard by other members of the public body, and so that public participants can hear members of the public body and can be heard by members of the public body and other participants during a public comment period.
 - b. For each member of the public body attending the meeting remotely, a public announcement must be made at the outset of the meeting by that member, to be included in the meeting minutes, that the member is in fact attending the meeting remotely. If the member is attending the meeting remotely for a purpose other than for military duty, the member's announcement must further identify specifically the member's physical location by stating the county, city, township, or village and state from which he or she is attending the meeting remotely.
 - c. A public body shall not, as a condition of participating in an electronic meeting of the public body, require a person to register or otherwise provide his or her name or other information or otherwise to fulfill a condition precedent to attendance, other than mechanisms established and required by the public body necessary to permit the person to participate in a public comment period of the meeting.
 - d. Members of the general public otherwise participating in a meeting of a public body held electronically are excluded from participation in a closed session held electronically during that meeting if the closed session is convened and held in compliance with the requirements of the Open Meetings Act applicable to a closed session.
5. Notice:

Notice of the electronic meeting or where a member is attending electronically, shall be posted at least 18 hours in advance of the meeting to be held electronically on the Township's website on the homepage and Township office at 780 Eden Road, Mason, Michigan 48854. Notice shall include the following:

- a. An explanation of why the Board or Commission is meeting remotely.
- b. The Agenda for the meeting at least 2 hours prior to the meeting.
- c. Contact information for all members of the Board or Commission along with information about how the public may contact the member(s) to provide input on any business that will come before the Board or Commission.
- d. Procedures for public participation, such as: a link to an electronic link for online meeting participation, or a telephone number for conference calling, or both.

- e. Procedures to allow for participants with disabilities to participate in the remote meeting.

6. Conduct of the Meeting:

- a. The 2-way telephone or other electronic technology being utilized to allow the remote meeting shall allow Board or Commission members, Township Staff, and the general public to communicate.
- b. Upon the start of the electronic remote meeting, Township Staff shall immediately ensure that the dial-in number or other means of conducting the meeting is working. If the system is not working properly, the meeting shall either be paused temporarily or adjourned without any decision or deliberation on any matter until such time as the system is working properly.
- c. Attendance. Board or Commission members' whose attendance is permitted under the Open Meetings Act shall be considered in attendance for the purpose of establishing a quorum.
- d. Board or Commission Action. Board or Commission members may make motions and vote as he or she would during a physical meeting. Any vote by a Board or Commission member participating remotely pursuant to this Resolution shall be counted in the total number of votes for any matter and shall not be held invalid for the reason that it was cast by a Board or Commission member remotely. All votes taken during the meeting shall be completed by roll call vote so the general public will know how each Board or Commission member voted; this information will then be properly recorded in the meeting minutes.
- e. Emails, texting, or other forms of electronic communication ~~by or~~ between Board or Commission members during the meeting are prohibited.
- f. Board or Commission members receiving electronic communications from a member of the public thirty (30) minutes prior to the start of the meeting related to any item on the agenda for the meeting may be read by the member receiving the communication during the agenda item and it shall be addressed by the Board or Commission as appropriate during the meeting.
- g. Adjournment of a meeting shall require a roll call vote of the Board or Commission.

7. Closed Session.

- a. The Board or Commission may conduct a closed session portion of the meeting as regulated by the Open Meetings Act.
- b. For closed sessions conducted under this Resolution, each Board member and authorized attendee of the closed session shall not allow anyone else to hear, view or record the closed session. Except the person designated to keep minutes of the

closed session, individual Board members and authorized attendees shall not record or cause to be recorded the closed session.

- c. All members and authorized attendees of the closed session shall affirm, before the start of the closed session, that they are in compliance with this Resolution subsection No 7.
- d. A separate call-in number or other electronic means of remotely participating shall be available for the Board or Commission to utilize for closed session that is not available to the public, and that shall not be recorded other than closed session meeting minutes. A Board or Commission member or Staff shall clearly indicate during the agenda when the closed session will occur and that the general public will not be able to hear or participate or provide comment during the closed session. The Board or Commission shall return to the public meeting following closed session to adjourn the meeting or take other action as necessary.

8. Attendance by Members of the Public:

Except for closed session, the general public may tape-record, videotape, broadcast on live radio, or telecast on live television the proceedings of the Board or Commission meeting without prior approval in accordance with the OMA. Press and other news media are allowed to participate.

- a. General public attendance will not require registration in order to attend. Persons addressing the Board or Commission may be requested to state their name and home address.
- b. Members of the public participating remotely shall be provided an opportunity to provide public comment during a public comment section of the agenda pursuant to the rules of the Board or Commission on public comment.
- c. Persons addressing the Board or Commission may be muted and/or removed from the meeting for obscene or profane language, delivery of obscene or profane materials, or disturbing the peace.
- d. All public comment before the Board or Commission shall be limited in length per individual as indicated within the agenda. Staff or designated facilitator will maintain the official time. Persons wishing to address the Board or Commission are encouraged to submit comments in writing in advance to: [Email address] clerk@vevaytownship.org
- e. Public Hearings. Matters heard by Board or Commission are subject to this Resolution and the Board or Commission may provide sufficient time as necessary for consideration and review of the matter.
- f. Staff or designated facilitator will mark the number of public members indicating a desire to address the Board or Commission at the beginning of the Public Comment

item and inform the Board or Commission of that number.

- g. Upon the request of a Board or Commission member or Staff, a designated member may recognize a member of the audience who shall be permitted to address the Board or Commission at a time other than that designated on the agenda for public comment; however, all other rules as provided herein shall apply. The person recognized shall only address the agenda item being considered.

9. Public Health, Safety, and Welfare:

This Resolution is intended to establish rules for and authorize participation by electronic/remote access by Board or Commission members, Township Staff, and attendance of the general public in the interest of the public health, safety, and welfare as permitted under the Open Meetings Act.

10. Conflict:

In the event of a conflict between this Resolution and the Rules of the Township, this Resolution shall control. In the event of a conflict between this Resolution and the Open Meetings Act, the OMA shall control. This Resolution shall supersede all prior Resolutions and rules and repeal sections thereof in conflict herein.

11. Effective:

This Resolution shall be effective immediately and shall remain in effect as permitted by law.

ROLL CALL VOTE:

AYES: Sherwood, Lazet, Kean, McNeilly, and Lacasse

NAYS: None

Resolution declared adopted this 14th day of December 2020.


JoAnne Kean, Township Clerk

The undersigned duly qualified and acting Clerk of the Board, hereby certifies that the foregoing is a true and complete copy of a Resolution adopted by the Board at a regular meeting held on the 14th of December 2020, the original of which is a part of the Board's minutes and further certifies that notice of the meeting was given to the public pursuant to the provisions of the Open Meetings Act, 1976 PA 267, as amended.

December 14, 2020


JoAnne Kean, Township Clerk