

Township of Eagle
Board Policy

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1.0 AUTHORITY

1.1 Rules

These rules are adopted by the Board of Directors of the Township of Eagle at a regular meeting held on June 10, 2014, by majority vote of said board.

1.2 Rules Further Defined

These rules may be amended at any regular meeting by a majority vote of the Township Board (three or more affirmative votes) provided four (4) calendar days written notice has been given prior to the meeting.

Any reference in these policies to authorization, obligation, or duty of a specific official also includes that specific official's designee.

2.0 MEETINGS

2.1 Regular Schedule

The Township Board shall meet in regular session on dates for the following year as designated by the Township Board.

2.2 Special Meetings

The Township Board shall meet in special session at the call of the Clerk upon the request of the Supervisor or of three members of the Township Board. Notice of special meetings shall be given to each board member at least 18 hours in advance of the special meeting. All meeting notices will be posted according to the Township's public notice policy in accordance with the Open Meetings Act.

2.3 Time of Meetings

Regularly scheduled meetings shall begin at a time designated by the Township Board, unless the Board shall, by a majority vote (three or more affirmative votes), set a different starting time. The Board shall not begin considering any matter on the agenda, not presently under consideration, by the hour of 10:30 p.m., except by unanimous consent of the Board members present. Matters on the agenda and not acted upon at the time of adjournment will be placed on the agenda of the next regular or special meeting.

2.4 Change of Schedule

Changes in the regularly scheduled meetings shall not be made except upon approval of a majority vote of the Township Board (three or more affirmative votes). In the event the Board shall meet and a quorum is not present, the meeting will not be held.

3.0 PUBLIC NOTICE OF MEETINGS

3.1 Township Clerk's (or his/her designee) Responsibility

The Clerk shall be responsible for providing the proper notification for all meetings of the Township Board pursuant to the Open Meetings Act.

3.2 Regular Meetings

The Clerk shall post a notice, or cause to be posted, on or before the first Monday in January in each calendar year, indicating the dates, times and places of regularly scheduled meetings for the Township Board.

3.3 Public Notice of Meetings

At a minimum, all meeting notices shall be posted at the Eagle Township Hall. Other locations throughout the community may also be selected for postings at the Clerk's option or as a result of the Board's formal action.

3.4 Schedule Change

Whenever the Board shall change its regular schedule of meetings, the Clerk shall post, or cause to be posted, a notice of the change within 3 days following the meeting in which the change was made.

3.5 Emergency Meetings

If the Board shall reschedule a meeting or call a special meeting under rule 2.2, the Clerk shall post, or cause to be posted, 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 consent of two thirds (four or more majority votes) of the Board and only if a delay places the health, safety, or welfare of the public in severe and/or imminent danger.

3.6 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 with the Clerk, a written request for such notice. The Clerk shall also notify other individuals or organizations of regular meeting schedules, changes in the schedule, or special meetings, but only upon 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. The Clerk shall make available an electronic copy of the schedule available to individuals or organizations at their request via email at no charge.

4.0 QUORUM, ATTENDANCE, CALL OF THE BOARD

4.1 Quorum

Three Township Board members shall constitute a quorum for the transaction of business at all meetings of the Township Board.

4.2 Absence of the Clerk

Upon the absence of the Township Clerk, the Board members in attendance shall appoint a member to act as Board Secretary for said meeting.

4.3 Attendance

Regular attendance is expected and each Board member is expected to notify the Township Clerk in a timely manner whenever absence is anticipated.

5.0 MEETING AGENDA

5.1 Regular Meetings

The Township Clerk (or his/her designee) shall prepare the agenda of business for all regularly scheduled Board meetings. Any other Board Member or representative of Township committees desiring to place a matter on the agenda shall notify the Clerk of such item.

5.2 Order of Business

The agenda for regular meetings shall be arranged in the following order of business:

- A. Call to Order
- B. Pledge of Allegiance
- C. Citizen's Comments
- D. Consent Agenda
- E. Agenda Approval
- F. Reports
- G. Accounts Payable
- H. Old Business
- I. New Business
- J. Other Business
- K. Adjourn

The Chair may change the order of the agenda to facilitate action on the business before the Board, or to accommodate those in attendance.

5.2.1 Citizen's Comment

This item of the agenda is reserved for members of the public who do not wish to, or cannot, stay through the entire agenda and wish to speak on any item (agenda related or not). A time limit of three (3) minutes will be strictly enforced and the Board shall respond as is appropriate. Each member of the public shall identify themselves before they speak. The public may also be provided an opportunity to add their comments after or during the discussion of each item on the agenda, after the Board has discussed each item, but before a vote is taken.

5.2.2 Payment of Bills

The list of bills to date will be prepared and distributed for approval at all regular meetings.

5.2.3 Agenda Items

Items placed on the agenda will be subject to a brief explanation by the person placing the item on the agenda.

5.2.4 Old Business

This item will contain any item which was on a previous agenda and which has not been concluded.

5.2.5 New Business

The agenda item will include any item, which is placed before the Board for the first time. For the purpose of this section, new business items will begin with their first appearance subsequent to the adoption of this policy.

5.2.6 Reports

Reports may be presented in written or verbal form.

5.3 Special Meetings

Whenever the Board shall be called into a special meeting, the matters to be considered shall be stated on the agenda for that meeting. No other action matters shall be considered except when all members are present, and only upon unanimous consent of the Board.

6.0 Conduct of Meetings

6.1 Chairperson

The Township Board Supervisor shall moderate and chair all meetings of the Board. In the absence of the Chair, the Clerk shall open the meeting and hold an election for a chairperson for that meeting.

6.2 Speaking

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.

6.3 Disorderly Conduct at the Meeting

The Chair 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 Chair 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 Chair may recess in order to call the sheriff to have the person removed from the meeting. No person shall be removed from a public meeting except for an actual breach of the peace committed at the meeting.

7.0 Record of Meeting

7.1 Clerk's (or his/her designee) Responsibility

As the official record keeper for the Township, the Clerk shall be responsible for maintaining the official record (minutes) of each meeting of the Board. The Clerk shall maintain copies of the agenda, and each resolution, 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 Minutes

The Clerk shall be responsible for transcribing a written record of the action taken on all items on the agenda. The minutes shall include the following:

1. The names of the members in attendance.
2. The name of the movers and seconds.
3. The results of all votes including the names and the respective vote on roll call votes.
4. The names of persons presenting reports.

However, 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 shall take a separate set of minutes at all closed session. These minutes shall be retained by the Clerk, are not available to the public, and shall only be disclosed if required by a civil action filed under section 10, 11 or 13 of the 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. Approval of closed session minutes shall be by motion at an open meeting.

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 subject to approval of the Board. Such comments to be included, as part of the official record, shall be provided in writing by the member.

7.4 Public Access to Meeting Records

The Clerk shall make available to members of the public the records and minutes of the Board meeting 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 eight (8) business days following the meeting. Minutes approved by the Board shall be available within five (5) business days of the meeting at which they were approved. The Clerk shall also promptly send copies to persons who have subscribed and paid the fee as established by the Township Board.

8.0 Closed Session

8.1 Procedure

The Township may meet in closed session according to the provisions of the Open Meeting Act of 1976, as amended MCLA 15.267 and 15.268. The Township Board shall hold closed sessions without vote for purposes 1 and 2 below. A closed session may be held with a two-thirds vote (4 or more affirmative votes) of the Board for purposes 3, 4, 5, and 6.

8.2 Purposes

Without Vote:

1. 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, when the name person requests the meeting to be closed.

2. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party requests a closed hearing.

With Vote:

3. To consider the purchase or lease of real property up to the time an option to lease or purchase of that real property is obtained.
4. To consult with an attorney or consider lease recommendations or alternatives regarding trial, settlement strategies in connection with specific litigation which is pending or imminent, but only when an open meeting would have a detrimental effect on the Township's litigating or settlement position.
5. To review the specific contents of an application for employment or appointment to a Township office when the applicant or candidate requests that the application remain confidential. However, whenever the Board shall meet to interview an applicant or candidate, it shall be in an open session.
6. To consider material exempt from discussion or disclosure by state or federal statute.

8.3 Minutes

The Clerk (or his/her designee) shall take a separate set of minutes at all closed session. These minutes shall be retained by the Clerk (or his/her designee), are not available to the public, and shall only be disclosed if required by a civil action filed under section 10, 11 or 13 of the 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. Approval of closed session minutes shall be by motion at an open meeting.

9.0 Motions, Resolutions & Procedural Motions

9.1 Statement by Chair, Written Motion and Resolution

No motion or resolution shall be adopted until stated by the person chairing the meeting, or read by the Clerk. 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. The Clerk shall read each written motion or resolution before being debated, if requested by a Board member.

9.2 Order of Motion

Whenever a question is under debate, no motion shall be received except a motion to:

1. Fix the Time to Adjourn
2. Adjourn
3. Recess
4. Clear the Floor
5. Vote Immediately
6. Lay the Item on the Table
7. Postpone to a Certain Time
8. Commit or Recommit
9. Amend

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

9.3 Non-debatable Motions

The motion to adjourn, to clear the floor, to recess, to lay an item on the table, to vote immediately, and all questions relating to the priority of business, shall be ordered and voted upon without debate.

9.4 Rules on Procedural Motions

9.4.1 A Motion to Lay on the Table

A decision to lay an item on the table shall carry with it all questions, to which it is attached, except in the case of laying on the table an appeal of the decision of the Chair.

9.4.2 A Motion to Vote Immediately

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 question, order, or appeal from the decision of the Chair shall be decided without debate. If the Board rejects the motion to vote immediately, the consideration of the matter shall be resumed as if no motion therefore had been made.

9.4.3 A Motion to Reconsider

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 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.

9.4.4 A Motion to Clear the Floor

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 to clear the floor 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 adoption, to a motion to reconsider.

9.4.5 A Motion to Temporarily Suspend the Rules

A motion to temporarily suspend the rules may be made at any time. A majority vote of the Township Board (three or more affirmative votes), may temporarily suspend the rules to facilitate the accomplishment of any legal objective of the Board in legal manner.

9.4.6 Appeal from Any Decision

Any member of the Board may appeal 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 Board at the time such appeal is taken.

10.0 Voting

10.1 Majority Vote

Whenever the Chair puts a question, every member present shall vote on all questions to be decided by the Township Board. All questions shall be decided by a majority vote (three or more affirmative votes) of the Board.

10.2 Abstain from Voting

Each member of the Township Board, who shall be recorded as present, shall vote on all questions decided by the said Board unless excused by the unanimous consent of the other members present.

10.3 Roll Call Vote

On demand by any Board member, the vote on any pending question shall be taken by a roll call vote. Also, any Member may request that a second vote be taken on a roll call basis, or votes stated, for any action taken with a dissenting vote.

10.4 No Question of Roll Call

When a record roll call vote is demanded on a question and after the Chair has stated the questions, the Clerk (or his/her designee) is directed to call the roll; no member of the Board is entitled to speak on the question, nor shall any motion be in order until such roll call vote is completed and the result is announced. The order of a roll call vote shall be varied during each meeting from one vote to the next in a random manner.

11.0 Parliamentary Authority

11.1 Question on Procedure

All questions of procedure shall be governed in the following order of priority:

1. State Law
2. Township Policy
3. Robert's Rules of Order

12.0 Administration

12.1 Building Use

The primary purpose of Township property is to conduct the necessary business of the Township. Other use of the facility is at the Township Board's discretion. Individuals or organizations wishing to rent or utilize the facility will follow *all* current rules and guidelines as established by the Township Board.

12.2 Building Entrance

Board, commission or committee use of the building has priority over all other scheduling of building use, if seven (7) days prior notice is given, except in the event of an emergency meeting. Board members, Township maintenance personnel, and other persons deemed appropriate by the Board shall be provided a key to access the facility for the purpose of conducting or attending meetings and conducting other business.

12.3 The Freedom of Information Act

The Freedom of Information Act requires that the Township make available copies of certain documents and records at a reasonable cost.

12.4 Expenses

Any employee or Board member shall be reimbursed for actual expenses incurred for conducting any authorized Township related activity or for attending any authorized business meeting or educational conferences.

Any board member requesting that registrations or appropriate fees be paid in advance of any educational conference, seminar or event, as well as all other non-recoverable fees which are paid on behalf of a board member who is subsequently unable or unwilling to attend the educational conference, seminar or event will be personally reimbursed in full to the Township by said board member. (Majority vote of the Township Board may waive this stipulation in emergency situations.)

The Township Board must approve business expenses, which will exceed \$50.00 for a single purchase or event, in advance unless both the Township Clerk and Treasurer confirm immediate need. (Regular supplies such as postage, paper, envelopes and toner are exempt from this requirement.)

A meeting adjourned for lack of a quorum shall include a record of those members present and absent, as well as a record of the action to adjourn.

Township Officers shall be reimbursed for annual expenses incurred according the following schedule:

- Annual communication expense (telephone, cell phone and Internet):
 - Supervisor, Clerk and Treasurer \$600 per fiscal year (revised 3/5/14)
 - Trustees \$300 each service that is available for Township use per fiscal year (revised 3/5/14)
- Copy expense (unless the Township provides a Township-owned machine):
 - Supervisor \$350 per fiscal year (revised 3/5/14)
 - Treasurer \$100 per tax season/fiscal year
 - Clerk \$150 per fiscal year
 - Trustee \$175 per fiscal year (added 3/5/14)
- Computer rental (unless the Township provides a Township-owned computer):
 - Clerk \$75.00 per month
 - Treasurer \$75.00 per month

12.5 Meals

Where the activity attended is a daylong event outside the service area, official, employee, commission, or committee member may be reimbursed for meal expenditures according to the following requirements:

1. Terminology – The term “Township related activity” includes activity, program, conference and similar events.
2. Receipts – Receipts must be provided to receive reimbursement and the reimbursement shall be limited to the receipt amount or reimbursement limit, whichever is lower.
3. Reimbursement Limits – Meals will be reimbursed to a maximum of \$34.00 per day.
4. Meal Coverage – The Township provides reimbursement for meals under the following circumstances.
 - a. Breakfast – Breakfast meals are covered where the meeting extends for more than one day and breakfast meals are limited to meals following an overnight stay at the meeting location.
 - b. Lunch – Luncheon meals are covered at full day meetings or when travel to or from a partial day meeting (or immediately preceding or following any meeting requiring an over-night stay) requires the participant to be away from home during the normally accepted lunch period.
 - c. Dinner – Dinner meals are covered by the policy only when the meeting includes an afternoon session that extends into the evening.

5. Restriction – Meal reimbursement shall not cover alcoholic beverages. Under no circumstances will separate meal reimbursement be made where meal costs are otherwise already covered in the attendance fee for the meeting.

12.6 Mileage

Mileage for Township business will be reimbursed at the prevailing rate set by the IRS.

12.7 Conflict of Interest and Disclosure

It is the policy of this Township that a full and complete disclosure shall be made to the Township Board by any person appointed, contracted or hired by the Township of Eagle, whenever such individuals have reason to believe that a possible conflict of interest may exist between the individual's personal or business interests (including members of the individual's immediate family) and the best interests of the Township.

Conflicts of interest may be considered to exist in those instances where the actions, inaction or activities of an individual on behalf of the Township involve (1) the obtaining of improper personal gain or advantage; (2) an adverse effect upon the Township's interest; or (3) the obtaining by a third party of an improper gain or advantage. Areas relating to or involving conflict of interest in broad terms are defined in the following articles: 12.7.1, 12.7.2, 12.7.3, and 12.7.4.

12.7.1 Personal Financial Interests

Any person appointed, contracted, or hired by the Township, shall disclose any commercial interests, which might influence their official decisions, actions or inaction. Among other things, this would include any financial interest in an enterprise, which has business relations with the Township.

Any person appointed, contracted, or hired by the Township, shall disclose all holdings, either directly or indirectly (i.e. members of their family) of an investment in any business from which the Township secures any goods or services or to which the Township provides or is requested to provide a service or services.

No person appointed, contracted, or hired by the Township, shall collect any fees or commissions on an individual basis in the course of conducting Township business. All Township related fees collected shall be approved by the Township Board and deposited in appropriate accounts for Township purposes.

Any person appointed, contracted, or hired by the Township, shall report, at least annually, to the Township Board with respect to any corporation or unincorporated enterprise in which they (or their immediate family) have an interest, where said business enterprise has, or may, engage in transactions with or require services of the Township.

12.7.2 Inside Information

Confidential Township information received by said persons in the performance of their duties shall not be divulged to others, nor used for personal profit.

12.7.3 Gratuities and Entertainment

Any person appointed, contracted, or hired by the Township, shall not accept gratuities and/or entertainment if it places them under obligations to third parties dealing with, or desiring to do business with the Township.

12.7.4 Other Activities

Employees should avoid employment or activities that may be in conflict with or take away from the time necessary for them to effectively perform their duties and responsibilities. Such employment or activities must not compete or conflict with the interest of the Township.

12.7.5 Disclosure

Each April, the Clerk (or his/her designee) will provide a copy of Board Policies 12.7 through 12.7.6 and a reaffirmation statement to all persons, appointed, contracted, or hired that must be signed and returned to the Clerk within 30 days. Any person appointed, contracted, or hired by the Township, shall submit to the Board, at the end of each fiscal year, a completed statement regarding any potential areas for conflict of interest. Said persons shall immediately report to the Township Board any new additional information on any matter which is covered by this section of policy.

If a person appointed, contracted, or hired by the Township, finds that they (or a member of their immediate family) has, or is considering the assumption of a financial interest, or if they are in doubt as to the proper application of this section of policy, the individual shall immediately disclose all facts to the Township Board and be guided by the Board's instructions regarding the matter. Except as directed by those instructions, the individual should refrain from exercising responsibility in any matter, which might reasonably be considered to involve an adverse or conflicting interest.

12.7.6 Affirmation of Compliance

It shall be required for each person appointed, contracted, or hired by the Township, to sign a statement that they have read Township Board Policy 12.7 in its entirety prior to commencing their respective duties. It shall further be a requirement that each new person appointed, contracted, or hired by the Township shall annually reaffirm their compliance with said policy by placing on file, with the Clerk, an acknowledgement of receipt and compliance with said policy via email.