

Pittsfield Charter Township Board Rules

Revised 12/14/04

1. Authority

These rules are adopted by the Board of The Charter Township of Pittsfield pursuant to the provisions of Section 42.7 (f) of the Compiled Laws of Michigan 1970.

2. Meetings

- 2.1. Regular schedule. The Township Board shall meet in regular session on the second and fourth Tuesday of each month except for December. If any regularly scheduled meeting falls on an election day or a legal holiday (New Years Day, Presidents Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Christmas Eve, Christmas Day, New Years Eve). a regular meeting may be held on the previous or subsequent secular day that is not a holiday. The Board shall hold one regular session in December on a date to be determined by the Board.
- 2.2. Working session. The Township Board may meet in working session on the Monday preceding each Board meeting except in the months of June, July and August or when such Monday falls on a legal holiday (New Years Day, Presidents Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Christmas Eve, Christmas Day, New Years Eve).
- 2.3. Special meetings. The 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 24 hours in advance of the special meeting. Such notice shall be served personally or left at the member's usual place of residence by the township clerk or the clerk's designee. The notice shall contain the time, place, and purpose of the meeting.
- 2.4. Place of meeting. Regularly scheduled meetings shall be held in the Pittsfield Charter Township hall. Whenever the regular meeting place of the Township Board shall appear to be inadequate for members of the public to attend, the supervisor and clerk may change the meeting to a larger facility located in Pittsfield Charter Township. A notice of such change shall be prominently posted on the door of the regular meeting place. The clerk shall also give notice of such change in the place of meeting in a newspaper if time permits.
- 2.5. Time of meetings. Regularly scheduled meetings shall begin at 7:30 p.m. unless the Board shall by majority vote in session set a later starting time. The Township Board shall not begin considering any matter on the agenda not yet under consideration after the hour of 11:00 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.

- 2.6. 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 the public is given.
3. 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:

 - 3.1. Regular meetings. The clerk shall post 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.
 - 3.2. Schedule change. Whenever the Board shall change its regular schedule of meetings, the clerk shall post a notice of the change within 3 days following the meeting in which the change was made.
 - 3.3. Emergency meetings. If the Board shall reschedule a meeting under the provisions of Rule 2.6 or call a special meeting under Rule 2.3, 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 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.
 - 3.4. Notification to media and others. The clerk shall notify, without charge, any newspaper, or radio or television station of such meeting schedule, schedule changes, or special meetings, whenever such newspaper, radio or television station shall have filed a written request for such notice with the clerk. The clerk shall also notify other individuals or organizations of regular meeting schedules, schedule changes, or special meetings, upon their written request and agreement to pay the township for printing and postage expenses. The clerk shall mail all such notices pursuant to this rule by first class mail.
4. Quorum, attendance, call of the Township Board
 - 4.1. Quorum. Four members shall constitute a quorum for the transaction of business at all meetings of the Township Board.
 - 4.1.1. Upon the absence of the township supervisor, township clerk, or township treasurer, their respectively named deputies may act in the place of the respective elected officers and shall be included for the purpose of constituting a quorum of the Board upon notification to the Board by the absent officer. A deputy supervisor, clerk, or treasurer, however, shall not vote on matters before the Board.
 - 4.2. Attendance. No member of the Township Board may be absent without first having obtained leave from the Board. The Township Board may revoke a leave of absence at any time.

- 4.3. Call of the Township Board. The Township Board by majority vote, but in no case less than 2 members of the Township Board members present, whether those present constitute a quorum or not, may order a call of the Board. Upon such vote the Board may empower the sergeant-at-arms to be dispatched for the purpose of bringing before the Board all such Township Board members who are absent without leave and without sufficient excuse.

5. Regular meeting agenda.

The township supervisor 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 desiring to place a matter on the agenda shall notify the supervisor of such item by 5 o'clock on the Wednesday preceding the next regular meeting. The order of such items on the agenda shall be the same as they were received by the supervisor and be placed under the appropriate agenda heading. Items that the supervisor does not receive by the stated deadline shall not be considered by the Board except upon the consent of a majority of the members present.

- 5.1. 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.
- 5.2. Distribution of agenda and materials. As soon as the agenda is completed supervisor shall distribute copies of the agenda together with copies of reports, explanations, etc., that relate to the business matters coming to the Board. The supervisor may distribute such materials by mail or by personal delivery.
- 5.3. Order of business. The agenda shall be arranged in the following order of business:
 1. Call To Order
 2. Pledge Of Allegiance
 3. Roll Call
 4. Public Comment I
 5. Approval Of Minutes
 6. Consent Agenda
 7. Items From The Treasurer
 8. Items From The Clerk
 9. Items From The Supervisor/Assessor
 10. Items From The Office Of Public Safety
 11. Items From The Office Of Community Development/Planning And Zoning
 12. Items From The Parks And Recreation Department
 13. Unfinished Business
 11. New Business
 12. Public Comment II
 13. Adjournment

6. Conduct of meetings

- 6.1. Chair. The township supervisor shall moderate and chair all meetings of the Township Board. In the absence of the supervisor the clerk shall assume the chair for the purpose of electing a chair pro tempore who shall assume the duties of the chair until the meeting is adjourned or until the supervisor is present.
- 6.2. Recognition. Board members wishing to speak shall first obtain the approval of the chair and each person who speaks shall address the chair. Other persons at the meeting shall not speak unless recognized by the chair or that person is permitted to interrupt under Robert's Rules of Order. If two members of the Board approve, a member of the audience shall be permitted to address the Board during consideration of an item as long that person's comments conform to Sec. 6.3 below.
- 6.3. Disorderly conduct at meetings. The 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. Such person shall thereupon be seated until the supervisor shall have determined whether the person is in order. If a person so engaged in presentation shall be called out of order, he or she shall not be permitted to continue to speak at the same meeting except on special leave by the Township Board. If the person shall continue to be disorderly and disrupt the meeting, the supervisor 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.
- 6.4. Public Comment. Any person wishing to address the Board may do so during the Public Comment periods provided in the agenda. Each speaker shall be allowed to speak once during each public comment period. Each speaker shall be recognized by the Chair and follow the rules of decorum listed in 6.3 of these rules.

If the Chair determines that the time used in the Public Comment I period has exceeded a reasonable length and may interfere with the Board's ability to conduct the business on its agenda by the time limit in these rules, the chair may postpone further comments by the public to the Public Comment II period.

The chair may allow a person to speak a second time during a Public Comment period, unless a majority of the Board objects.

7. Record of meetings.

- 7.1. Clerk responsibility. The township clerk or a deputy 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 names of the mover and seconder and the vote of the Board. The record shall state whether the vote was by voice vote or by roll call and when by roll call, the record shall show the yes, no, or abstention for each member.

The clerk shall maintain in the office of the clerk copies of each resolution and ordinance or other matter acted upon by the Board. The official minutes, however, may refer to those matters by an identifying number and title descriptive of the ordinance, resolution, or other matter.

- 7.2. 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 making an electronic tape recording of each entire meeting of the Board, and each such recording shall be maintained in the office of the clerk for a period not less than 6 months following the date of the meeting. Thereafter, the recording may be erased unless the recording shall be pertinent to any legal proceedings then underway, pending, or expected.
- 7.3. 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 member 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. Such comments to be included as part of the official record shall be provided in writing by the member or transcribed exactly by the clerk from the electronic tape recording.
- 7.4. 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 not more than 8 business days following the meeting. Minutes approved by the Board shall be available within 5 business days of the meeting at which they were approved. The clerk shall also promptly send copies of minutes to persons who have subscribed and paid the fee therefor as determined by the Township Board.
- 7.5. Publication of minutes. Within 10 business days after a meeting of the Board, the clerk shall be responsible for publication of a summary of the minutes in a newspaper selected by the Board. However, the supervisor shall approve the summary prior to publication.

8 Committee of the whole

Whenever the Board shall meet in “working meetings,” the Board shall meet as a committee of the whole and the supervisor shall preside. In the absence of the supervisor, the chairperson *pro tempore* shall preside. Meetings of the committee of the whole shall conform to the requirements of the Open Meetings Act with respect to public notice except when the Board shall devolve into a committee of the whole at one of its regular meetings. Working meetings are intended to be less formal than regular Board meetings and citizens will be allowed to address the Board if any member of the Board requests that that person be allowed to address the Board.

9. Executive sessions

- 9.1. Procedure. The Township Board may meet in executive session, closed to the public, upon the motion of any member and concurrence of 5 members . The votes shall be recorded in the minutes of the meeting at which the decision to hold an executive session was made.
- 9.2. Purposes. The Township Board shall hold executive sessions only for the following purposes:
 - To consider the dismissal, suspension, disciplining, or evaluation of a public officer, employee, staff member, or individual; or to hear complaints or charges against such a person, but only when the subject of the proposed action, evaluation, or charges requests the meeting to be closed.

- To consider strategy connected with the negotiation of collective bargaining agreements.
 - 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.
 - To consult with the township attorney regarding trial or settlement strategy in connection with specific pending litigation but only when an open meeting would have a detrimental effect on the township's litigating or settlement position.
 - 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 Board shall meet to interview an applicant it shall be in open session.
- 9.3. 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 after one year and one day have passed following the approval of the minutes of the meeting at which the Board approved the closed session.

10. Motions and resolutions

- 10.1. Statement by chair, written motions, and resolutions. No motion or resolution shall be adopted until the motion or resolution is stated by the person chairing the meeting. All motions except procedural motions and resolutions may be required to be in writing upon the demand of any member. A request to recess for the purpose of writing out a motion or resolution shall be in order. Each written motion or resolution in writing shall be read by the township clerk before being debated.
- 10.2. Order of motions. 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
 - lay on the table
 - vote immediately
 - postpone to a certain time
 - commit or recommit
 - amend
- These motions shall take precedence in the order stated above.
- 10.3. Nondebatable motions. Motions to adjourn, to clear the floor, to recess, to lay on the table, to vote immediately, and all questions relating to the priority of business, shall be ordered and voted upon without debate.
- 10.4. Rules on procedural motions. A decision to lay on the table shall carry with it all questions to which it is attached, except in the case of laying an appeal on the chair.

- 10.4.1 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 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.
- 10.4.2. 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.
- A vote to postpone indefinitely shall not be reconsidered. It shall not be in order to take from the table a motion to reconsider, nor shall the vote whereby any motion to reconsider was laid on the table be reconsidered.
- 10.4.3. 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.
- 10.4.4. A motion to suspend the rules temporarily may be made at any time. By a 2/3 vote the Board may temporarily suspend the rules to facilitate the accomplishment of any legal objective of the Board in a legal manner.
- 10.4.5. Any member of the Board may appeal from any decision of the chair. On all appeals the question 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 relates 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.
- 10.4.6. Any Board member may call for a division 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 majority consent of the other members present.

- 11.1. On demand by any Township Board member, the vote on any pending question shall be taken by a record 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. Parliamentary authority

Robert's Rules of Order, newly revised edition, 1970, shall govern all questions of procedure that are not otherwise provided by these rules or by state law.

13. Introduction and consideration of ordinances

- 13.1. Review by township attorney. Each ordinance, before being introduced, shall be approved as to form and section numbers by the township attorney.
- 13.2. Introduction. Any Township Board member may introduce an ordinance at any regular meeting of the Township Board in the regular order of business.
- 13.3. Order for consideration. The regular order for consideration of proposed ordinances shall be:
 - Introduction, first reading by title.
 - Placement on the agenda under Unfinished Business—Adoption of Ordinances.
 - Final reading and vote. The final reading shall be in full unless otherwise ordered by a majority of those members present.
- 13.4. Form. Each ordinance introduced shall be in triplicate. Any ordinance proposing to amend an existing ordinance shall contain those sections proposed for amendment in full. Proposed deletion of words and phrases shall be shown with lines drawn through them. Proposed addition of words shall be shown in underline.

Each proposed ordinance shall have endorsed thereon the name of the Board member(s) introducing it. On each page of a proposed ordinance each line shall be consecutively numbered.

The township clerk shall be responsible for reproducing proposed ordinances, after they have been introduced, in quantity sufficient to meet demand for copies.
- 13.5. Review by committee of the whole. The Township Board meeting as the committee of the whole may consider each proposed ordinance. When the report of the committee is presented to the Township Board, the Board shall order the matter placed on the agenda under Unfinished Business—Adoption of Ordinances.

The Board shall then determine whether to order the clerk to publish the proposed ordinance, to set dates for one or more public hearings, and to order the clerk to publish public notice of the hearing(s).
- 13.6. Final adoption. Following the last public hearing on a proposed ordinance, a motion to amend shall be in order. Adoption of such amendments shall require 4 votes . On the final adoption of all proposed ordinances, the votes shall be taken on a record call of the roll. No motion shall be declared adopted without an affirmative vote of 4 members.

- 13.7. Publication and effective date. No ordinance imposing a penalty for the violation thereof shall become effective until 30 days following the publication of the ordinance. An ordinance that does not impose a penalty may take effect on the day following publication of the full text or a summary. Publication shall occur within 30 days after adoption.
 - 13.8. Record of ordinances. Following the publication of any new ordinance or a revision thereof, the township clerk shall comply with the provisions of MCLA 41.192 with respect to recording such ordinances.
14. Amendment to the Board Rules and Adoption of Board Rules
- 14.1 Adoption of Board Rules. At the last meeting in November or at the December meeting in any given calendar year the Board may adopt rules for the following calendar year. If no such rules are adopted, the current rules shall remain in force.
 - 14.2. Amendment of Board Rules. Any Board member may propose amendments to the board Rules at a Board meeting. Those amendments shall be referred to a subsequent Board meeting for action. Amendments to Board Rules may not be passed at the same meeting at which they are introduced, except as allowed in article 14.1.