

ZONING BOARD OF APPEALS ADMINISTRATIVE AGENDA

HAYES TOWNSHIP

9195 MAJOR DOUGLAS SLOAN ROAD

CHARLEVOIX, MICHIGAN 49720

FEBRUARY 18TH, 2026 AT 7:00 PM

Join Zoom Meeting

<https://us02web.zoom.us/j/83141540092?pwd=8B9u2ffX3izb5t85jekpgxyEjDjsre.1>

Meeting ID: 831 4154 0092

Passcode: 396667

1. Chair calls meeting to order
2. Pledge of Allegiance
3. Introduction of Zoning Board Members
4. Review and Approval of Agenda
5. Declaration of Conflict of Interest
6. Approval of January 14, 2026 Administrative meeting minutes and January 14 2026 Pubic Hearing Minutes
7. Adoption of Proposed ZBA Rule and Procedure updates
8. Adoption of Roberts Rules of Order
9. Set Public Hearing Date (March 18th 2026)
10. Public Comment
11. Zoning Board of Appeals Member Comment
12. Adjournment

Public Comment at Meetings of Hayes Township Zoning Board of Appeals

The Hayes Township Zoning Board of Appeals values public input and offers two opportunities for public comment near the beginning and end of its meetings. If you speak, however, you should not expect to engage board members or staff in discussion or debate.

ZBA members will not respond to comments made during public comment except to ask a clarifying question, correct an error, or provide specific factual information.

Public comment is recognized by the Michigan Open Meetings Act. The Act allows public bodies to adopt rules for orderly comment. To that end, the following rules have been adopted by the Hayes Township Zoning Board of Appeals:

1. A person wishing to speak will so indicate on the sign in sheet. Zoom attendees can indicate they would like to speak by raising their hand icon. Individuals attending in person will be called on first.
2. The person will begin by stating their name, spelling it if requested.
3. The speaker addresses the Chairperson, or other person chairing the meeting, on behalf of the entire board. Public comment should not be addressed to individual ZBA members or township staff, or to other members of the audience.
4. There is a three (3) minute time allotment for each speaker. The time limit may be extended by the Chairperson or majority of the board. A person may only speak once during a comment period. Audience members may not 'donate' their time to another speaker.
5. A speaker will be out of order if s/he is disruptive, speaks longer than the allotted time, uses vulgarities or makes a personal attack on a ZBA member or township employee that is unrelated to the performance of that person's duties.
6. A speaker ruled out of order will not be allowed to speak again at the same meeting except by special permission of the board.
7. The chair has the discretion to permit audience members to speak at times other than during public comment.

You probably have a conflict of interest if:

- you are the applicant;
- a close relative is the applicant;
- a business associate, lender or renter is the applicant;
- the proposal could allow you or a business associate to receive a financial gain or benefit;
- you are a planning commission representative to the zoning board of appeals and the matter to be heard is an appeal from a previous planning commission decision in which you participated.

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Hayes Township
Zoning Board of Appeals
Administrative Meeting Minutes
January 14th, 2026
09195 Old U.S. N, Charlevoix, MI 49720

The January 14th, 2026, administrative meeting of the Hayes Township Zoning Board of Appeals was called to order by Rex Greenslade at 1:00 pm. at the Hayes Township Hall, 09195 Old US 31 N., Charlevoix, MI 49720.

BOARD MEMBERS PRESENT: Jessica Perry, Rex Greenslade, ZeZe Jess, Laura Ford (alternate), and Doug Kuebler.

BOARD MEMBERS ABSENT: Janice Vedder-Whipple

ALSO PRESENT: April Hilton (Recording Secretary/Deputy Clerk) and Todd Millar.

Audience: LuAnne Kozma, Roy Griffiths, and Ellis Boal

Due to Chair Janice Vedder-Whipple being absent and no current vice-chair.

Mr. Greenslade made a motion, supported by Mr. Kuebler to appoint Jessica Perry as a temporary Chair for the January 14th 2026 Administrative Meeting.

Yeas: Rex Greenslade, Laura Ford, Doug Kuebler, and ZeZe Jess.

Abstain: Jessica Perry.

Nays: None **Motion Carried**

PLEDGE OF ALLEGIANCE: Jessica Perry opened the meeting at 11:00 am with the Pledge of Allegiance to the Flag.

INTRODUCTION OF ZONING BOARD OF APPEALS (ZBA) MEMBERS:

BOARD MEMBERS PRESENT: Jessica Perry, Rex Greenslade, ZeZe Jess, Laura Ford, and Doug Kuebler.

BOARD MEMBERS ABSENT: Janice Vedder-Whipple

REVIEWED AGENDA:

Add Item 8a Learning from Training on ZBA and Planning (Rex Greenslade).

Add Item 10a Schedule public hearing on Appeal of Administrative Decision.

Mr. Kuebler made a motion, supported by Ms. Perry, to approve the agenda as amended.

Yeas: Rex Greenslade, Laura Ford, Doug Kuebler, ZeZe Jess, and Jessica Perry.

Nays: None **Motion Carried**

DECLARATION OF CONFLICT OF INTEREST:

NONE.

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APPROVAL OF DRAFT MINUTES FROM December 3rd, 2025:

Mr. Greenslade made a motion, supported by Ms. Perry, to approve the December 3 2025 meeting minutes as presented.

Yeas: Rex Greenslade, Laura Ford, Doug Kuebler, ZeZe Jess, and Jessica Perry.

Nays: None Motion Carried

PUBLIC CONTACT WITH ZBA MEMBERS:

Mr. Greenslade stated this was brought to attention last year after a situation with the public contacting ZBA Members at their homes.

Mr. Millar stated this is covered in the next agenda item and will begin with the review and discussion of the proposed changes to the Hayes Township Zoning Board of Appeals Rules and Procedures.

During the discussion Todd stated the township cannot stop the public from approaching ZBA members at their homes, however, ZBA members may post no trespassing signs.

AMENDMENTS TO THE HAYES TOWNSHIP ZONING BOARD OF APPEALS RULES & PROCEDURES:

Todd Millar explained the proposed changes to the Hayes Township Zoning Board of Appeals Rules and Procedures.

Todd Millar recommends adopting Robert's Rules of Order for ZBA Meetings.

Mr. Greenslade made a motion, supported by Ms. Perry to approve the amendments to the Hayes Township Zoning Board of Appeals Rules & Procedures as discussed. Including the following amendments;

- All appeals, appeal notices, interpretation request and variance request are to be sent to the Township Clerk via mail or email. Who then shall date and time stamp the documentation and confirm with the applicant or sender via email or mail immediately.

- Appeal shall be filed on blank or a form and the form is preferred and this form will be posted on the website and / or provided by the Zoning Administrator.

- The Zoning Board of Appeals will be adopting the Robert's Rules of Order.

Yeas: Rex Greenslade, Laura Ford, Doug Kuebler, ZeZe Jess, and Jessica Perry.

Nays: None Motion Carried

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LEARNING FROM TRAINING ON ZBA AND PLANNING (REX GREENSLADE):

Mr. Greenslade presented to the ZBA and public a brief presentation on his learning from training on ZBA and Planning.

Presentation included:

- Governmental regulation of the use of land.
- Personal property rights tension.
- Planning, Zoning and the Constitution.
- Michigan's planning and zoning enabling acts.
- ZBA Authorities and responsibilities.
- Recent examples in Hayes Township.

TRAINING PRESENTATION BY TODD MILLAR (TOWNSHIP ATTORNEY)

Todd Millar presented a training session to the ZBA members.

Training session included the following:

- What the ZBA is and what the ZBA can do.
- Section 8 of the current Hayes Township Zoning Ordinance.
- Zoning Board of Appeals Handbook published by the Michigan Municipal League.
- ZBA Meeting Minutes intentions and contents for being the Official Record of a hearing.
- Finding of Facts.
- Utilizing Staff and Staff reports.
- Creating and using a form explaining the request, including the finding of facts of the case and finalized motion of decision by the ZBA, with a signature by the ZBA chair. The form can be used as a notice to the applicant to begin the appeal timeline versus waiting to use the approved minutes as the notice and starting point for appeals.
- Definition of an "aggrieved party".
- An appeal court case of Saugatuck Dunes Coastal Alliance V. Saugatuck Township, 509 Mich. 561.

ELECTION OF OFFICERS:

Mr. Greenslade asked Todd due to the changes of the ZBA Rule and Procedures do not take effect for 30 days, how does the board handle the nominations for Chair and Vice Chair.

Mr. Millar stated because the consensus of the board is to change the Rules and Procedures, it is his opinion that the board can move forward.

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100 Ms. Perry made a motion to open nominations for Vice Chair of the ZBA.
101 Yeas: Rex Greenslade, Laura Ford, Doug Kuebler, ZeZe Jess, and Jessica Perry.
102 **Nays: None** **Motion Carried**
103
104 Mr. Greenslade made a motion, supported by Ms. Ford to nominate Jessica Perry as Vice Chair
105 of the ZBA.
106 Yeas: Rex Greenslade, Laura Ford, Doug Kuebler, and ZeZe Jess.
107 Abstained: Jessica Perry.
108 **Nays: None** **Motion Carried**
109
110 Mr. Kuebler made a motion, supported by Ms. Jess to close nominations for Vice Chair.
111 Yeas: Rex Greenslade, Laura Ford, Doug Kuebler, ZeZe Jess, and Jessica Perry.
112 **Nays: None** **Motion Carried**
113
114 Mr. Greenslade made a motion, supported by Mr. Kuebler to appoint Jessica Perry as Vice Chair
115 of the ZBA.
116 Yeas: Rex Greenslade, Laura Ford, Doug Kuebler, and ZeZe Jess.
117 Abstained: Jessica Perry.
118 **Nays: None** **Motion Carried**
119
120 Ms. Perry made a motion to open nominations for chair of the ZBA.
121 Yeas: Rex Greenslade, Laura Ford, Doug Kuebler, ZeZe Jess, and Jessica Perry.
122 **Nays: None** **Motion Carried**
123
124 Mr. Kuebler made a motion, supported by Ms. Perry to nominate Rex Greenslade as Chair of
125 the ZBA.
126 Yeas: Laura Ford, Doug Kuebler, ZeZe Jess, and Jessica Perry.
127 Abstained: Rex Greenslade
128 **Nays: None** **Motion Carried**
129
130 Mr. Kuebler made a motion, supported by Mr. Greenslade to close nominations for Chair.
131 Yeas: Rex Greenslade, Laura Ford, Doug Kuebler, ZeZe Jess, and Jessica Perry.
132 **Nays: None** **Motion Carried**

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Ms. Perry made a motion, supported by Mr. Kuebler to appoint Rex Greenslade as Chair of the ZBA.

Yeas: Laura Ford, Doug Kuebler, ZeZe Jess, and Jessica Perry.

Abstained: Rex Greenslade

Nays: None **Motion Carried**

SET PUBLIC HEARING FOR APPEALS OF ADMINISTRATIVE DECISION:

Ms. Perry made a motion, supported by Mr. Kuebler to set a Public meeting date for February 25th 2026 at 6:00pm to hear two appeal cases of an administrative decision.

Yeas: Rex Greenslade, Laura Ford, Doug Kuebler, ZeZe Jess, and Jessica Perry.

Nays: None **Motion Carried**

PUBLIC COMMENT:

Public Comment opened at 2:57pm

Comments included:

- Ellis Boal stated the Zoning Administrator should be informing Pickle Ball Storage LLC regarding the Appeal case and issue a STAY order.

- Roy Griffiths thanks everyone who volunteers their time on the ZBA, the rules and procedures amendments that may conflict with the current Zoning Ordinance, please bring that to the Planning Commission for the continuing process of amending the Zoning Ordinance.

- LuAnne Kozma stated she is the representative of the applicants for the two Appeals of an Administrative decision. They gave a brief background and other information regarding their clients claim.

Public Comment closed at 3:04 pm

ZBA COMMENT:

Ms. Perry stated the ZBA is adjusting the ZBA Rules and Procedures to solve some of the time line issues presented in the past and the changes discussed today where all discussed with the Township Attorney and the board all came to a consensus to approve the changes. Thank you Todd Millar for your time.

Thank you Jessica Perry for chairing the meeting today.

ADJOURNMENT: Mr. Kuebler made a motion, supported by Ms. Jess, to adjourn at 3:07pm

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166 Yeas: Rod Slocum, Bruce Deckinga, Doug Kuebler, and Janice Vedder-Whipple.
167 Nays: None **Motion Carried**
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169 Respectfully Submitted,
170 April Hilton
171 Hayes Township Deputy Clerk/Recording Secretary
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DRAFT
Hayes Township
Zoning Board of Appeals
Public Hearing
January 14th, 2026
09195 Major Douglas Sloan Road, Charlevoix, MI 49720

The January 14th, 2026, Public Hearing meeting of the Hayes Township Zoning Board of Appeals was called to order by Chair Rex Greenslade at 7:00 pm. at the Hayes Township Hall, 09195 Old US 31 N., Charlevoix, MI 49720.

BOARD MEMBERS PRESENT: ZeZe Jess, Rex Greenslade, Doug Kuebler Jessica Perry, and Laura Ford (Alternate).

ALSO PRESENT: April Hilton (Recording Secretary/Deputy Clerk) Ron VanZee (Zoning Administrator)

Audience: Vickie Laskey and Matt Cunningham.

PLEDGE OF ALLEGIANCE: Mr. Greenslade (Chair) opened the meeting at 7:00 pm with the Pledge of Allegiance to the Flag.

INTRODUCTION OF ZONING BOARD OF APPEALS (ZBA) MEMBERS:

BOARD MEMBERS PRESENT: ZeZe Jess, Rex Greenslade, Doug Kuebler Jessica Perry, and Laura Ford (Alternate).

REVIEWED AGENDA:

Remove item #8 Review of learning gained from training on ZBA and Planning.

Mr. Kuebler made a motion, supported by Ms. Perry, to approve the agenda as amended.

Yeas: Jessica Perry, ZeZe Jess, Doug Kuebler, Laura Ford and Rex Greenslade.

Nays: None Motion Carried

DECLARATION OF CONFLICT OF INTEREST: NONE

CHAIR OPENS PUBLIC HEARING:

Mr. Greenslade made a motion, supported by Mr. Kuebler to open the public hearing at 7:03pm.

Yeas: Jessica Perry, ZeZe Jess, Doug Kuebler, Laura Ford and Rex Greenslade.

Nays: None Motion Carried

ZONING ADMINISTRATOR INTRODUCES CASE AND PRESENTS EXHIBITS:

In the Matter of: Vickie Laskey CASE #011426

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Publication date was December 16th 2025 in the Petoskey News Review. Notice was sent to all property owners within 300 feet on December 11th 2025.

Charlevoix County Property Tax Identification Number 15-007-200-003-00, Zoning District R3 located on property commonly known as 11190 Spring St. Charlevoix MI 49720. The applicant is seeking a variance of 5ft from section 4.13 Schedule of Regulations 15 foot side setback requirement to allow for construction of a new single family dwelling with attached garage within 10 feet of the side (west) property line. The applicant has submitted a Shoreline Protection Strip Site Plan which has been reviewed and approved by the Planning Commission (if the variance is approved).

PETITIONER IS RECOGNIZED (AND/OR AGENT) AND PUTS FORTH CASE/ BOARD MEMBERS

ASK PETITIONER QUESTIONS:

Ms. Laskey stated she is requesting a variance because of the bluffs located on the property limit the building space on the lot. Additionally the neighboring properties well and septic field had been placed on her lot and, although now removed, presents a challenge by limiting the placement of her septic, well and house location. She would like to avoid cutting any trees.

With these factors considered, she determined the placement of the proposed new single family dwelling which requires a variance on the west side setback.

Ms. Perry asked when the applicant purchased the property.

Mr. Laskey stated she purchased the home in July 2022 and discovered the neighbors septic in July 2025.

Ms. Perry clarified: the applicant did not know of the septic was on her property before purchasing?

Ms. Laskey stated she nor the neighbor was not aware of the septic being there until July of 2025 when the neighbor approached her after the property was staked after her purchase. The septic field is longer in use. However, the health department has labeled this space as a no build space.

Ms. Perry stated at no fault of the applicant, due to this determined no build space by the Health Department and due to the neighbors septic prior placement on the applicant's property is causing her need for the variance.

CHAIR OPENS PUBLIC COMMENT:

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Opened at 7:25 pm with No Comments

CORRESPONDENCE ACKNOWLEDGED:

ZBA members reviewed all correspondence received by 4:00pm January 13, 2026 as stated on the Public Hearing Notice.

CHAIR CLOSES PUBLIC COMMENT:

Public Comment closed at 7:26pm.

REVIEW OF APPLICABLE SECTION OF HAYES TOWNSHIP ORDINANCE:

The ZBA reviewed and discussed sections 4.13 schedule of Regulations.

REVIEW AND DISCUSSION OF FINDING OF FACT:

A 5 foot variance from the 15 foot side property line requirement in Section 4.13. To allow construction with in 10 feet of the west side property line.

SECTION 8.07 VARIANCES

1. The need for the requested variance is due to unique circumstances or physical conditions of the property involved that do not generally apply to other properties in the surrounding area and/or zoning district, such as narrowness, shallowness, shape, water, or topography and is not due to the applicant's personal or economic hardship.
 - The Board of Appeals find that due to the following facts yes there are unique circumstances or physical conditions of the property involved;
 - Size area 25,756 sq ft; district minimum 20,000.
 - Width average is 150; district minimum 100.
 - Shape is irregular, topography is square with substantial bluff.
 - lot has water feature increasing setback (front).
 - Platted subdivision so not applicants personal or economic hardship.
 - two other parcels in area have been granted similar variances.
 - The neighbor's prior existing 2100 sq ft drain field located on the applicants property incorrectly constrains the building envelope.
2. The need for the requested variance is not the result of action of the property owner or previous property owners (self-created).

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- The Board of Appeals find that the parcel is part of platted subdivision and has not been altered by any action of the property owner.

3. That strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for any permitted purpose, or will render conformity with those regulations unnecessarily burdensome.

- The Board of Appeals find that due to the narrowness and the general terrain of the parcel restricts placement of building envelope when considering required locations of proposed well and septic, and to avoid tree removal on the parcel it is unnecessarily burdensome at no fault of the applicant.

4. Whether granting the requested variance would do substantial justice to the applicant as well as to other property owners in the district, or whether granting a lesser variance than requested would give a substantial relief to the property owner and be more consistent with justice to other property owners.

- The Board of Appeals find that yes granting variance would provide substantial justice due to property on east side that is legally non-conforming with structures located within the side setback on the property line. Additionally, the West side adjacent property is conservancy (open space) property with no-build restrictions.

5. That the requested variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or Zoning District.

- The Board of Appeals find it does not appear that this would have adverse impact on the property to the West as that is conservancy (open space) property with no build restrictions while relieving an adverse condition on property to the east.

MOTION AND ROLL CALL VOTE:

Mr. Greenslade made a motion, supported by Mr. Kuebler to approve based on exhibits and facts identified by the ZBA and included in the record, the 5 foot variance from the 15 foot side yard setback requirement of section 4.13 to allow construction within 10 feet of the side (west) property line, contingent on the Shoreline Protection Strip Site Plan being approved by the Planning Commission.

Yeas: Jessica Perry, ZeZe Jess, Doug Kuebler, Laura Ford and Rex Greenslade.

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131 Nays: None Motion Carried

132 **CHAIR CLOSSES PUBLIC HEARING:**

133 Mr. Greenslade to closed the Public Hearing at 7:48pm.

134 Yeas: Jessica Perry, ZeZe Jess, Doug Kuebler, Laura Ford and Rex Greenslade.

135 Nays: None Motion Carried

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137 **PUBLIC COMMENT NON AGENDA ITEMS:**

138 Public Comment Opened at 7:48pm

139 No Comments

140 Public Comments Closed at 7:48pm

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142 **ZONING BOARD OF APPEALS MEMBER COMMENT:**

143 Mr. Kuebler stated the Training was extremely helpful earlier today, and believes the new
144 process to sign a notice of variance form at the meeting is much more efficient.

145 Mr. Greenslade supports Mr. Kuebler comments and supports this new process.

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147 **ADJOURNMENT:** Ms. Perry made a motion, supported by Ms. Kuebler, to adjourn at 7:49
148 pm.

149 Yeas: Jessica Perry, ZeZe Jess, Doug Kuebler, Laura Ford and Rex Greenslade.

150 Nays: None Motion Carried

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152 Respectfully Submitted,

153 April Hilton

154 Hayes Township Deputy Clerk/Recording Secretary

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HAYES TOWNSHIP ZONING BOARD OF APPEALS RULES OF PROCEDURE

Section 1.0 Purpose.

The following rules of procedure are hereby adopted by the Hayes Township Zoning Board of Appeals to facilitate the performance of its duties as outlined in Hayes Township Zoning Ordinance. A copy of these Rules of Procedure shall be posted on the Township website.

Section 2.0 Officers

2.1 Selection. At the regular meeting in January of each year, the Zoning Board of Appeals shall select from its regular membership a Chair and Vice-Chair. All officers are eligible for reelection. The Township Board member may not serve as Chair or Vice-Chair.

2.2 Tenure. The Chair and Vice-Chair shall take office upon their selection and shall hold office for a term of one year or until their successors are selected and assume office.

2.3 Duties of Officers. The Chair shall preside at all meetings and perform such other duties as may be ordered by the Zoning Board of Appeals. The Vice-Chair shall act in the capacity of Chair in his/her absence and in the event the office of Chair becomes vacant, the Vice-Chair shall succeed to this office for the unexpired term and the Zoning Board of Appeals shall select a successor to the office of Vice-Chair for the unexpired term.

2.4 Recording Secretary. The Deputy Zoning Administrator shall be the Recording Secretary for the Zoning Board of Appeals. The Secretary or designate shall execute documents in the name of the Zoning Board of Appeals and perform the duties hereinafter listed. The Secretary or designate shall assure that the minutes of all meetings of the Zoning Board of Appeals are properly recorded and that notices for all meetings are duly given. He or she shall also perform such other duties as may be assigned by the Chair or the Appeal Board.

2.5 Duties of all members. All substantive communication regarding a matter before the Zoning Board of Appeals should occur at a public meeting. Whenever possible, Members shall avoid Ex Parte contact (any conversation about the case between board members, or between board member(s) and the applicant or public) about cases where an administrative decision is before the Appeals Board. Despite one's best efforts, it is sometimes not possible to avoid Ex Parte contact, however, and it is important that every member and other interested parties are made aware of what was said. When Ex Parte contact happens, the member shall take detailed notes on what was said and report it to the Zoning Administrator, who will include the report in the materials provided to the Zoning Board of Appeals for that matter.

2.6 Accepting Gifts. Gifts shall not be accepted by a member of the Appeals Board from anyone connected with an agenda item before the Appeals Board. As used here, gifts shall mean cash, any tangible item (including food), or service, regardless of value.

2.7 Training. Each member shall have attended at least four hours per year of training in planning and zoning during the member's current term of office. Failure to meet the training requirements may be grounds for the Township Board to not reappoint the member

to the Appeals Board. Training may be provided by one or more of the following organizations: Michigan Association of Planning, Michigan State University Extension, Michigan Townships Association, and Michigan Municipal League, continuing education programs of Michigan State University, University of Michigan, Northern Michigan University, Central Michigan University, or Wayne State University.

Section 3.0 Appeals, Requests for Interpretation and Variances

3.1 Filing.

All appeals, appeal notices, interpretation requests and variance requests are to be sent to the Township Clerk. The Clerk, on receipt, shall date- and time-stamp the documentation and shall confirm receipt with the applicant or sender via email or mail (if email is not available) immediately.

3.1.1 Appeals. An appeal to the Zoning Board of Appeals may be taken by a person aggrieved or by an officer, department, board, or bureau of the State of Michigan, or the Hayes Township Board on behalf of the Township, of an administrative decision under the Zoning Ordinance. A notice of appeal, specifying the decision or determination being appealed, the date of said decision or determination and the grounds for the appeal, shall be filed on blanks or a forms (posted on the website or provided by the Zoning Administrator). The notice of appeal and requisite fee established by the Township Board shall be filed with the Township Clerk and the body or officer from whom the appeal is taken. The Clerk will then notify the ZBA Chairperson and the body or officer being appealed that an appeal has been filed and the date of filing. The notice of appeal and fee must be filed within 30 days from the date of the order, requirement, decision or determination being appealed. An appeal may be filed on behalf of an aggrieved party by their authorized agent. No less than 30 days prior to the hearing, seven copies of the appeal form and other materials the appellant wishes to give to the ZBA shall be submitted to the Zoning Administrator as described in Zoning Ordinance Section 8.05. The body or officer from whom the appeal is taken shall immediately transmit to the zoning board of appeals all of the papers constituting the record upon which the action appealed from was taken.

3.1.2 Interpretation Request. Any interested person, or their authorized agent, may request an interpretation of the zoning ordinance from the Zoning Board of Appeals. An interpretation request may be filed in writing at any time. A fee and application is due 30 days prior to the ZBA hearing date as described in Zoning Ordinance 8.05.

3.1.3 Variance Request. Any interested person, or the person's authorized agent, may seek a dimensional variance from the zoning ordinance from the Zoning Board of Appeals. A variance request may be filed in writing at any time. An application, materials described in Zoning Ordinance 8.05, and a fee is due 30 days prior to the ZBA hearing date.

3.2 Notification. Within 10 days from the date of the receipt of the completed application form or Notice of Appeal, the Zoning Administrator shall contact the Secretary or designate, who with the approval of the Chair, will set up a date and time for the Zoning

Board of Appeals to meet to hold a hearing to consider and act on the case in question. Notice of hearing shall be made by the Secretary or designate to the other members of the Zoning Board of Appeals. The notice sent to the members shall include copies of the appeal or application form; including all additional material submitted by the applicant, all relevant content of the Zoning Administrator's file, and/or other files on the case; other relevant correspondence, permits by other applicable enforcement agencies; and any other information that is relevant. In addition to the above the Secretary or designate will give notice as required in Section 8.06 of the Hayes Township Zoning Ordinance.

3.3 Deadline for Action. The above notwithstanding, the Zoning Board of Appeals shall hear the case within forty five (45) days and file its decision with the Zoning Administrator not more than forty five (45) days after hearing the case, unless a longer period of time is mutually agreed upon by the petitioner and the Zoning Board of Appeals.

3.4 Site Inspection. Members of the Zoning Board of Appeals are required to visit the site in question. This shall be done at their own expense and on an individual and separate basis. Members are not to discuss or deliberate a variance request except during posted open hearings.

3.5 Notice of Decision. The Secretary or designate shall cause a Decision and Order of the Zoning Board of Appeal's decision to be delivered to the Zoning Administrator; to the petitioner, or his/her agent; and to anyone else requesting a copy in writing.

Section 4.0 Meetings

4.1 Regular Meetings. The Zoning Board of Appeals shall meet at least once each year during the month of January. Any other meeting shall be called as needed such as in response to an appeal for a variance or Notice of Appeal. The meeting will be called by the Secretary or the Chair.

4.2 Attendance.

a. If any member of the Zoning Board of Appeals is absent for two or more meetings in a row, then that member may be considered delinquent and may be removed from the board by the Township Board, for nonperformance of duty. The Secretary or designate shall keep attendance records and notify the Township Board when the problem exists.

b. When a petitioner fails to appear at a properly scheduled meeting, the Chair may entertain a motion from the Board to dismiss the case for want of prosecution. In such cases, the petitioner shall be notified, in writing, by the Secretary or designate, and the petitioner shall have seven (7) days from the date of notice to apply for reinstatement of the case. The applicant must file a written request for reinstatement to the Secretary or designate, and upon approval by the Chair for good cause shown; pay the fee as set by the Township Board. In all reinstated cases, a new hearing must be scheduled and all prescribed actions performed.

4.3 Conflict of Interest. Each member of the Appeals Board shall avoid situations that are conflicts of interest. If a member has a conflict of interest such conflict of interest shall be

fully stated on the record. If a question exists whether the circumstances actually present a conflict of interest, the Zoning Board of Appeals may, by majority vote of the members present and voting, table the matter under consideration in order to obtain a written opinion from the township attorney. Once the conflict of interest matter is declared or confirmed, the member with the conflict of interest shall do all of the following immediately, upon first knowledge of the case and determining that a conflict exists:

- a) Declare a conflict exists.
- b) Cease to participate at the Appeals Board meetings.
- c) Refrain from engaging with any members of the Appeals Board, its staff or any others on the subject of the matter which gives rise to the conflict of interest.
- d) If the conflict is first declared at an Appeals Board meeting, leave the meeting table and not participate during deliberation of or voting on the item before the Appeals Board.

4.4 Incompatibility of Office. Each member of the Appeals Board shall avoid situations giving rise to an incompatibility of office. If a member simultaneously holds two or more incompatible offices, such incompatible offices shall be fully stated on the record. If a question exists whether the circumstances actually present incompatible offices, the Zoning Board of Appeals may, by majority vote of the members present and voting, table the matter under consideration in order to obtain a written opinion from the township attorney. Once the incompatible offices are declared or confirmed, the member of the Zoning Board of Appeals holding the incompatible offices must resign from either the Zoning Board of Appeals or the other office.

4.5 Other Meetings. Meetings shall be called by notifying, all members of the Zoning Board of Appeals at least 48 hours in advance. The notice shall state the purpose, time, location and shall be posted at the Township Hall at least 18 hours prior to the date of the meeting. Meeting notices shall also be published on the township website. The public notice on the website shall be included on either the homepage or on a separate webpage dedicated to public notices for non-regularly 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 non-regularly scheduled public meetings.

4.6 Public Meetings. All meetings, hearings, records and accounts shall be open to the public and posted in compliance with the Michigan Open Meetings Act.

4.7 Quorum. A majority of the regular members of the Zoning Board of Appeals shall constitute a quorum for the transaction of business at all meetings of the Appeals Board. The Zoning Board of Appeals shall not conduct business unless a majority of the regular members are present.

4.8 Order of Business.

- 1. Chair declares Hearing open.
- 2. Pledge of Allegiance.
- 3. Introduction of Zoning Board of Appeals Members.
- 4. Zoning Administrator introduces case and presents exhibits.
- 5. Petitioner is recognized and he/she, or his/her agent, puts forth his/her case.

6. Board members report on their site inspections, if any, and ask questions they may have for the petitioner or his/her agent.
7. Discussion may take place between the petitioner and board members.
8. Members of the public, present, may speak.
9. Any correspondence received about the variance, is read or has been included in member's packets.
10. Anyone can ask the board questions regarding the petitioner's presentation or speeches that were given. The board will attempt to obtain the answers. Answers will be directed to the board chair. No discussion, questioning or answering, shall take place between any two or more persons except between board members and whoever has the floor.
11. Close the public comment portion of the hearing. (At this point, all public participation on the issue ends).
12. The Board reviews applicable Sections of the Hayes Township Ordinance.
13. The Board reviews the facts as known and discussion takes place gathering findings of fact until a member puts forth a motion including the findings of fact. Voting shall be by roll call and shall be recorded.
14. The hearing is over and the board may take up any further business it may have pending, prior to adjournment.

Motions dealing with an Appeal or a Variance shall be stated with the following parts:

1. The list of exhibits which is the printed information presented by the applicant and/or the Zoning Administrator.
2. The list of facts which is the information pertinent to making a decision structured as a "Finding of Fact" on the case.
3. The conclusion, decision, of the Zoning Board of Appeals. This motion, or part of a motion, shall include the rationale and/or reason, for why the conclusion was made.

The rationale, reasons, shall at a minimum contain a review of the applicable Section of the Hayes Township ordinance.

Motions dealing with an ordinance interpretation, or an appeal of an administration decision, shall be stated with the following parts:

1. The list of exhibits which is the printed information presented by the applicant and/or the Zoning Administrator.
2. The list of facts which is the information pertinent to making a decision structured as a "Finding of Fact" on the case.
3. The conclusion, decision, of the Zoning Board of Appeals. This motion, or part of a motion, shall include the rationale and/or reason, for why the conclusion was made.

4.9 Voting. Voting shall be by roll call vote and shall be recorded. Members must be physically present to cast a vote. Except as provided herein, an affirmative vote of a majority of the entire Zoning Board of Appeals appointed and serving shall be necessary to grant a dimensional variance, to reverse an order, requirement, decision, or determination of the zoning administrator or other administrative official or body, or to decide in favor of the applicant on any matter before the Appeals Board. Unless the Hayes Township Zoning

Ordinance requires otherwise, an affirmative vote of a majority of the Appeals Board members present and voting shall be necessary to make all other decisions.

4.10 Not Voting On the Same Issue Twice. Any member of the Appeals Board shall avoid situations where they are sitting in judgment and voting on an administrative decision which they had a part in making, such as decisions of the Township Board or the Planning Commission.

4.11 Alternates. If an alternate is involved in a deliberation on a case the alternate will remain a member of the Zoning Board of Appeals in all deliberations on that case until its conclusion.

4.12 Conduct of Meetings. Meetings shall be conducted pursuant to Robert's Rules of Order.

Section 5.0 Minute Approval. Copies of the Minutes and Decision and Order shall be distributed to each member of the Zoning Board of Appeals within 8 business days of the meeting. The Secretary or designate will give notice to the members, in writing, of the scheduled date for minute approval.

Section 6.0 Adoption and Repeal. These rules of procedure of the Hayes Township Zoning Board of Appeals shall become effective on the date adopted. All previous rules of procedure, as amended, shall be repealed.

Section 7.0 Amendments. These Rules of Procedure may be added to, amended or repealed in whole or in part. Proposed changes to these Rules of Procedure must be submitted in writing to the regular members of the Zoning Board of Appeals at least one (1) month in advance of the meeting at which the proposed changes will be considered. A majority vote of the entire regular Appeal Board members appointed and serving shall be required to amend these Rules of Procedure.

Board "Rules of Engagement"

developed by the Michigan Townships Association

Principles

Rules of Engagement Must Be:

1. Appropriate to meeting purpose
2. Agreed to by all
3. Efficient
4. Fair
5. Promote public respect
6. Starting and ending times

General Rules

1. Only one meeting—no side conversations
2. All viewpoints are valid
3. Ideas generated first; evaluated later
4. Try to reach consensus—majority vote as last resort
5. Decisions will be supported by all members
6. Materials will be received in advance
7. Each member speaks for established period of time
8. Brainstorming—record all ideas
9. Manage war stories; offtrack discussions
10. Intervene with tact—any group member can act
11. Set time limit for each item
12. Adopt Agenda by _____

Participants

1. Prepare by reading; develop points of view, questions, opinions
2. Determine your goals
3. Take meeting seriously; stay involved, show up on time
4. Active listening
5. Know where your point is going before you start—comments relevant
6. Help chair keep meeting moving
7. Obtain recognition from chair before speaking
8. Limit remarks to issue being considered
 - a. Ask questions for clarification
 - b. Respect colleagues' rights
 - c. Actively listen
 - d. Explain reasons behind significant decisions
 - e. Raise concerns and objections at meeting, rather than after
 - f. Express disagreement verbally
 - g. Don't spring surprises
9. Criticize constructively and in private

Rules for Chairing a Meeting

1. Stay neutral
2. High energy
3. Assertive without abrasiveness
4. Listen well
5. Know when meeting veers off course
6. Dedicated to serve needs of the group—check with others to determine if satisfied
7. Encourage others to participate
8. Safe, open, trusting, supportive relationship
9. Deal with hidden agendas, disruptive behavior
10. Sense of humor
11. Efficient
12. Do not be too partisan during discussion

Chair “No No’s”

1. Failing to relinquish gavel when position too emotional or conflicted
2. Treating members unevenly
3. Cutting off discussion prematurely
4. Failing to timely close discussion
5. Letting meeting drift
6. Allowing meeting to become too informal
7. Neglecting to explain process
8. Failing to restate audience questions
9. Failing to apply time limits consistently
10. Failing to recognize and deal with procedural objections
11. Failing to protect members and staff from verbal attack
12. Losing track of amendments to motions
13. Failing to restate motions before they are voted upon
14. Forgetting to call recesses during long meetings
15. Neglecting to reconvene at specified time

Sample Township Board Rules

(Please see discussion at end)

Township Board Responsibilities:

The Township Board is responsible for the following tasks:

1. Informing the community on significant issues;
2. Keeping abreast of community, state and national issues impacting on township government;
3. Soliciting views on the township's performance;
4. Evaluating township staff and appointed officials for achievement of ends policies and compliance with executive limitations policies;
5. Protecting the assets of the township;
6. Establishing guidelines or limitations on program implementation and administration;
7. Establishing priorities among programs for resources;
8. Establishing its business agenda, schedule meetings, and establishing its meeting format.

Duties of the Board Meeting Moderator

1. Chairs Board meetings to maintain efficiency, order, and with fairness to participants.
2. Establishes proposed meeting agendas in cooperation with the clerk.
3. Confers with the township attorney on behalf of the Board.
4. Appoints members of ad hoc committees with the consent of the Board.
5. Initiates legal action pursuant to Board authorization.
6. Acts as spokesperson for the Board on matters of policy.
7. Provides direction to the staff as directed by the Board.

Board Commitment to Values and Vision

- I. The township board, on behalf of residents of the township, will provide progressive and visionary leadership consistent with community values and expectations.
- II. The Board shall provide proactive and visionary leadership that focuses on ends and results, rather than means.
- III. The Board shall conduct its business open to the public and will fairly consider differing viewpoints in developing policy.
- IV. The Board shall respect diverse opinions and encourage open debate among its members. When possible, decisions will be reached through consensus.
- V. The Board shall regularly monitor its performance in providing strategic leadership to the township.

Civic Trusteeship

- The Board shall function openly, and shall seek involvement and contributions from the public and staff in its decisions.
- The Board shall maintain effective communication with the community.
- Every effort shall be made to secure input from all affected groups during policy formulation and prior to its adoption.
- The Board seeks to establish and maintain satisfactory working relationships with all governmental and private agencies with interests compatible with those of the township.
- The Board shall seek to foster an atmosphere of cooperation among all community groups and organizations whose operations are affected by township activities.
- The Board shall seek to foster an atmosphere of cooperation and open lines of communication with all governmental agencies having an interest in the township's activities.

Board Member Code of Conduct

Board members shall:

- Attend as many Board meetings as possible and become informed concerning issues to be discussed, and shall inform the Supervisor of any impending absences from a Board meeting;
- Exercise his or her obligation to vote upon the question unless a conflict of interest is present;
- Adopt policy only after full discussion of the issues at public Board meetings;
- Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and the community;
- Work with other Board members to establish effective policy and to delegate authority for the administration of the township to the superintendent/manager;
- Communicate to other Board members and the superintendent/manage public reaction to Board policy and township programs;
- Become informed about current township government issues by individual study and through participation in programs providing needed information, such as those sponsored by the Michigan Townships Association;
- Support the employment of those persons best qualified to serve as township staff and insist on a regular impartial evaluation of all staff;
- Avoid being placed in a position of conflict of interest and refrain from using the Board position for personal or partisan gain; and
- Take no action that will compromise the Board or the township staff and respect the confidentiality of information that is privileged under applicable law.

Board Member Responsibilities

The Board shall transact all business at legally called and noticed meetings. No Board members shall have power to act in the name of the township outside Board meetings unless that person has been specifically designated to do so by official Board action.

The Board shall make the staff and citizens aware that only the Board, not individual members, has the right to take official action for the township. Board members may be contacted for discussion of township business, suggestions for improvements, or other concerns. The Board member may listen, but shall not make a commitment on behalf of the Board. The individual Board member does not and cannot speak for the Board.

If a specific complaint needs attention, the Board member shall explain the township's procedures for handling complaints, or may refer the complainant to the superintendent/manager. The Board member also shall inform the complainant of the process for bringing items to the Board through the Board's agenda or through the public comment portion of the Board meeting.

Board Meeting Agenda

The township board shall determine the level of information provided by staff to the Board.

The Board shall meet twice monthly. The dates of regular board meetings shall be set at the annual organization meeting of the board. The first monthly meeting shall be a "Committee of the Whole" meeting to discuss issues without adherence to rules of procedure. No policy decisions will be made at Committee of the Whole meetings unless Board members have received prior notice of such proposed action.

The second monthly Board meeting shall be a "formal session" and shall be conducted under Robert's Rules of Order. The primary purpose of formal sessions is to adopt policy decisions and present to the public information on important issues of the township.

Each Board member shall receive a proposed agenda prior to each meeting, along with appropriate background information. The agenda shall be compiled by the supervisor with the cooperation of the clerk. Additional items may be placed on the agenda at the meeting by majority vote of the members elected and serving.

Initiation, deliberation and adoption of board actions

Board members may initiate board consideration, deliberation and adoption of new and revised township ordinances and policies. Policies are actions of the board as defined in policy #, and consist of township "ends," board and staff relations, board governance, and executive limitations.

Board action on policy issues is initiated by a board member presenting a draft of a proposed policy to the board at a committee of the whole meeting. Board members are encouraged to circulate drafts to other board members, the superintendent/manager or other interested parties for input prior to presentation to the board.

At the committee of the whole meeting, the board will informally discuss the draft policy. Following discussion, the board may initiate formal consideration of the draft policy by approving a motion to place for first reading the proposed policy on the agenda of a formal board meeting. The board will attempt to contact stakeholders (persons and groups that are

likely to have a significant and special interest in an issue) to solicit various viewpoints at the first reading.

Following an affirmative vote at a formal meeting to approve the proposed policy for first reading, the proposed policy will be placed on the agenda of the next formal meeting for final adoption.

By unanimous vote of the board members present and voting, a proposed policy may be adopted at first reading at any lawful board meeting when the board finds that the immediate adoption of a proposed policy is necessitated by the imminent threat to the health, safety and welfare of the township.

Other actions of the board that are not of a policy nature may be adopted without a prior first reading at any lawful meeting of the board.

Order of Business

- I. The order of business at a regular meeting of the Board shall be:
- II. Call to Order/Pledge of Allegiance
- III. Roll call
- IV. Reports/communications, Board-directed follow-up on issues
- V. Brief community comments to the Board on non-agenda items
- VI. Approval of agenda
- VII. Approval of consent agenda items
- VIII. Unfinished business
- IX. New business
- X. Extended comments and questions from staff, audience or Board
- XI. Future topics
- XII. Adjournment

Consent Agenda

To expedite the transaction of routine and noncontroversial items of business, the Board may act on such items by adoption of the consent agenda. Items on the consent agenda shall not be discussed or debated, and shall be considered adopted by the Board upon a majority vote of the members elected and serving to adopt the consent agenda.

The Supervisor and Clerk shall exercise discretion in placing items on the consent agenda. The following items, as well as others, may be placed on the consent agenda:

- approval of prior meeting(s) minutes
- purchases of goods, services and supplies which require Board approval
- approval of leaves of absences
- retention of consultants
- transfers of appropriations

Prior to the adoption of the consent agenda, any Board member may have one or more items removed from the consent agenda, and such item(s) shall be placed on the meeting agenda under new business.

Unfinished Business

Business items previously tabled, as well as adoption of Board policies that have been introduced at a first reading at a prior meeting, shall be placed on the agenda under unfinished business.

New Business

Business items that require Board action, as well as first readings of proposed or revised Board policies, will be placed on the agenda as new business.

Public Participation

Persons wishing to address the Board at the appropriate place in the meeting agenda shall be subject to the following:

1. Each person shall be allowed to speak on an agenda item when the issue is taken up by the Board, and non-agenda issues under Brief community comments, for up to three minutes. An extension of time may be granted by the chairman if the extension will not interfere with conduct of board business or with other persons who also wish to address the board. Persons may address the board without time limitation at the conclusion of all business items on the agenda.
2. Each person wishing to address the Board shall identify themselves by name and address. Persons representing an organization or group shall indicate whether their comments represent the official view of the organization or group.
3. If a delegation wishes to address the Board, the delegation may select up to five representatives to speak on its behalf, for a total time of not more than 20 minutes.
4. The Board shall be provided by the Clerk or by the speaker with copies of all written comments submitted.
5. Persons addressing the Board shall observe rules of common courtesy. Complaints should first be considered through proper channels before being considered by the Board. Personal attacks against a Board member or township employee unrelated to the Board member's or employee's performance of duties shall not be permitted. Board members or employees may request a closed hearing to hear complaints related to the performance of their official duties.
6. Board members may question speakers, but are not obligated to answer questions or make statements or commitments in response to issues raised by the public. In general, such issues will be referred to the Supervisor or Superintendent/Manager for investigation, study, and recommendation or designated as a future agenda item.

Public Access to Board Meetings

The news media will be informed at the beginning of the calendar or fiscal year as to the dates and times of all regular Board meetings, and within three days of any change in the Board meeting schedule. Regular Board meetings will be videotaped and played on community access channels. News media equipment and private recording devices shall not disrupt or influence proceedings.

Board meetings shall be tape recorded and these tapes shall be retained until the written minutes pertaining to that meeting are approved. At the discretion of the clerk and supervisor, tapes may be retained for a longer period.

Township Policy Compliance Monitoring

The Township Board shall monitor compliance with Board policies in a systematic and regular manner.

Compliance with policies shall be monitored on a continual basis through scheduled reviews of reports on township performance available through external sources, through reviews of internal executive reports, and direct examination when deemed necessary by the board.

Evaluation of policy compliance shall be formally documented through an annual review of ends polices and through the annual review of the superintendent/manager.

Criteria shall be pre-established and shall be based on board policies. Compliance shall be based on the standard of "whether reasonable persons believe that actual performance matches the preestablished criteria." Evaluation documentation shall reflect a consensus of the board.

The board shall evaluate the superintendent/manager on an ongoing basis, and shall document the results of such evaluation annually. The content of the superintendent/manager evaluation shall focus on the following information:

- What the superintendent/manager was charged by the board to accomplish;
- What the superintendent/manager was prohibited by the board from doing; and
- How well the superintendent/manager performed against previously established criteria

Discussion on Sample Board Rules

These rules should be considered a sample of the content and subject areas that township boards should discuss and, if deemed appropriate for that township, be formally adopted. As is the case with any sample, it is not intended to fit perfectly with any particular township. Some of the provisions contained in this sample would fit a township board that uses the John Carver Policy Governance model, and some provisions would be appropriate only in townships that have a superintendent or manager. Some of these rules would need to be modified to comply with the provisions of the Charter Township Act.

Prior to adoption of any board rules, consultation with your local township attorney is strongly suggested. Questions or comments on these sample policies can be directed to the Michigan Townships Association.

**RESOURCE INFORMATION ON
PARLIAMENTARY PROCEDURE
AND
ROBERT'S RULES OF ORDER**

**MICHIGAN STATE UNIVERSITY
OFFICE OF THE SECRETARY FOR ACADEMIC GOVERNANCE**

INTRODUCTION TO ROBERT'S RULES OF ORDER

What Is Parliamentary Procedure?

It is a set of rules for conduct at meetings that allows everyone to be heard and to make decisions without confusion.

Why is Parliamentary Procedure Important?

Because it's a time tested method of conducting business at meetings and public gatherings. It can be adapted to fit the needs of any organization. Today, Robert's Rules of Order newly revised is the basic handbook of operation for most clubs, organizations and other groups. So it's important that everyone know these basic rules!

Organizations using parliamentary procedure usually follow a fixed order of business. Below is a typical example:

1. Call to order.
2. Roll call of members present.
3. Reading of minutes of last meeting.
4. Officers reports.
5. Committee reports.
6. Special orders --- Important business previously designated for consideration at this meeting.
7. Unfinished business.
8. New business.
9. Announcements.
10. Adjournment.

The method used by members to express themselves is in the form of moving motions. A motion is a proposal that the entire membership take action or a stand on an issue. Individual members can:

1. Call to order.
2. Second motions.
3. Debate motions.
4. Vote on motions.

There are four Basic Types of Motions:

1. **Main Motions:** The purpose of a main motion is to introduce items to the membership for their consideration. They cannot be made when any other motion is on the floor, and yield to privileged, subsidiary, and incidental motions.
2. **Subsidiary Motions:** Their purpose is to change or affect how a main motion is handled, and is voted on before a main motion.
3. **Privileged Motions:** Their purpose is to bring up items that are urgent about special or important matters unrelated to pending business.
4. **Incidental Motions:** Their purpose is to provide a means of questioning procedure concerning other motions and must be considered before the other motion.

How are Motions Presented?

1. Obtaining the floor
 - a. Wait until the last speaker has finished.
 - b. Rise and address the Chairman by saying, "Mr. Chairman, or Mr. President."
 - c. Wait until the Chairman recognizes you.
2. Make Your Motion
 - a. Speak in a clear and concise manner.
 - b. Always state a motion affirmatively. Say, "I move that we ..." rather than, "I move that we do not ...".
 - c. Avoid personalities and stay on your subject.
3. Wait for Someone to Second Your Motion
4. Another member will second your motion or the Chairman will call for a second.
5. If there is no second to your motion it is lost.
6. The Chairman States Your Motion
 - a. The Chairman will say, it has been moved and seconded that we ..." Thus placing your motion before the membership for consideration and action.
 - b. The membership then either debates your motion, or may move directly to a vote.
 - c. Once your motion is presented to the membership by the chairman it becomes "assembly property", and cannot be changed by you without the consent of the members.
7. Expanding on Your Motion
 - a. The time for you to speak in favor of your motion is at this point in time, rather than at the time you present it.
 - b. The mover is always allowed to speak first.
 - c. All comments and debate must be directed to the chairman.
 - d. Keep to the time limit for speaking that has been established.
 - e. The mover may speak again only after other speakers are finished, unless called upon by the Chairman.
8. Putting the Question to the Membership
 - a. The Chairman asks, "Are you ready to vote on the question?"
 - b. If there is no more discussion, a vote is taken.
 - c. On a motion to move the previous question may be adapted.

Voting on a Motion:

The method of vote on any motion depends on the situation and the by-laws of policy of your organization. There are five methods used to vote by most organizations, they are:

1. By Voice -- The Chairman asks those in favor to say, "aye", those opposed to say "no". Any member may move for a exact count.
2. By Roll Call -- Each member answers "yes" or "no" as his name is called. This method is used when a record of each person's vote is required.
3. By General Consent -- When a motion is not likely to be opposed, the Chairman says, "if there is no objection ..." The membership shows agreement by their silence, however if one member says, "I object," the item must be put to a vote.

4. By Division -- This is a slight verification of a voice vote. It does not require a count unless the chairman so desires. Members raise their hands or stand.
5. By Ballot -- Members write their vote on a slip of paper; this method is used when secrecy is desired.

There are two other motions that are commonly used that relate to voting.

1. Motion to Table -- This motion is often used in the attempt to "kill" a motion. The option is always present, however, to "take from the table", for reconsideration by the membership.
2. Motion to Postpone Indefinitely -- This is often used as a means of parliamentary strategy and allows opponents of motion to test their strength without an actual vote being taken. Also, debate is once again open on the main motion.

Parliamentary Procedure is the best way to get things done at your meetings. But, it will only work if you use it properly.

1. Allow motions that are in order.
2. Have members obtain the floor properly.
3. Speak clearly and concisely.
4. Obey the rules of debate.

Most importantly, *BE COURTEOUS*.

CLARIFICATION OF RULES FOR ACADEMIC GOVERNANCE

Academic Governance has adopted Robert's Rules of Order for all meeting as stated in the University Bylaws. The following points, that have confused some members in the past, have been summarized for your review.

MOTIONS:

- Before a subject is open for debate:
 - A motion is made
 - The motion is seconded
 - The motion is stated by the presiding chair
- Suggestions of alterations are permissible before the motion is stated by the Chair
- Brief informal remarks may be made before the motion is stated by the Chair but these are never allowed to go into debate on the merits of the motion.
- The member offering the motion can modify or even withdraw it entirely before it has been stated by the Chair; after stated, he can do neither without consent of the body by a majority vote.
- When a mover modifies his motion before it has been stated by Chair, the member who seconded can withdraw his second.

DEBATE:

- The Chair opens debate after stating the motion.
- After the Chair has stated the motion it is in the possession of the body for debate and consideration.

PERTINENT DISCUSSION GUIDELINES:

- Voting members are eligible to speak, make motions and vote.
- A member of the body may ask permission of the Chair to grant voice to a non-Council member for a one ten minute time period. The Chair requests consent from the body and if there is an objection a majority vote is needed.

- Only the person who has the floor may speak. Any interjections, except by the Chair, or a member directing a Point of Order or a Point of Information to the Chair, are out of order.
- A member who wishes to speak will approach the microphone, wait to be acknowledged by the Chair and open by stating his or her name.
- On each debatable motion, each member will be entitled to speak up to two times, each time for no longer than ten minutes.
- To speak a second time on the same issue, a member must wait until those who wish to speak on it for the first time have done so.
- In order to speak a third time, the member goes to the microphone and requests to speak from the Chair, this requires permission from the assembly. If granted permission to speak a third time on the issue, the time allotted is three minutes.
- Debate must be germane to the motion that is on the floor, as determined by the Chair. Members may raise a Point of Order regarding pertinence.
- In the interests of maintaining clarity and efficiency, the Chair may require that a motion or an amendment be submitted in writing before it is considered.

A member may rise to ask a question, by raising a Point of Information directed to the Chair. The amount of time consumed by the Chair answering the question or referring it to someone else to answer, is part of the questioner's 10 minute time allotment.

- If someone asks a question about a report, it can be answered by the reporting member or any other members of the committee making the report
- If someone is speaking and another member wants to ask a question about something they are saying and they consent to answer the question, the time comes out of the speaker's 10 minutes. They can also decline to answer.

ATTENDANCE AND VOTING:

- A Council member, who is unable to attend a particular meeting, may identify another person notifying the Governance Office of the person attending. This person may observe and speak, but cannot vote.
- Proxy voting is not permitted. A voting member may not pass his or her voting card to another person to vote on his or her behalf.

CLASSIFICATION OF MOTIONS:

- **Main (or principal) motions** are motions brought before the body for consideration on any particular subject independent of any other pending motion. It requires a second, is debatable and is amendable.
- **Subsidiary motions** are motions applied to other motions for the purpose of disposing of them. There are seven such motions and take precedence of main motions and must be decided before a final decision on the main motion. The following are the subsidiary motions as they appear in the order of precedence:
 - Lay on the table
 - Order the previous question
 - Limit or extend limits of debate
 - Postpone definitely
 - Commit or refer
 - Amend
- **Incidental Motions** are motions that arise out of other motions and consequently must be decided before the motions that gave rise to them. Usually they cannot be debated or amended and they have no fixed order of precedence. The most common incidental motions are the following:
 - Point of Order
 - Appeal
 - Object to the consideration of a question
 - Divide the question

Robert's Rules of Order Motions Chart

Based on *Robert's Rules of Order Newly Revised (10th Edition)*

Part 1, Main Motions. These motions are listed in order of precedence. A motion can be introduced if it is higher on the chart than the pending motion. § indicates the section from Robert's Rules.

§	PURPOSE:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?
§21	Close meeting	I move to adjourn	No	Yes	No	No	Majority
§20	Take break	I move to recess for ...	No	Yes	No	Yes	Majority
§19	Register complaint	I rise to a question of privilege	Yes	No	No	No	None
§18	Make follow agenda	I call for the orders of the day	Yes	No	No	No	None
§17	Lay aside temporarily	I move to lay the question on the table	No	Yes	No	No	Majority
§16	Close debate	I move the previous question	No	Yes	No	No	2/3
§15	Limit or extend debate	I move that debate be limited to ...	No	Yes	No	Yes	2/3
§14	Postpone to a certain time	I move to postpone the motion to ...	No	Yes	Yes	Yes	Majority
§13	Refer to committee	I move to refer the motion to ...	No	Yes	Yes	Yes	Majority
§12	Modify wording of motion	I move to amend the motion by ...	No	Yes	Yes	Yes	Majority
§11	Kill main motion	I move that the motion be postponed indefinitely	No	Yes	Yes	No	Majority
§10	Bring business before assembly (a main motion)	I move that [or "to"] ...	No	Yes	Yes	Yes	Majority

Part 2, Incidental Motions. No order of precedence. These motions arise incidentally and are decided immediately.

§	PURPOSE:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?
§23	Enforce rules	Point of Order	Yes	No	No	No	None
§24	Submit matter to assembly	I appeal from the decision of the chair	Yes	Yes	Varies	No	Majority
§25	Suspend rules	I move to suspend the rules	No	Yes	No	No	2/3
§26	Avoid main motion altogether	I object to the consideration of the question	Yes	No	No	No	2/3
§27	Divide motion	I move to divide the question	No	Yes	No	Yes	Majority
§29	Demand a rising vote	I move for a rising vote	Yes	No	No	No	None
§33	Parliamentary law question	Parliamentary inquiry	Yes	No	No	No	None
§33	Request for information	Point of information	Yes	No	No	No	None

Part 3, Motions That Bring a Question Again Before the Assembly.

No order of precedence. Introduce only when nothing else is pending.

§	PURPOSE:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?
§34	Take matter from table	I move to take from the table ...	No	Yes	No	No	Majority
§35	Cancel previous action	I move to rescind ...	No	Yes	Yes	Yes	2/3 or Majority with notice
§37	Reconsider motion	I move to reconsider ...	No	Yes	Varies	No	Majority