

RULES OF PROCEDURE FOR CHARTER TOWNSHIP OF MADISON BOARD



Adopted 1/14/2024

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PREAMBLE

These rules of procedure help the Charter Township Madison board to run an efficient meeting and to deal with the public and the media in a positive manner.

SECTION 1. REGULAR AND SPECIAL MEETINGS

All meetings of the Township Board will be held in compliance with state statutes, including the Open Meetings Act, 1976 PA 267 as amended, and with these rules.

1.1. Regular meetings

Regular meetings of the Township Board will be held on the second Tuesday of each month beginning at 7:00 p.m. at the Township Hall unless otherwise rescheduled by resolution of the Township Board. Township Board meetings shall conclude no later than 10:00 p.m., subject to extension by the Township Board.

1.2. Special meetings

A special meeting shall be called by the clerk upon the written request of the Township supervisor or any three members of the Township Board on at least 24 hours' written notice to each member of the Township Board served personally or left at the Township Board member's usual place of residence. Special meeting notices shall state the purpose of the meeting. No official action shall be transacted at any special meeting of the Township Board unless the item has been stated in the notice of such meeting.

1.3. Posting requirements for regular and special meetings

- A. Within 10 days after the first meeting in January of the Township Board following the November elections, a public notice stating the dates, times and places of the regular monthly Township Board meetings will be posted at the Township office.
- B. For a rescheduled regular or a special meeting of the Township Board, a public notice stating the date, time, and place of the meeting shall be posted at least 18 hours before the meeting at the Township office and on a portion of the Township's website that is fully accessible to the public. The public notice on the website shall be included on either the homepage or on a separate webpage dedicated to public notices for nonregularly scheduled public meetings and accessible via a prominent and conspicuous link on the website's homepage that clearly describes its purpose for public notification of those nonregularly scheduled public meetings.
- C. A meeting of a public body that is recessed for more than 36 hours shall be reconvened only after public notice that is equivalent to that required under subsection (B) has been posted

- D. Nothing in this section bars a public body from meeting in emergency session in the event of a severe and imminent threat to the health, safety, or welfare of the public when 2/3 of the members serving on the body decide that delay would be detrimental to efforts to lessen or respond to the threat.
- E. The notice described above is not required for a meeting of the Township Board in emergency session in the event of a severe and imminent threat to the health, safety or welfare of the public when two-thirds of the members of the Township Board determine that delay would be detrimental to the Township's efforts in responding to the threat. However, if a public body holds an emergency public meeting that does not comply with the 18-hour posted notice requirement, it shall make paper copies of the public notice for the emergency meeting available to the public at that meeting. The notice shall include an explanation of the reasons that the public body cannot comply with the 18-hour posted notice requirement. The explanation shall be specific to the circumstances that necessitated the emergency public meeting, and the use of generalized explanations such as "an imminent threat to the health of the public" or "a danger to public welfare and safety" does not meet the explanation requirements of this subsection. If the public body directly or indirectly maintains an official internet presence that includes monthly or more frequent updates of public meeting agendas or minutes, it shall post the public notice of the emergency meeting and its explanation on its website in the manner described for an internet posting in subsection (4). Within 48 hours after the emergency public meeting, the public body shall send official correspondence to the board of county commissioners of the county in which the public body is principally located, informing the commission that an emergency public meeting with less than 18 hours' public notice has taken place. The correspondence shall also include the public notice of the meeting with explanation and shall be sent by either the United States postal service or electronic mail.

1.4. Minutes of regular and special meetings

The clerk shall attend the Township Board meetings and record all the proceedings and resolutions of the Township Board. In the absence of the clerk, the Township Board may appoint one of its own members or another person to temporarily perform the clerk's duties.

The proceedings of the Township Board shall be published at least once each month. A publication of a synopsis of the proceedings, prepared by the Township Clerk and approved by the Supervisor, showing the substance of each separate proceeding of the board is in compliance with this section.

The minutes or a synopsis thereof shall be posted in the office of the clerk and on the township's website. If publication is made by posting a notice of the posting describing the purpose or nature of the proceeding posted and the location of the

places where posted shall be published at least once in a newspaper within 7 days of the posting.

A copy of the minutes of each regular or special Township Board meeting shall be available for public inspection at the Township offices during regular business hours.

1.5. Committee of the Whole

Upon the call of the Township supervisor or the Township Board and with appropriate notice to the trustees and to the public, the Township Board may convene a work session devoted exclusively to the exchange of information relating to municipal affairs. No votes shall be taken on any matters under discussion nor shall any Township Board member enter into a formal commitment with another member regarding a vote to be taken subsequently.

SECTION 2. CONDUCT OF MEETINGS

2.1. Meetings to be public

All regular and special meetings of the Township Board shall be open to the public, and citizens shall have a reasonable opportunity to be heard in accordance with such rules and regulations as the Township Board may determine, except that the meetings may be closed to the public and the media in accordance with the Open Meetings Act.

All official meetings of the Township Board and its committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time provided that such arrangements do not interfere with the orderly conduct of the meetings.

2.2. Agenda preparation

An agenda for each regular Township Board meeting shall be prepared by the Township supervisor with the following order of business:

- A. Call to order with Silent Prayer and Pledge of allegiance
- B. Roll call of Township Board
- C. Public hearings (if applicable)
- D. Amendments to Regular or Consent Agenda
- E. Petitions and Communications to the Township Board
- F. Introduction of Special Guests
- G. Public Comment (agenda items)
- H. Department Head Communications
- I. Approval of Consent agenda
- J. Old Business / Unfinished business
- K. New business
- L. Elected Official Comments

- M. Public Comment (any topic)
- N. Announcements
- O. Adjournment / Recess

Any Township Board member shall have the right to add items to the regular agenda before it is approved.

2.3. Consent agenda

The Township supervisor may use a consent agenda to allow the Township Board to act on numerous administrative or noncontroversial items at one time. Included on this agenda can be noncontroversial matters such as approval of minutes, payment of bills, approval of recognition resolutions, etc. Upon request by any member of the Township Board, an item shall be removed from the consent agenda and placed on the regular agenda for discussion.

Sample Consent Agenda

- A. Approval of previous meeting minutes
- B. Treasurer Report
- C. Presentation of Bills
- D. Police Department Report
- E. Fire Department Report
- F. Building Officials Report
- G. Electrical Inspector Report
- H. Mechanical Inspector Report
- I. Plumbing Inspector Report
- J. DPW Report
- K. Advisory Committee Reports / Minutes
- L. Statutory Board Reports / Minutes (BOR, Planning Commission, ZBA)

2.4. Agenda distribution

The Township shall assemble and distribute the agenda and board packet for each regular meeting of the board by Friday noon prior to each meeting. The agenda and board packet shall be distributed to each trustees by placing a copy in the box assigned to each trustee in the Township offices. At the request of a trustee, the agenda and board packet shall also be emailed to any trustee requesting such service.

For any nonregular meeting, the agenda and board packet shall be distributed to the trustees at the same time as notice of the meeting.

A copy of the agenda shall also be posted on the Township's website at the same time as it is distributed to the trustees.

2.5. Quorum

A majority of the entire elected or appointed and sworn members of the Township Board shall constitute a quorum for the transaction of business at all Township Board meetings. In the absence of a quorum, a lesser number may adjourn any meeting to a later time or date with appropriate public notice.

2.6. Attendance at Township Board meetings

Election to the Township Board is a privilege freely sought by the nominee. It carries with it the responsibility to participate in Township Board activities and represent the residents of the Township. Attendance at Township Board meetings is critical to fulfilling this responsibility.

The Township Board may excuse absences for cause. If a Township Board member has more than three unexcused successive absences for regular or special Township Board meetings, the Township Board may enact a resolution of reprimand.

2.7. Presiding officer

The presiding officer shall be responsible for enforcing these rules of procedure and for enforcing orderly conduct at meetings. The Township supervisor is ordinarily the presiding officer. The Township Board shall appoint one of its members, who shall preside in the absence of the supervisor. In the absence of both the supervisor and his or her designated replacement, the member present who has the longest consecutive service on the Township Board shall preside.

2.8. Disorderly conduct

The supervisor may call to order any person who is being disorderly by speaking out of order or otherwise disrupting the proceedings, failing to be germane, speaking longer than the allotted time or speaking vulgarities. Such person shall be seated until the chair determines whether the person is in order.

If the person so engaged in presentation is called out of order, he or she shall not be permitted to continue to speak at the same meeting except by special leave of the Township Board. If the person shall continue to be disorderly and disrupt the meeting, the chair may order the 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.

SECTION 3. CLOSED MEETINGS

3.1. Purpose

Closed meetings may be held only for the reasons authorized in the Open Meetings Act, which include the following:

- A. To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent if the named person requests a closed meeting (majority vote).
- B. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing (majority vote).
- C. To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained (2/3 roll call vote).
- D. To consult with the Township attorney or another attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigating or settlement position of the Township Board (2/3 roll call vote).
- E. To review the specific contents of an application for employment or appointment to a public office if a candidate requests that the application remain confidential (2/3 roll call vote). However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting.
- F. To consider material exempt from discussion or disclosure by state or federal statute (2/3 roll call vote).

3.2. Calling closed meetings

At a regular or special meeting, the Township Board may call a closed session under the conditions outlined in Section 1 above. The vote and purpose(s) for calling the closed meeting shall be entered into the minutes of the public part of the meeting at which the vote is taken.

3.3. Minutes of closed meetings

A separate set of minutes shall be taken by the clerk or the designated secretary of the Township Board at the closed session. These minutes will be retained by the clerk, shall not be available to the public, and shall only be disclosed if required by a civil action, as authorized by the Michigan Open Meetings Act. 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.

SECTION 4. DISCUSSION AND VOTING

4.1. Rules of parliamentary procedure

Meetings shall generally be conducted according to Roberts Rules of Order, provided that they are not in conflict with these rules, the ordinances of the

Township or state statutes applicable to the Township. Although strict adherence to the Rules of Order is not required. The Township supervisor may appoint a parliamentarian.

The chair shall preserve order and decorum and may speak to points of order in preference to other trustees. The chair shall decide all questions arising under this parliamentary authority, subject to appeal and reversal by a majority of the trustees present.

Any member may appeal to the Township Board a ruling of the presiding officer. If the appeal is seconded, the member making the appeal may briefly state the reason for the appeal and the presiding officer may briefly state the ruling. There shall be no debate on the appeal and no other member shall participate in the discussion. The question shall be, "Shall the decision of the chair be sustained?" If the majority of the members present vote "aye," the ruling of the chair is sustained; otherwise it is overruled.

4.2. Conduct of discussion

During the Township Board discussion and debate, no member shall speak until recognized for that purpose by the chair. After such recognition, the member shall confine discussion to the question at hand and to its merits and shall not be interrupted except by a point of order or privilege raised by another member. Speakers should address their remarks to the chair, maintain a courteous tone and avoid interjecting a personal note into debate.

No member shall speak more than once on the same question unless every member desiring to speak to that question shall have had the opportunity to do so.

The chair, at his or her discretion and subject to the appeal process mentioned in Section 4.1., may permit any person to address the Township Board during its deliberations.

4.3. Ordinances and resolutions

No ordinance, except an appropriation ordinance, an ordinance adopting or embodying an administrative or governmental code or an ordinance adopting a code of ordinances, shall relate to more than one subject, and that subject shall be clearly stated in its title.

A vote on all ordinances and resolutions shall be taken by a roll call vote and entered in the minutes unless it is a unanimous vote. If the vote is unanimous, it shall be necessary only to so state in the minutes, unless a roll call vote is required by law or by Township Board rules.

4.4. Roll call

In all roll call votes, the names of the members of the Township Board shall be called in alphabetical order.

4.5. Duty to vote

Election to a deliberative body carries with it the obligation to vote. Trustees present at a Township Board meeting shall vote on every matter before the body, unless otherwise excused or prohibited from voting by law.

Conflict of interest, as defined by law, shall be the sole reason for a member to abstain from voting. The opinion of the Township attorney shall be binding on the Township Board with respect to the existence of a conflict of interest. A vote may be tabled, if necessary, to obtain the opinion of the Township attorney.

The right to vote is limited to the members of Township Board present at the time the vote is taken. Voting by proxy or by telephone is not permitted.

4.6. Results of voting

In all cases where a vote is taken, the chair shall declare the result.

It shall be in order for any Township Board member voting in the majority to move for a reconsideration of the vote on any question at that meeting or at the next succeeding meeting of the Township Board. When a motion to reconsider fails, it cannot be renewed.

SECTION 5. CITIZEN PARTICIPATION

5.1. General

Each regular Township Board meeting agenda shall provide for reserved time for audience participation.

If requested by a member of the Township Board, the presiding officer shall have discretion to allow a member of the audience to speak at times other than reserved time for audience participation.

5.2. Length of presentation

Any person who addresses the Township Board during a Township Board meeting or public hearing shall be limited to 3 minutes in length per individual presentation. The clerk will maintain the official time and notify the speakers when their time is up.

5.3. Addressing the Township Board

When a person addresses the Township Board, he or she shall state his or her name. Remarks should be confined to the question at hand and addressed to the chair in a courteous tone. No person shall have the right to speak more than once on any particular subject until all other persons wishing to be heard on that subject have had the opportunity to speak.

SECTION 6. MISCELLANEOUS

6.1. Adoption and amendment of rules of procedure

These rules of procedure of the Township Board will be placed on the agenda of the January meeting of the Township Board following the November elections, after the seating of the newly elected trustees for review and adoption. A copy of the rules adopted shall be distributed to each Township Board member.

The Township Board may alter or amend its rules at any time by a vote of a majority of its members after notice has been given of the proposed alteration or amendment.

6.2. Suspension of rules

The rules of the Township Board may be suspended for a specified portion of a meeting by an affirmative vote of two-thirds of the members present except that Township Board actions shall conform to state statutes and to the Michigan and the United States Constitution.

6.3. Bid awards

Bids will be awarded by the Township Board during regular or special meetings. A bid award may be made at a special meeting of the Township Board if that action is announced in the notice of the special meeting.

6.4. Committees

A. *Standing Committees.*

- (1) The Township shall have the following standing committees:
 - (a) Water and Sewer
 - (b) Safety
- (2) Committee members will be nominated by the Township supervisor subject to approval by a majority vote of the Township Board. Any

committee vacancies shall be filled in the same will be filled in the same way appointments are made..

- (3) Committee members shall be members of the Township Board. The committee member shall serve for a term of one year and may be re-appointed.
- B. *Special committees.* Special committees may be established for either a specific or unspecified period of time by the Township supervisor or by a resolution of the Township Board which specifies the task of the special committee and the date of its dissolution. Members of special committees may be members of the Township Board or residents of the Township or a combination of both as determined by the supervisor or board.
- C. *Citizen task forces.* Citizen task forces may be established by a resolution of the Township Board which specifies the task to be accomplished and the date of its dissolution. Members of such committees will be appointed by the Township supervisor, subject to approval by a majority vote of the Township Board and must be residents of the Township. Vacancies will be filled by majority vote of the Township Board in the same way appointments are made.

6.5. Authorization for contacting the Township attorney

The following Township officials are authorized to contact the Township attorney regarding Township matters: Supervisor, Clerk, Treasure, Police Chief, Fire Chief, and Building Official.

6.6. Township Supervisor Responsibilities

In addition to statutory duties and responsibilities, the supervisor is frequently delegated additional functions and duties by the township board. The supervisor may be paid extra compensation for non-statutory duties provided the sum is established before the duty is performed (MCL 41.96 and Article XI, Sec. 3, of the Michigan Constitution).

A charter township board has the authority to appoint a township superintendent and to delegate functions specified in the statute. Any functions that are not delegated to the superintendent are exercised by the supervisor. Accordingly, the supervisor may engage in the following activities and duties if they have not been delegated to a superintendent (MCL 42. 10).

- A. To see that all laws and township ordinances are enforced.
- B. To manage and supervise all public improvements, works and undertakings of the township

- C. To have charge of the construction, repair, maintenance, lighting and cleaning of streets, sidewalks, bridges, pavements, sewers, and all public buildings or other property belonging to the township.
- D. To manage and supervise the operation of all township utilities.
- E. To be responsible for the preservation of property, tools and appliances of the township.
- F. To see that all terms and conditions imposed in favor of the township or its inhabitants in any public utility franchise or in any contract are faithfully kept and performed.
- G. To be an ex-officio member of all committees of the township board.
- H. To prepare and administer the annual budget under policies formulated by the township board and keep the board fully advised as to the financial condition and needs of the township.
- I. To recommend to the township board for adoption such measures as s/he may deem necessary or expedient.
- J. To be responsible to the township board for the efficient administration of all departments of the township government.
- K. To act as the purchasing agent for the township or, under his responsibility, delegate such duties to some other officer or employee.
- L. To conduct all sales of personal property that the township board may authorize to be sold.
- M. To assume all the duties and responsibilities as personnel director of all township employees or delegate such duties to some other officer or employee and be the direct supervisor for all department heads as well as Township office staff.

As the Personnel Director, the individual would take on day-to-day management and supervision of all township employees (excluding hiring and firing, which is a board action). Some examples of duties include:

1. **Supervising Department Heads and Office Staff**
 1. Providing direction, setting expectations, and ensuring department heads meet township goals.
 2. Acting as the go-to person for guidance or problem-solving within departments.
 2. **Contract Negotiation**
 1. Working on agreements for employee and Union contracts, including salaries, benefits, and working conditions, before presenting them to the board for approval.
 3. **Policy Implementation**
 1. Overseeing township policies and making sure employees understand and follow them, such as attendance or workplace conduct rules.
 4. **Employee Relations**
 1. Handling complaints, mediating disputes, and ensuring a positive work environment across departments.
 5. **Delegating Responsibilities**
 1. Assigning specific tasks, like payroll, compliance monitoring, or training coordination, to appropriate officers or staff members.
 6. **Performance Oversight**
 1. Monitoring employee performance and providing feedback to department heads to maintain efficiency and productivity.
- N. To perform such other duties as may be prescribed by this act or required by ordinance or by direction of the township board or which are not assigned to some other official in conformity with the provisions of this act (MCL 42.10, etc.).