

**VEVAY TOWNSHIP
BOARD OF TRUSTEES**

RESOLUTION NO. 2020-05

A RESOLUTION ESTABLISHING RULES FOR REMOTE MEETINGS FOR ATTENDANCE BY TOWNSHIP BOARD MEMBERS, AND OTHER PUBLIC BODIES OF THE TOWNSHIP, AND MEMBERS OF THE PUBLIC AT REMOTE MEETINGS DUE TO CORONAVIRUS (COVID-19) PANDEMIC

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

At a special meeting of Vevay Township Board of Trustees ("Board") held at 780 Eden Road, Mason, Michigan 48854, in the County of Ingham, State of Michigan, on the 15th day of April 2020, at 10:00 o'clock in the AM.

The meeting was called to order at 10:02 o'clock in the AM by Supervisor Ramey.

Present: Supervisor Ramey, Clerk Kean, Treasurer Sherwood, Trustee Lazet and Trustee Lacasse

Absent: None

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

WHEREAS, on March 10, 2020, Governor Whitmer, acting under the Michigan Constitution of 1963 and Michigan law, declared a state of emergency across the State of Michigan as a result of the COVID-19 outbreak; and

WHEREAS, the Michigan Department of Health and Human Services (MDHHS) has issued Interim Recommendations for COVID-19 Community Mitigation Strategies; and

WHEREAS, such strategies include encouraging staff to tele-work when feasible and implement social distancing measures, including limiting in-person meetings, and to limit large work-related gatherings; and

WHEREAS, on March 18, 2020, Governor Whitmer issued Executive Order 2020-15 to suspend rules and procedures relating to physical presence at meetings and hearings of public bodies to allow for public bodies to continue to conduct public business during the COVID-19 emergency and the general public to continue to participate in government decision making without unduly compromising public health, safety, and welfare; and

WHEREAS, on April 14, 2020, Governor Whitmer issued Executive Order 2020-48 that rescinds Executive Order 2020-15, yet similar to Executive Order 2020-15, Executive Order 2020-48 extends until May 12, 2020, the ability of local units of government, its councils, boards, commissions, committees, subcommittees, and authorities, to continue to use telephone or video-conferencing methods to conduct meetings and conduct public business during the COVID-19

emergency and the general public to continue to participate in government decision making without unduly compromising public health, safety, and welfare; and while ensuring the public has access to join the meetings.

WHEREAS, to implement MDHHS's mitigation strategies, allow the Board to continue public business, and to allow the public to attend meetings of the Board, and its other Boards, Commissions, and Committees (collectively, the "Board") remotely if they desire, consistent and in compliance with Executive Order 2020-48, the Board desires to establish rules to authorize and allow its Board members and general public to attend Board meetings by telephone or other electronic means as set forth in this Resolution; and

WHEREAS: The Board desires to authorize and directs its Township Supervisor, Clerk, and Treasurer, and Township Staff to take all necessary measures to enable the Board to facilitate public meetings as permitted under Executive Order 2020-48, and as may be extended, or by superseding Executive Order of similar effect issued by the Governor.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board authorizes and directs its Township Supervisor, Clerk, and Treasurer, and Township Staff to take all necessary measures to enable the Board to facilitate public meetings as permitted under Executive Order 2020-48, and as may be extended, or by superseding Executive Order of similar effect issued by the Governor.

The Board immediately authorizes its Board members, Township Staff, and members of the general public to attend all meetings of the Board by telephone or other electronic means and establishes rules that must be followed in order for remote public meetings of the Board to be properly conducted:

- A. Board meetings may be held electronically consistent with EO 2020-48, and similar Executive Orders issued by the Governor during this unprecedented time of COVID-19.
- B. NOTICE OF MEETINGS:
 - 1. For a meeting(s) to be held pursuant to this Resolution, the Staff shall post on the homepage of Board's website in a conspicuous location and at the Township office at 780 Eden Road, Mason, Michigan 48854, the following:
 - a. An explanation of why the Board is meeting remotely.
 - b. The Agenda for the meeting at least 18 hours prior to the meeting.
 - c. Contact information for all members of the Board along with information about how the public may contact the member(s) to provide input on any business that will come before the Board.
 - 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.

C. CONDUCT OF THE MEETING:

1. The telephone or other electronic technology being utilized to allow the remote meeting shall allow Board members, Township Staff, and the general public to communicate.
2. Upon the start of the remote meeting, Township Staff shall immediately ensure that the dial-in number or other means of conducting the meeting remotely 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.
3. Attendance. Board members' remote attendance shall be considered attendance for the purpose of establishing a quorum.
4. Board Action. Board members may make motions and vote as he or she would during a physical meeting. Any vote by a Board 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 member remotely. All votes taken during the remote meeting shall be completed by roll call vote so the general public will know how each Board member voted; this information will then be properly recorded in the Board meeting minutes.
5. Closed Session.
 - a. The Board may conduct a closed session portion of the meeting as regulated by the Open Meetings Act, Executive Order 2020-48 and authorized applicable Executive Orders.
 - 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 Board 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. 5.
 - d. A separate call-in number or other electronic means of remotely participating shall be available for the Board 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 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 shall return to the public meeting following closed session to adjourn the meeting or take other action as necessary.

6. Emails, texting, or other forms of electronic communication by or between Board members during the meeting are prohibited.
7. Board members receiving electronic communications from a member of the public one-half (1/2) hour prior to the start of the remote meeting related to any item on the agenda for the meeting may be read by the Board member receiving the communication during the agenda item and it shall be addressed by the Board as appropriate during the meeting.
8. Adjournment of a meeting shall require a roll call vote of the Board.

D. ATTENDANCE BY MEMBERS OF THE PUBLIC:

1. 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 meeting without prior approval in accordance with the OMA. Press and other news media are allowed to participate.
2. General public participation will not require registration in order to participate. Persons addressing the Board may be requested to state their name and home address.
3. 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 on public comment.
4. Persons addressing the Board may be muted and/or removed from the meeting for obscene or profane language, delivery of obscene or profane materials, or disturbing the peace.
5. All public comment before the Board 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 are encouraged to submit comments in writing in advance to: clerk@vevaytownship.org
6. Public Hearings. Matters heard by Board are subject to this Resolution and the Board may provide sufficient time as necessary for consideration and review of the matter.
7. Staff or designated facilitator will mark the number of public members indicating a desire to address the Board at the beginning of the Public Comment item and inform the Board of that number.
8. Upon the request of a Board member or Staff, a designated Board member may recognize a member of the audience who shall be permitted to address the Board 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.

E. PUBLIC HEALTH, SAFETY, AND WELFARE:

This Resolution is intended to establish rules for and authorize participation by remote access by Board members, Township Staff, and attendance of the general public in the interest of the public health, safety, and welfare during the Coronavirus (COVID-19) pandemic while preserving meaningful access to meetings and participant communication.

F. CONFLICT:

In the event of a conflict between this Resolution and the Rules of the Township, this Resolution shall control.

G. EFFECTIVE:

This Resolution shall be effective immediately and shall remain in effect until May 12, 2020 at 11:59 pm or so long as Executive Order 2020-48 is in effect, extended, or superseded by a similar Executive Order, which shall be acknowledged by the Board and the Resolution affirmed at the subsequent Board meeting, including remote meeting.

Roll Call Vote

Ayes: Ramey, Sherwood, Lazet, Lacasse & Kean
Nays: None

THE RESOLUTION DECLARED ADOPTED.

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 Special Meeting held on the 15th of April, 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.


Clerk

