

AGENDA
HAYES TOWNSHIP BOARD OF TRUSTEES

February 9, 2026 7:00pm

Hayes Township Hall

9195 Major Douglas Sloan Road

Charlevoix, Michigan 49720

<https://us02web.zoom.us/j/88001640434?pwd=QkdkY3AzN1dmKzZpajZQNEkwMkZ5dz09>

Meeting ID: 880 0164 0434

Passcode: 251468

+1 312 626 6799 US (Chicago)

1. Call to Order
2. Pledge of Allegiance
3. Declaration of Conflict of Interest
4. Review and Approval of Agenda
5. Public Comment
6. Approval of Meeting Minutes: January 12, 2026 BOT Regular Meeting
7. Treasurers Report
8. Clerks Report: Approval of Warrants
9. Reports: County Commissioner, Zoning Administrator, Planning Commission, Zoning Board of Appeals, Parks and Recreation, Trustee's, and Supervisor Reports.

NEW BUSINESS

10. Hayes Township Zoning Updated and Corrected Map Ordinance to Adopt
11. 2026 Master Plan Resolution to Adopt
12. 2026 Hayes Township Road Projects
13. Moratorium Data Centers Resolution to Adopt
14. LCEMS Annual Report- Roy Griffiths LCEMS Authority President
15. Roberts Rules of Order Discussion
16. 2025 Audit Report
17. ZBA Recording Secretary for Currently Active Appeal
18. EGLE Proposed Project 15-10592 Burgess Road (CMS Energy)
19. Townline Road Speed Limit

OLD BUSINESS

20. Short Term Rental Advisory Committee Resolution
21. Zoning Board of Appeals Alternate Open Position

Public Comment

Board of Trustee Comment

ADJOURN MEETING

Public Comment at Meetings of the Hayes Township Board of Trustees

The Hayes Township Board of Trustees values public input and offers two opportunities for the public to comment at its meetings, once near the beginning and once near the end. This affords the Board of Trustees the opportunity to hear your views and remarks. If you speak, you should not expect to engage the Board of Trustee members or any staff in discussion or debate.

Board of Trustee members will not respond to comments made during the Public Comment unless it becomes necessary to ask a clarifying questions, correct a factual error, or to provide specific factual information.

Questions about Township matters are best directed to individual Board members or Township staff (Planner, Zoning Administrator, or Assessor) between meetings. Contact information is available on the township website at: hayestownshipmi.gov.

The availability of public comment is recognized by the Michigan Open Meetings Act. The Act provides that rules may be adopted for orderly comment from the public. To that end, the following rules have been established by the Board of Trustees:

1. A person wishing to speak will indicate on the sign in sheet that they would like to be called on at Public Comment. All persons in attendance in person will be called on first. Zoom attendees can indicate they would like to speak by raising their hand icon.
2. The person will begin by stating their name, spelling it out if requested.
3. The person addresses the Chairperson, or other person chairing the meeting, on behalf of the entire Board of Trustees. Public comment is NOT to be addressed to individual Board of Trustee members, to any township staff present, 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 of Trustee members present. A speaker may speak only once at each Public Comment. There is no provision for another audience member to 'donate' their three (3) minutes to another speaker.
5. A speaker will be out of order if the speaker disrupts the meeting, speaks longer than the allotted time, uses vulgarities or makes a personal attack on a Board of Trustee member or Township employee that is unrelated to the performance of that person's duties.
6. If a speaker is called out of order, that speaker will not be able to speak again at the same meeting except by special leave of the Board of Trustees
7. The Chairperson, or other person chairing the meeting, will have the discretion to permit members to speak at times other than the times reserved for Public Comment.

HAYES TOWNSHIP
BOARD OF TRUSTEES REGULAR MEETING
January 12th 2026 7:00 PM
HAYES TOWNSHIP HALL
09195 MAJOR DOUGLAS SLOAN RD
CHARLEVOIX, MICHIGAN 49720

The January 12th, 2026, meeting of the Hayes Township Board was called to order by Supervisor William Conklin at 7:00 pm.
Board members present were Matt Cunningham (Trustee), Julie Collard (Treasurer), Doug Kuebler (Trustee), William Conklin (Supervisor), and Kristin Baranski (Clerk)
Audience Members signed in: David Zipp, Jessica Perry, CT Martin, Darcy Phelps, Catherine Phelps, Rex Greenslade, Roy Griffiths, Diane Conklin, David Kemme, LuAnne Kozma, Steve Hassell, Ellis Boal, Diane McMahon, Jim McMahon, Katherine Simon, Mel Czechowski, Jim Rudolph, Aaron Nordman, Tim Boyko, Rick Daniel, Denise Daniel, Bill Henne, Andy Balderson, Linda Balderson, Betty Henne, Sherry Baker- McCary, Carey Cuddeback, Bob Fowler, and Bill Eaton.

CALL TO ORDER Supervisor William Conklin called the meeting to order at 7:00 pm.

DECLARATION OF CONFLICT OF INTEREST: NONE.

REVIEWED & APPROVED AGENDA

Ms. Baranski made a motion, supported by Mr. Kuebler to approve the agenda as presented.
Yays: Matt Cunningham, Julie Collard, Doug Kuebler, Kristin Baranski, and William Conklin.
Nays: Motion Carried

PUBLIC COMMENTS:

Public comment opened at 7:03 pm.

- Recent lawsuit regarding ZBA appeal case, Zoning Administrator Ron VanZee, Drainage Project at Hayes Township Park, Master Plan Process, BOR Training Session, Poverty Form on Website,

Closed at 7:27 pm

APPROVAL OF DECEMBER 8TH 2025 BOT REGULAR MEETING MINUTES:

Mr. Conklin made a motion, supported by Mr. Cunningham to approve the December 8th, 2025, Board of Trustees regular meeting minutes as presented.
Yeas: Julie Collard, William Conklin, Matt Cunningham, and Doug Kuebler.
Recused: Kristin Baranski
Nays: None **Motion Carried**

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34 **TREASURERS REPORT**

35 Ms. Collard presented a written report reporting all Hayes Township account balances.

36

37 **CLERKS REPORT: APPROVAL OF WARRANTS**

38 Ms. Baranski made a motion, supported by Mr. Kuebler, to adopt the 25-26 Budget as
39 amended. A roll call was taken.

40 Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler, and Kristin Baranski.

41 Nays: None **Motion Carried**

42 Budget Amendments attached.

43

44 Clerk, Kristin Baranski, presented the warrants in the amount of \$137,295.76.

45 Ms. Baranski made a motion, supported by Ms. Collard to approve Township warrants out of
46 the General Fund in the amount of \$137,295.76. A roll call was taken.

47 Yeas: Matt Cunningham, Julie Collard, William Conklin, Kristin Baranski and Doug Kuebler.

48 Nays: **Motion Carried**

49

50 Ms. Baranski made a motion, supported by Ms. Collard to approve the installment payment
51 for the EMS building loan in the amount of \$10,248.13. The total installment payment will be
52 offset 100% by the LCEMSA monthly lease payment. A roll call was taken.

53 Yeas: Matt Cunningham, Julie Collard, William Conklin, Kristin Baranski, and Doug Kuebler.

54 Nays: None **Motion Carried**

55

56 Ms. Baranski made a motion, supported by Mr. Kuebler to approve the payment to the
57 Charlevoix County Road Commission in the amount of \$51,857.05 out of the road fund account
58 to complete the payment for the Burnett Road project. A roll call was taken.

59 Yeas: Matt Cunningham, Julie Collard, William Conklin, Kristin Baranski, and Doug Kuebler.

60 Nays: None **Motion Carried**

61

62 Ms. Baranski made a motion, supported by Mr. Kuebler to amend the 25/26 budget as
63 discussed. Budget Amendments report attached. A roll call was taken.

64 Yeas: Matt Cunningham, Julie Collard, William Conklin, Kristin Baranski, and Doug Kuebler.

65 Nays: None **Motion Carried**

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66 Ms. Baranski made a motion, supported by Mr. Kuebler to approve the payment to Spierling
67 Trucking and Excavating in the amount of \$51,560.50. A roll call was taken.
68 Yeas: Matt Cunningham, Julie Collard, William Conklin, Kristin Baranski, and Doug Kuebler.
69 **Nays: None** **Motion Carried**

70

71 Ms. Baranski made a motion, supported by M to approve payment to Performance Engineers in
72 the amount of \$3000 for Drainage Project at Hayes Township Park, and withhold \$1500 dollars
73 of payment for 12 months for Board Members to observe project. A roll call was taken.
74 Yeas: Matt Cunningham, Julie Collard, William Conklin, Kristin Baranski, and Doug Kuebler.
75 Nays: None **Motion Carried**

76

77 **COUNTY COMMISSIONER REPORT**

78 Bob Jess was not present.

79

80 **PARKS AND REC. REPORT**

81 Ms. Collard presented the Parks and Rec. report.

82 The next regular Parks and Rec meeting is scheduled for February 2nd, 2026 at 4:00pm at
83 Hayes Township Hall.

84

85 **PLANNING COMMISSION**

86 Mr. Cunningham presented the Planning Commission Report. The next regular Planning
87 Commission meeting is January 27th, 2026, at 7:00 pm.

88

89 **ZONING BOARD OF APPEALS**

90 ZBA will hold an administrative and training meeting at 1pm on January 14th, 2026 and a
91 public hearing for a variance request on Spring Street on January 14th, 2025 at 7:00 pm.

92

93 **ZONING ADMINISTRATOR REPORT**

94 April Hilton presented a Zoning Administrator report.

95

96 **TRUSTEES REPORT:**

97 Mr. Cunningham stated the Circulators for Camp Seagull are on hold and Matt's crew is keeping
98 an eye on the ice and lake conditions for the proper time for installation.

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Ms. Baranski stated the side road down to the tree approved for removal at Camp Seagull will need to be plowed when the tree removal service is available to complete this project.

Mr. Kuebler stated the Road Commission annual meetings are scheduled for January 12th, 13th and 27th 2026 at 5:00, 6:00, and 7:00 pm. Some of the Township board members will be attending one of these meetings.

SUPERVISOR REPORT:

William Conklin presented a supervisor report.

NEW BUSINESS

PARKER HARVEY RATE INCREASE:

Ms. Baranski made a motion, supported by Ms. Collard to approve the billing hourly rate beginning January 1st 2026 to \$250.00 for Todd Millar at Parker Harvey for legal services. A roll call was taken.

Yeas: Matt Cunningham, Julie Collard, William Conklin, Kristin Baranski, and Doug Kuebler.

Nays: None **Motion Carried**

AMENDATORY ORDINANCE – HAYES TOWNSHIP ZONING MAP:

Ordinance No. 01122026

AN ORDINANCE TO AMEND THE HAYES TOWNSHIP ZONING MAP

SECTION 1: AMENDMENT TO SECTION 4.13 OF THE HAYES TOWNSHIP ZONING ORDINANCE (MAP).

Section 4.13 (page IV-14) of the Hayes Township Zoning Ordinance is hereby amended to replace the Zoning Map to read as follows:

(MAP ON FOLLOWING PAGE)

SECTION 2: REPEAL.

All other ordinances, resolutions, orders, or parts of ordinance herewith in effect that are in conflict with this ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 3: EFFECTIVE DATE.

Pursuant to Section 401 of the Michigan Zoning Enabling Act (MCL 125.3401), this Ordinance shall take full effect eight (8) days after publication of this Ordinance, or a summary of the regulatory effect thereof, which publication of this Ordinance, or a summary of the regulatory effect thereof, which publication shall occur in a newspaper of

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134 general circulation in the Township within fifteen (15) days after adoption.
135 This Ordinance is hereby declared to have been passed and adopted by Hayes Township,
136 County of Charlevoix, State of Michigan, at a regular meeting thereof duly called and held
137 on this 12* day of January, 2026.
138 Ms. Baranski made a motion, supported by Mr. Kuebler to adopt Ordinance No. 01122026 to
139 amendatory the Hayes Township Zoning Map. A roll call was taken.
140 Yeas: Matt Cunningham, Julie Collard, William Conklin, Kristin Baranski, and Doug Kuebler.
141 Nays: None Motion Carried
142 Map attached.
143

144 **SHORT TERM RENTAL – PRESENTATION BY CT MARTIN (PLANNING COMMISSION):**
145 CT Martin (Hayes Township Planning Commission) presented Short Term Rental industry
146 growth and background information. Including some regulatory and enforcement options as
147 well as a “good neighbor Guide”.
148 The Board will be seeking some legal advise regarding a Short Term Rental Ordinance and
149 creating a Short Term Rental Advisory Committee.
150

151 **ZBA RESIGNATION AND APPOINTMENTS:**

152 Ms. Baranski made a motion, supported by Mr. Kuebler to accept Bruce Deckinga’s
153 resignation from the Zoning Board of Appeals.
154 Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler and Kristin Baranski.
155 Nays: None Motion Carried
156

157 Ms. Baranski made a motion, supported by Mr. Kuebler to accept Joni Hosler’s resignation
158 from the Zoning Board of Appeals.
159 Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler and Kristin Baranski.
160 Nays: None Motion Carried
161

162 Ms. Baranski made a motion, supported by Ms. Collard to appoint Jessica Perry to the
163 Zoning Board of Appeals, to fulfill Bruce Deckinga’s term, expiring January 13th 2028. A roll
164 call was taken.
165 Yeas: Matt Cunningham, Julie Collard, Doug Kuebler and Kristin Baranski.
166 Nays: William Conklin Motion Carried

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167 Ms. Baranski made a motion, supported by Ms. Collard to appoint ZeZe Jess to the Zoning
168 Board of Appeals, to fulfill Joni Hoslers' term, expiring January 8th 2027. A roll call was taken.
169 Yeas: Matt Cunningham, Julie Collard, Doug Kuebler and Kristin Baranski.

170 Nays: William Conklin Motion Carried

171

172 Ms. Baranski made a motion, supported by Mr. Conklin to appoint Laura Ford to the Zoning
173 Board of Appeals as an alternate.

174 Yeas: Matt Cunningham, William Conklin, Doug Kuebler and Kristin Baranski.

175 Abstained: Julie Collard

176 Nays: None Motion Carried

177

178 Ms. Baranski made a motion, supported by Mr. Cunningham to re-appoint Janice Vedder-
179 Whipple to the Zoning Board of Appeals, expiring January 12th 2029. A roll call was taken.

180 Yeas: Matt Cunningham, Julie Collard, Doug Kuebler and Kristin Baranski.

181 Nays: William Conklin Motion Carried

182

183 The second Alternate position will be tabled until the February Board Meeting to allow time to
184 receive applications. The board will post the open position details on the website.

185

186 **MICHIGAN STATE FORFEITURE REPORT:**

187 Ms. Baranski made a motion, supported by Ms. Collard to authorize Mr. Conklin to submit
188 and sign the Michigan State Forfeiture report for Hayes Township by February 27th, 2026.

189 A roll call was taken.

190 Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler, and Kristin Baranski.

191 Nays: None Motion Carried

192

193 **SET MARCH BOARD OF REVIEW DATES (ORGANIZATIONAL MARCH 3RD, 2026 @ 12PM,**
194 **APPEAL MARCH 10TH 3PM-9PM, APPEAL MARCH 11TH 9AM TO 3PM:**

195 Ms. Baranski made a motion, supported by Mr. Cunningham to adopt Resolution #01122026B
196 setting the Board of Review dates as Tuesday March 3th 2026 at 12pm for the organization
197 meeting for the Board of Review. Board of Appeals process March 10th, 2026, 3pm-9pm and
198 the Following Wednesday March 11th, 2026, from 9am – 3pm. A roll call was taken.

199 Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler and Kristin Baranski.

200 Nays: None Motion Carried

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ASSET TEST RESOLUTION (POVERTY GUIDELINES):

Resolution No. 01122026 A

At a regular meeting of the Hayes Township Board held at the Hayes Township Hall
09195 Major Douglas Sloan Road, Charlevoix, Michigan 49720 on January 12, 2025.

Present: Supervisor Bill Conklin, Treasurer Julie Collard, Clerk Kristin Baranski, Trustee Matt
Cunningham, Trustee Doug Kuebler

Absent: None

The following resolution was made by Ms. Baranski and supported by Mr. Conklin to-wit:

ASSET LEVEL TEST

WHEREAS PA 390 of 1994 states that the poverty exemption guidelines established by the
governing body of the local assessing unit shall also include an asset level test.

WHEREAS an asset test means the amount of cash, fixed assets or other property that
could be used, or converted to cash for use in the payment of property taxes. The asset
test is calculated based on a maximum amount permitted and all other assets above that is
considered as available;

WHEREAS the homestead of persons, who in the judgment of the board of review, by
reason of poverty, are unable to contribute to the public charges is eligible for
exemption in whole or part from taxation under Public Act 390, 1994 (MCL 211.7u); and

WHEREAS pursuant to PA 390, 1994 Hayes Township, Charlevoix County adopts the
following guidelines for the board of review to implement. The asset level test shall
include but not be limited to the specific income of the claimant and all persons residing

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in the household, including any property tax credit returns, filed in the current or immediately preceding year;

To be eligible, a person shall do all the following on an annual basis:

- Be an owner of and occupy as a homestead the property for which an exemption is requested.
- File a claim with the board of review, accompanied by federal and state income tax returns for all persons residing in the homestead, including any property tax credit returns filed in the immediately preceding year or in the current year.
- Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if requested.
- Meet the Federal poverty income standards (**plus 10%**) as defined and determined annually by the United States Office of Management and Budget.
- Provide a list of asset valuations, including cash on hand, fixed assets, and any other property that could be used, or converted to cash for use in the payment of property taxes.
- The board of review shall not include the homesteaded property to calculate the asset level.
- If the combined total of cash on hand, fixed assets, and any other property values exceed the Federal Poverty Guidelines by one (1) times no exemption is allowed

NOW, THEREFORE, BE IT RESOLVED the board of review shall follow the *above* stated policy and federal guidelines in granting or denying an exemption per PA 253 2020.

RESOLUTION DECLARED ADOPTED.

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SHANKS REZONE:

Ms. Baranski made a motion, supported by Mr. Conklin to approve the rezone for parcel # 15-007-125-009-00 from AG to RR, located at 7977 Pincherry Road. Supported by the fact the rezone is consistent with the Hayes Township Master plan, it would be compatible with existing land uses in the neighborhood and it passed unanimously by both the Hayes Township and Charlevoix County Planning Commission.

A roll call was taken.

Yeas: Matt Cunningham, Julie Collard, William Conklin, Doug Kuebler, and Kristin Baranski.

Nays: None **Motion Carried**

PUBLIC COMMENTS: Public comments opened at 9:22 pm.

Comments included:

- Recent lawsuit regarding ZBA appeal case, ZBA Position Appointments, Zoning Ordinance Changes, Thanked CT Martin for all his hard work and time researching Short Term Rentals, Short Term Rentals in Hayes Township, Legal Research for Short Term Rental Ordinance, Advisory Committee for Short Term Rental ordinance, Bill Conklin questioning ZBA members education.

Public comments closed at 9:39 pm.

BOARD OF TRUSTEE COMMENT:

ADJOURNMENT: Mr. Kuebler made a motion, supported by Mr. Cunningham, to adjourn at 9:40 p.m.

Yeas: Matt Cunningham, Julie Collard, William Conklin, Kristin Baranski, and Doug Kuebler.

Nays: None **Motion Carried**

Respectfully Submitted,

April Hilton

Hayes Township Deputy Clerk/Recording Secretary

JOURNAL ENTRY
JE: 0000000315

Post Date: 01/13/2026
Entry Date: 01/13/2026
Description:

Entered By: KBARANSKI
Journal: BA

GL #	Description	DR	CR
101-751-989.000	EQUIPMENT/IMPROVEMENTS	3,000.00	0.00
101-751-930.001	REPAIRS AND MAINTENANCE-HTP/CSG	0.00	3,000.00
Journal Total:		3,000.00	3,000.00

APPROVED BY: _____

JOURNAL ENTRY
JE: 0000000314

Post Date: 01/13/2026
Entry Date: 01/13/2026
Description:

Entered By: KBARANSKI
Journal: BA

GL #	Description	DR	CR
101-000-710.000	FICA/MEDICARE	0.00	1,000.00
101-101-730.000	POSTAGE & POSTAGE METER	2,500.00	0.00
101-261-956.000	FOOD PANTRY	0.00	1,848.00
101-262-727.000	SUPPLIES	0.00	500.00
101-265-780.000	OFFICE EQUIPMENT	200.00	0.00
Journal Total:		2,700.00	3,348.00

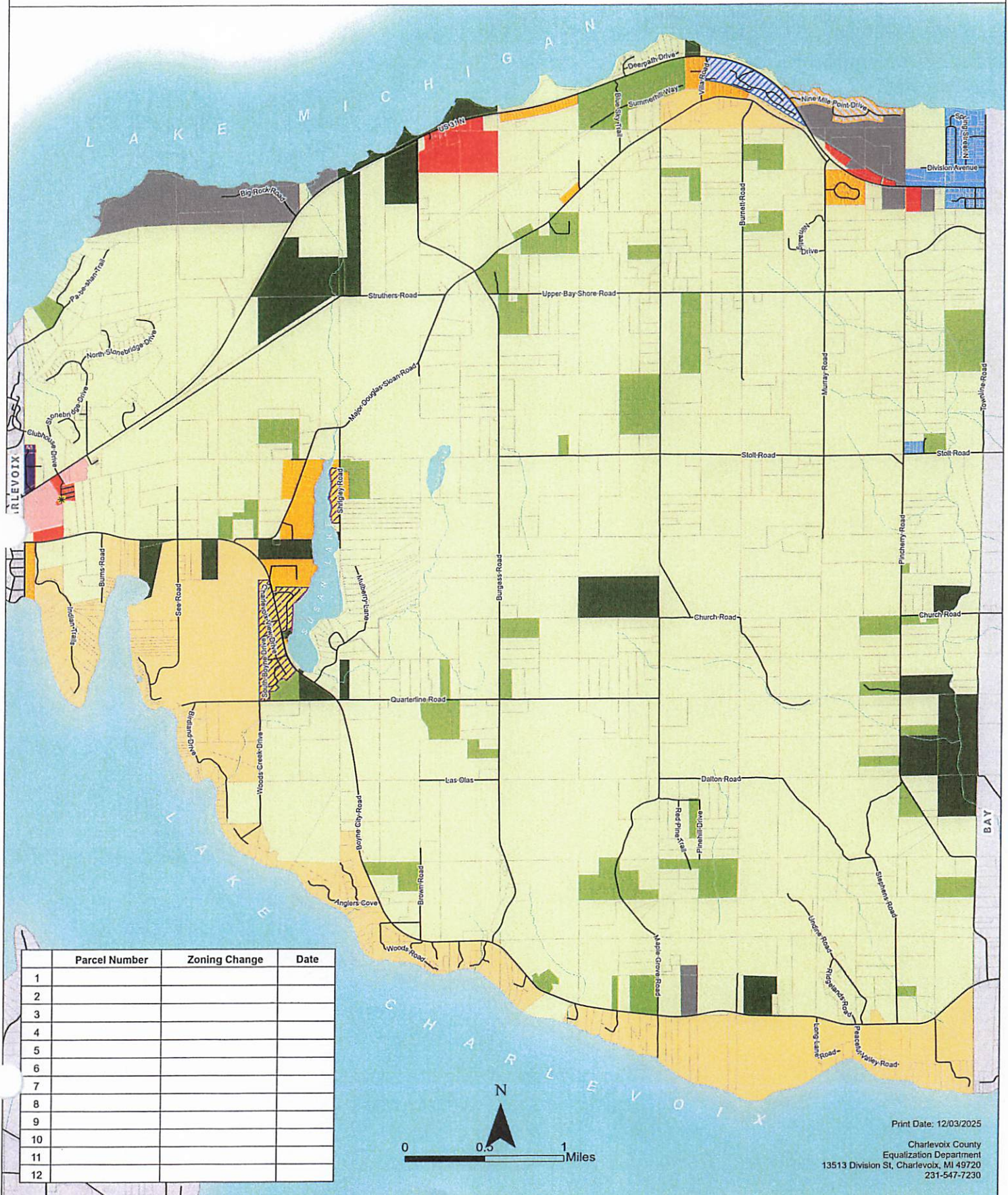
APPROVED BY: 

HAYES TOWNSHIP PROPOSED ZONING MAP

ADOPTED: PENDING
EFFECTIVE: PENDING

This map is to be used as a reference only. It is not an authority on the zoning of Hayes Township properties. Zoning should be confirmed with the township zoning administrator. It is not survey quality and cannot be used to replace an actual survey.

- A: Agricultural
- CR: Conservation Reserve
- RR: Rural Residential
- R-1: Low Density Residential
- R-2: Small Lot Residential
- R-2MS: Michigan Shores
- R-2SL: Susan Lake
- R-3: One and Two Family Residential
- R-4: Multiple Family Residential
- R-5: Mobile Home Park District
- C-1: Neighborhood Commercial
- C-2: General Commercial
- I-1: General Industrial
- ★ Conditional Rezoning



Print Date: 12/03/2025

Charlevoix County
Equalization Department
13513 Division St, Charlevoix, MI 49720
231-547-7230

February 2026 Treasurer Report

(As of February 5, 2026)

Charlevoix State Bank

1. General Fund-\$618,473.37
(\$408,473.37 available, \$210,000 Recommended Reserve)
2. Tax Account-\$890,274.94 *(restricted Treasury Funds)*
3. Township Warrant Checking-\$28,018.95
4. Pantry-\$5,345.08*(restricted funds)*
5. ARPA *(restricted funds)*-\$19,512.02

Horizon

9. Hayes Township Road Fund-\$78,814.53 *(restricted funds)*



Zoning Administrator Report

February 2026

Zoning Administrator work in progress report for the month of January includes the following:

- Variance application for 6995 Birdland Drive approved at ZBA meeting on July 23rd 2025 at 7:00 pm. Applicant will submit Site Plan for the Shoreland Protection strip from the Stream and Lake Charlevoix after the first of the year.
- Sent STAY letter to landowner of the private storage building on Pincherry road.
- Working with applicant for proposed new single family dwelling in Ridgeland.
- Held meeting with property and business owners to arrange meeting to receive input for sign regulations in Commercial Districts.
- Communicating with landowner regarding violation for a non permitted patio on Oyster Bay Drive. Sent Zoning permit application and section 3.14 of the Hayes Township Zoning Ordinance to landowner.
- Received Variance request application for 7125 Nine Mile Point Dr. Zoning Board of Appeals approved variance request on November 19th 2025. Shoreline restoration plan was approved by Planning Commission on November 18th 2025. Waiting for Zoning Application from applicant.
- Variance request application for 7720 Indian Trails Dr, ZBA approved Variance request at the October 8th 2025 meeting. Waiting for Shoreline plan and Zoning Application from applicant.
- Zoning permit application for a Demo and rebuild of existing home on Quarterline road. Shoreline Review Committee conducted inspection and advised applicant to work with Tip of the Mitt to create shoreland restoration plan. Shoreline plan from applicant will be submitted after the new year.
- Inspected and trying to contact landowner, last communication with landowner stated he was not well on Villa Road for Violation of Nuisance Ordinance and a non-compliance complaint. Reached out to the VA and Tribe for additional support.
- Application for a new single family dwelling unit on Murray Road. Waiting for additional information from landowner.



- Spoke with Holtec Representative, sign permitted to Holtec on 4/23/2025 was placed incorrectly, they are contacting MDOT for a survey showing the width of the ROW for that part of US31.
- Met with Landowner regarding complaint of a Shoreline violation on Peaceful Valley Road, they will be submitting a Shoreline Restoration plan.
- Continuing to see progress from landowner on Maple Grove Road for a Nuisance Ordinance compliant, Charlevoix County Fire Department Chief is monitoring parcel for fire hazards. EGLE confirmed that the property owner complied with requirements, contaminated soils were removed from the site.
- Received and reviewing Zoning permit application for a new single family residence on Deer path Drive. Stop Work Order has been issued on this project, until shoreline protection strip is restored. Property has also been cited for wetland violation.

1. The Township Board and Performance Engineering agreed that the Township will retain \$1200.00 from its latest Camp Sea-Gull Drainage invoice to fix the curb along the west side of the handicap parking area, if required. If the current drain in the SW corner of the handicap parking area is unable to handle the volume of rainwater adequately, then the \$1200.00 will be used to replace the current tapered curb with a 3-4" (height) curb to function as a type of backstop for that drain. If no improvements are needed, the \$1200.00 will be paid to Performance Engineering in December 2026.
2. The Planning Commission is to be commended for all of its extra work and effort to produce the Master Plan and Future Land Use Map. The Future Land Use Map was well done.

Our Master Plan has been the subject of many public meetings over the past 3 months, including a joint meeting with the planning commission and the township board and reviews by the Charlevoix County Planning Commission. Numerous residents have expressed their ideas, concerns, proposals, suggestions and fears.

A Master Plan is a policy guide to help our residents create a vision of what they want Hayes Township to look like in the future. Master Plans help guide future decisions by the Planning Commission on land use development and preservation. The Planning Commission will use the Master Plan and the Future Land Use Map to guide it in future decisions on zoning and development proposals.

To implement the Master Plan, the Planning Commission will develop and administer the Zoning Ordinance, *which has been in the process of being analyzed and reviewed; suggested modifications have been compiled. Please review, study and express your thoughts over the next few months!*

The Zoning Ordinance is the specific law related to land use in Hayes Township. While the Future Land Use Map is written in broad terms and is not enforceable, the Zoning Map and Ordinance describe the specific types of uses allowed on any given property, among other regulated activities for the health, safety and general welfare of our residents.

3. I recommend that a Short-Term Rental (STR) Advisory Committee be formed, if the Township Board decides to move forward in adopting an STR Ordinance. The STR Committee will be tasked with reviewing existing rentals, evaluating possible regulations and recommending policies and procedures for an Ordinance regulating short-term rental operations.

I have been involved in Short-Term Rentals, known the difficulties with enforcement and have witnessed the anger/frustration of neighbors, when their peace is invaded. My position on the matter rests with enforcement. If

the Township is going to implement an Ordinance, then it must be prepared, equipped and funded properly to enforce it with diligence, i.e., 24/7 hotline, quick response within 20 minutes using video equipment and education of licensees and neighbors, at a minimum. Peace and quiet must be non-negotiable; no outdoor gatherings/bonfires past 10:00pm, in a neighborhood setting. If such regulations seem too extreme, then there should be no STR ordinance and the Township must implement and vigorously enforce a Noise Ordinance, at taxpayer expense.

Hayes Township used to have a Short-Term Rental Ordinance, I do not know the reasons why that Ordinance was abandoned or repealed.

4. The Road Commission, at our annual meeting, outlined options for Hayes Township to consider chip and fog seal on a township road to extend "its life", in order to avoid replacement costs. The options are attached for the Board's consideration.

Further, the Engineer advised us:

- a. A four-way stop at Upper Bayshore and Maple Grove Road was not being recommended since there was only one accident there in 5 years and that was the fault of a failure to stop for the stop sign. They concluded that visibility east or west is not an issue for safe travel.
 - b. Speed limit study on Shrigley Road came back as consistent with the present speed limit, to wit: 39-41 mph.
 - c. Speed limit study on Townline Rd. showed speeds ranging from 41 to 43 mph, so using the 85% rule, that a speed limit lower than 35 mph could not be supported. I suggest that we pursue a 25-mph zone between US-31 and Pincherry. A letter to Mr. Vanek would be required.
5. No parking (with signs and enforcement) on Eastern Avenue will be the subject of many Board meetings over the next few months.

Bill Conklin
231-373-0059

**HAYES TOWNSHIP
COUNTY OF CHARLEVOIX, STATE OF MICHIGAN**

ORDINANCE NO. 2092026

Adopted: 02.09.2026

Effective: TBD (8 Days after publication)

AN ORDINANCE TO AMEND THE HAYES TOWNSHIP ZONING MAP

SECTION 1: AMENDMENT TO SECTION 4.13 OF THE HAYES TOWNSHIP ZONING ORDINANCE (MAP).

Section 4.14 (page IV-14) of the Hayes Township Zoning Ordinance is hereby amended to replace the Zoning Map to read as follows:

(MAP ON FOLLOWING PAGE)

SECTION 2: REPEAL.

All other ordinances, resolutions, orders, or parts of ordinance herewith in effect that are in conflict with this ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 3: EFFECTIVE DATE.

Pursuant to Section 401 of the Michigan Zoning Enabling Act (MCL 125.3401), this Ordinance shall take full effect eight (8) days after publication of this Ordinance, or a summary of the regulatory effect thereof, which publication of this Ordinance, or a summary of the regulatory effect thereof, which publication shall occur in a newspaper of general circulation in the Township within fifteen (15) days after adoption.

This Ordinance is hereby declared to have been passed and adopted by Hayes Township, County of Charlevoix, State of Michigan, at a regular meeting thereof duly called and held on this 9th day of February, 2026.

**Kristin Baranski- Clerk
Hayes Township**

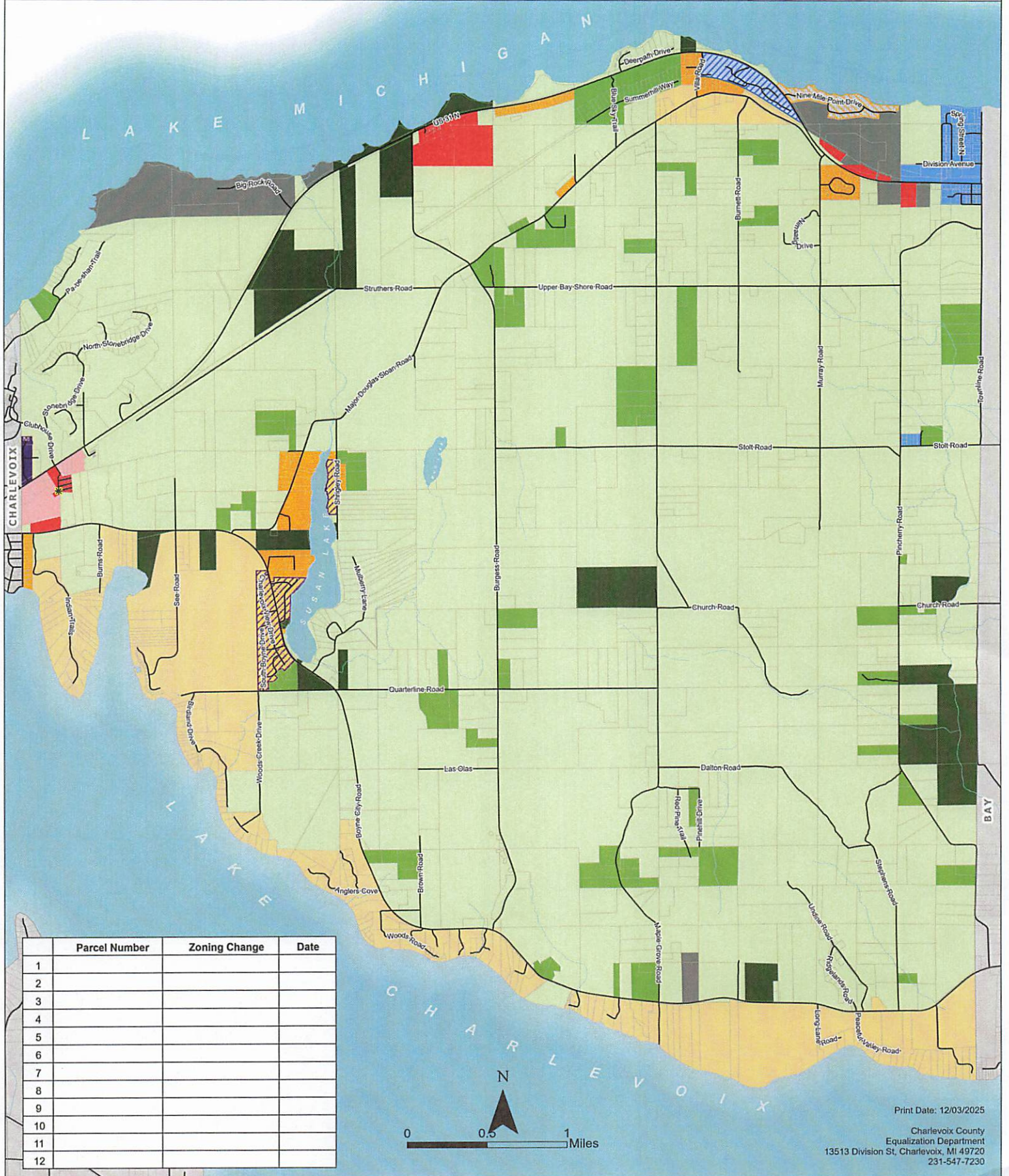
DIGITAL MAP AVAILABLE AT WWW.HAYESTOWNSHIPMI.GOV

HAYES TOWNSHIP PROPOSED ZONING MAP

ADOPTED: PENDING
EFFECTIVE: PENDING

This map is to be used as a reference only. It is not an authority on the zoning of Hayes Township properties. Zoning should be confirmed with the township zoning administrator. It is not survey quality and cannot be used to replace an actual survey.

- A: Agricultural
- CR: Conservation Reserve
- RR: Rural Residential
- R-1: Low Density Residential
- R-2: Small Lot Residential
- R-2MS: Michigan Shores
- R-2SL: Susan Lake
- R-3: One and Two Family Residential
- R-4: Multiple Family Residential
- R-5: Mobile Home Park District
- C-1: Neighborhood Commercial
- C-2: General Commercial
- I-1: General Industrial
- * Conditional Rezoning



Print Date: 12/03/2025

Charlevoix County
Equalization Department
13513 Division St, Charlevoix, MI 49720
231-547-7230

TOWNSHIP OF HAYES
COUNTY OF CHARLEVOIX, MICHIGAN
Resolution No. 2092026

TOWNSHIP BOARD RESOLUTION TO ADOPT MASTER PLAN

WHEREAS, the Michigan Planning Enabling Act (MPEA) authorizes the Planning Commission to prepare a Master Plan for the use, development and preservation of all lands in the Township; and

WHEREAS, the Planning Commission prepared a proposed new Master Plan and submitted the plan to the Township Board for review and comment; and

WHEREAS, on October 27, 2025, the Hayes Township Board received and reviewed the proposed Master Plan prepared by the Planning Commission and authorized distribution of the Master Plan to the Notice Group entities identified in the MPEA; and

WHEREAS, notice was provided to the Notice Group entities as provided in the MPEA; and

WHEREAS, the Planning Commission held a public hearing on January 27, 2026 to consider public comment on the proposed new Master Plan, and to further review and comment on the proposed new Master Plan; and

WHEREAS, the Township Board finds that the proposed new Master Plan is desirable and proper and furthers the use, preservation, and development goals and strategies of the Township;

WHEREAS, the MPEA authorizes the Township Board to assert by resolution its right to approve or reject the proposed Master Plan; THEREFORE BE IT HEREBY RESOLVED AS FOLLOWS:

1. Adoption of 2025/2026 Master Plan. The Township Board hereby approves and adopts the proposed 2025/2026 Master Plan, including all of the chapters, figures, maps and tables contained therein. Pursuant to MCL 125.3843 the Township Board has asserted by resolution its right to approve or reject the proposed Master Plan and therefore the approval granted herein is the final step for adoption of the plan as provided in MCL 125.3843 and therefore the plan is effective as of February 9, 2026.

2. Distribution to Notice Group. The Township Board approves distribution of the adopted plan to the Notice Group.

3. Findings of Fact. The Township Board has made the foregoing determination based on a review of existing land uses in the Township, a review of the existing Master Plan provisions and maps, input received from the Planning Commission and public hearing, and with input from Charlevoix County Planning Commission and finds that the new Master Plan will accurately reflect and implement the Township's goals and strategies for the use, preservation, and development of lands in Hayes Township.

4. Effective Date. The Master Plan shall be effective as of the date of adoption of this resolution.

The foregoing resolution offered by Board Member _____.

Second offered by Board Member _____.

Upon roll call vote the following voted:

"Aye": _____

"Nay": _____

The Supervisor declared the resolution adopted.

Clerk

**RESOLUTION _____, TO IMPOSE A TEMPORARY MORATORIUM ON
APPROVAL OF DATA CENTERS**

WHEREAS, the Hayes Township Zoning Ordinance does not address data centers; and

WHEREAS, data centers are being proposed in communities in Michigan; and

WHEREAS, data centers currently operating in Michigan are of a significantly higher intensity than typical uses of property within the Township; and

WHEREAS, for the health, safety, and welfare of the residents of Hayes Township, and for the protection of its natural resources, it is necessary that portions of the Zoning Ordinance be revised and rewritten to regulate data centers and clearly define the parameters for their consideration by the Township; and

WHEREAS, the Hayes Township Board of Trustees has concluded that it is necessary to study and consider proposed amendments to the Zoning Ordinance to ensure a consistent, cohesive and sensible policy, which conforms to the most recent juris prudence is developed and maintained with regard to data centers and regulation of data centers; and

WHEREAS, the Hayes Township Board of Trustees has concluded that, during the pendency of such consideration, it would be counterproductive for applications relating to data centers to move forward; and

WHEREAS, the Hayes Township Board of Trustees has concluded that, during the course of deliberations on the anticipated revisions, there should be a deferral of review of data center applications; and

WHEREAS, the Hayes Township Board of Trustees also recognizes that a delay in the establishment of new development or the expansion of existing development, or the rezoning of property, or the granting of a Certificate of Zoning Ordinance Compliance or licenses, could result in inconvenience for some applicants; and

WHEREAS, the Hayes Township Board of Trustees has determined that it may be necessary to expedite the pursuit of certain development or business opportunities, and may be appropriate to provide mechanism allowing a petition to the Hayes Township Board of Trustees for an exemption to the deferral contained in this resolution; and

WHEREAS, the Hayes Township Board of Trustees has received a request from the Hayes Township Planning Commission to consider the imposition of a moratorium to give it time to conduct the necessary research and review and to recommend necessary changes to the Hayes Township Zoning Ordinance,

NOW, THEREFORE, BE IT RESOLVED as follows:.

1. For a period commencing on the date of this resolution and terminating one hundred eighty (180) days from the date of this resolution, and except as otherwise provided herein, and unless terminated earlier by subsequent Ordinance or Resolution, there shall

be no consideration or action taken by the Township Board, Planning Commission, or other Township entity, official, or agent, on applications for data centers under the Zoning Ordinance or any other applicable section of the Hayes Township ordinances.

2. No new data centers shall be accepted for review, consideration, approval, or otherwise allowed during the moratorium period.
3. The Township Planning Commission, along with any necessary planners, engineers, Township officials, and attorneys, shall proceed with efforts to study the relevant state of the law, and shall present to the Township Board and Planning Commission a proposed plan for amending the Zoning Ordinance, or the adoption of any other necessary ordinances, or any combination thereof, with respect to applicants for data centers, as deemed appropriate.
4. During the effective period of the deferral, any aggrieved property owner or business shall be entitled to a hearing for the purpose of attempting to demonstrate to the Township Board that the temporary deferral established by this Resolution will result in the preclusion of any viable economic use of their property or otherwise violates applicable provisions of state or federal law. Such hearings shall be conducted on an expedited basis before the Township Board. At the conclusion of the hearing, the Township Board shall make findings and conclusions with respect to whether the petitioner has demonstrated that all viable economic use of the property has precluded by the temporary deferment adopted in this Resolution, and whether this Resolution is unconstitutional on its face or as applied to the petitioner's case. If it is found and demonstrated that the deferment has the effect of precluding all viable use of the property, or that it violates state or federal law, the Township Board shall grant relief from the deferment to the degree necessary to cure the contravention.
5. The Township Board may extend the term of this moratorium resolution prior to the expiration of its then-current term, if the Township Board determines additional time is necessary to consider and possibly adopt the ordinance amendments as described herein. Such extensions shall be for thirty (30) days, and multiple extensions are allowed. All other provisions of this Resolution shall remain in full force and effect during any such extension period.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: _____

NAYS: _____

ABSTAIN: _____

Declared adopted on _____, 2026.

Kristin Baranski, Hayes Township Clerk

William Conklin, Hayes Township Supervisor

CHARLEVOIX COUNTY ROAD COMMISSION

ENGINEERS ESTIMATE

DATE January 28, 2026	LOCATION Various Township Local Roads
TOWNSHIP HAYES	LENGTH N/A
PREPARED BY James G. Vanek, Staff Engineer	TYPE OF WORK Chip and Fog Seal Existing Paved Roads

WORK ITEM	ESTIMATED QUANTITY	UNIT	UNIT PRICE	AMOUNT
<u>Nine Mile Point Sub. (1.00-Mile)</u> (All subdivision streets)				
Chip Seal	12,826	SYD	\$ 2.50	\$ 32,065.00
Fog Seal	12,826	SYD	\$ 0.50	\$ 6,413.00
Traffic Control	1	LSUM	\$ 500.00	\$ 500.00
				\$ 38,978.00
<u>Pincherry Rd. (4.55-Miles)</u> (Townline Rd. South to the Twp. line)				
Chip Seal	58,725	SYD	\$ 2.50	\$ 146,812.50
Fog Seal	58,725	SYD	\$ 0.50	\$ 29,362.50
Traffic Control	1	LSUM	\$ 1,500.00	\$ 1,500.00
				\$ 177,675.00
<u>Quarterline Rd. (2.03-Miles)</u> (Burgess Rd. West to road end)				
Chip Seal	26,201	SYD	\$ 2.50	\$ 65,502.50
Fog Seal	26,201	SYD	\$ 0.50	\$ 13,100.50
Traffic Control	1	LSUM	\$ 750.00	\$ 750.00
				\$ 79,353.00

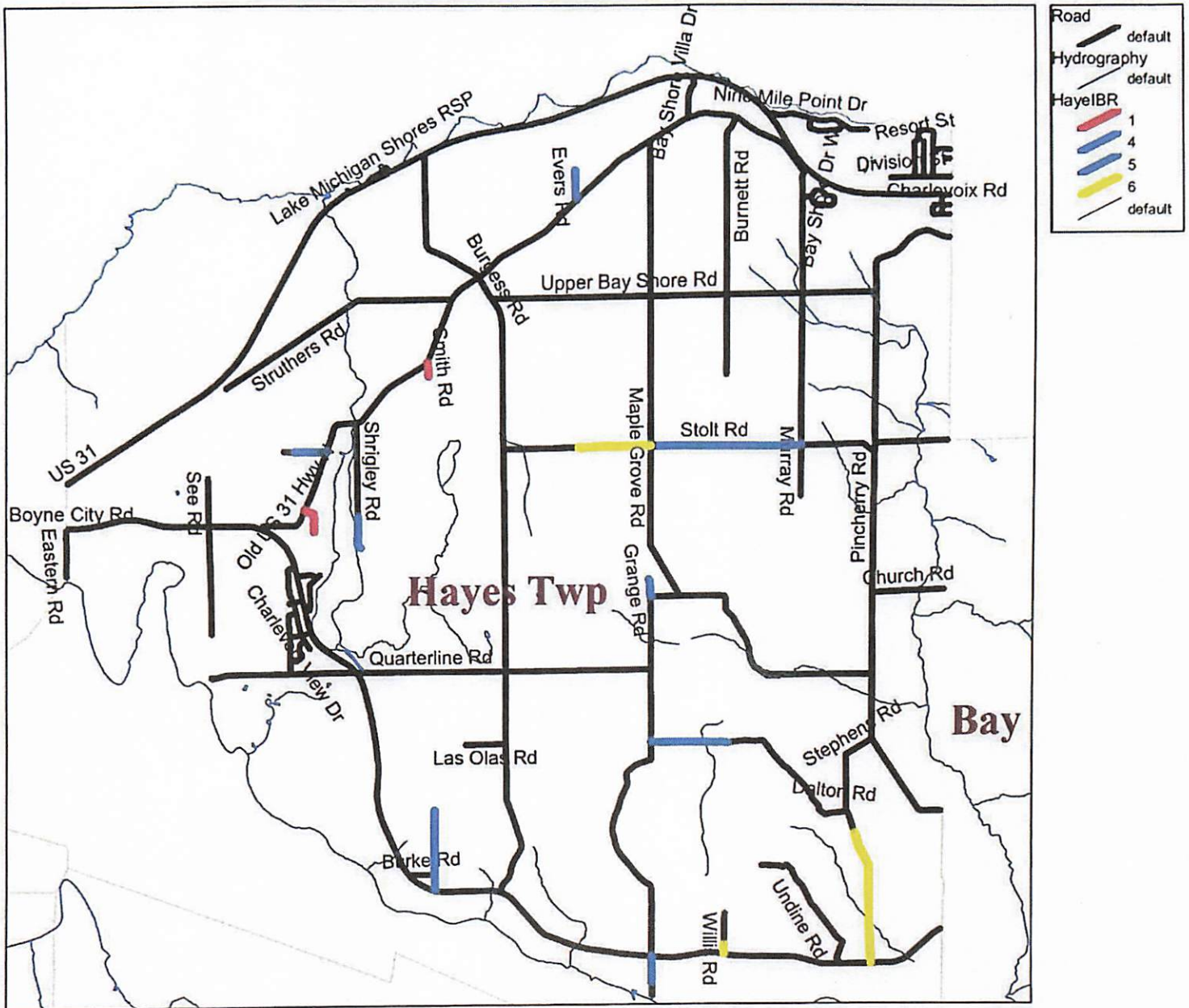
IBR Rating and Recommended Repairs for Gravel Roads

IBR Road Rating	Existing Conditions	Recommended Repair	Estimated* Cost per Mile
10	New Road	No maintenance	\$0
8 - 9	– Surface width at least 22-FT wide – Ditch depths at least 2-FT deep – Gravel depth at least 7-Inches deep	Maintain with grading and dust control	\$750
6 - 7	– Surface width 16-FT to 21-FT wide – Ditch depths 0.5-FT to 2-FT deep – Gravel depth 4 to 6-Inches deep	Maintain by placing up to 3-Inches new gravel and ditch where needed.	\$55,000
3 - 5	– Surface width 15-FT wide or less – Ditch depths 0 to ½ FT deep, with secondary ditches present – Gravel depth less than 4-Inches deep	Maintain by placing at least 4-Inches new gravel and ditch where needed	\$85,000
1 - 2	Two track road, poor drainage and no gravel	Reconstruct entire road	\$275,000 or greater

* Estimated cost per mile will provide project planning level costs. Individual roads should have a detailed estimate completed to address location specific road conditions.

40-45k/mi

2025 Hayes Township Gravel Local Road Ratings Map



2025 Hayes Township Gravel Local Road Ratings

IBR Rating	Road Name	Limits	Length (miles)
6 - 7	Stephens Rd.	Boyne City Rd. North to seasonal road sign	0.92
	Stolt Rd.	Maple Grove Rd. West to seasonal road sign	0.56
	Willis Rd.	Pavement End to seasonal road sign	0.06
3 - 5	Brown Rd.	Boyne City Rd. to road end	0.55
	Dalton Rd.	Maple Grove Rd. East to seasonal road sign	0.51
	Evers Rd.	Major Douglas Sloan Rd. to road end	0.20
	Grange Rd.	Maple Grove Rd. North to road end	0.12
	Hyek Rd.	Major Douglas Sloan Rd. to seasonal road sign	0.22
	Maple Grove Rd.	Boyne City Rd. South to seasonal road sign	0.18
	Shrigley Rd.	Pavement end to road end	0.20
	Stolt Rd.	Murray Rd. to Maple Grove Rd.	1.02

IBR Rating	Road Name	Limits	Length (miles)
1 - 2	Greensky Hill Rd.	Major Douglas Sloan Rd. to seasonal road sign	0.18
	Smith Rd.	Major Douglas Sloan Rd. to road end	0.09



April Hilton <deputyclerkhayes@gmail.com>

January Time Sheet

1 message

Hayes Treasurer <treasurerhayestownshipmi@gmail.com>
To: April Hilton <deputyclerkhayes@gmail.com>

Mon, Feb 2, 2026 at 1:46 PM



January Time Sheet

Julie Collard-Hayes Township

January 2026

January 15	Office Support	2 ½ hours
January 27	Recording Secretary	PC Meeting
January 28	Office Support	3 hours
January 29	Webpage Update	2 hours
January 30	Office Support	2 hours
January 31	Webpage Update	3 hours

Julie Collard--Hayes Township Treasurer

Darkness cannot drive out darkness: only light can do that. Hate cannot drive out hate: only love can do that. -Martin Luther King Jr.

**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

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.

JULY 2024

Township Focus

OFFICIAL PUBLICATION OF THE MICHIGAN TOWNSHIPS ASSOCIATION

Boosting board engagement

Tips for effective meetings

July and December
boards of review

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New rules expand overtime pay,
ban noncompete agreements

page 22

Bridging the digital divide

page 26



taxes, fees and special assessments unless contracting for services. *MTA neutral.*

HB 4688: Collective bargaining—Requires minimum staffing levels within a bargaining unit to be a mandatory subject of collective bargaining. *MTA opposes.*

HB 4693: Open Meetings Act—Allows nonelected and noncompensated public bodies to meet remotely. *MTA monitoring.*

HB 4860: Charter townships—Amends conflict of interest policy for charter township officials. *MTA supports.*

HB 4866: Annexation—Exempts certain charter townships from annexation. *MTA supports.*

HB 4965: Franchise fees—Modifies definition of video service. *MTA opposes.*

HB 5028: Homeowners association—Invalidates energy-saving home improvements prohibition by homeowners association. *MTA neutral.*

HBs 5039-5041: Local preemption—Prohibits local governments from enacting or enforcing an ordinance, policy, resolution or rule that regulates a dog based upon breed or perceived breed. *MTA opposes.*

HB 5188: Drains—Increases the amount that a drain commissioner or

drainage board can spend on necessary maintenance and repairs from \$5,000 per mile to \$10,000 per mile without being subject to the Drain Code's petition requirements. *MTA opposes.*

HB 5189: Drains—Modifies the procedures to revise the boundaries of a drainage district to add land from one or more counties not originally a part of the district. *MTA opposes.*

HB 5190: Drains—Modifies compensation and expense reimbursement of various public offices serving on drainage boards. *MTA opposes.*

HB 5353: Unfunded mandates—Provides for state financing of activities or services required of local units of government. *MTA supports.*

HB 5380: Property taxes—Provides for property tax exemption for certain nonprofit charitable institutions operating under Continuing Care Community Act. *MTA opposes.*

HB 5438: Short-term rental—Creates the short-term rental regulation act that retains local zoning authority, imposes an excise tax to be distributed to municipalities and creates a statewide registry. *MTA supports.*

HB 5550: Elections—Extends the time period by which an elections board must determine a recall petition to be factual and of sufficient clarity from 20 days to 40 days. *MTA monitoring.*

HB 5551: Elections—Modifies eligibility requirements for members of board of state canvassers and boards of county canvassers. *MTA monitoring.*

HB 5557: Housing—Requires local government master plans to forecast and take into account housing needs. *MTA supports.*

HB 5695: Emergency medical services—Requires participation in the ground emergency medical transport disbursement program. *MTA supports.*

HB 5699: Township term of office—Modifies the term of office start date for township officers to Dec. 1, beginning after Dec. 31, 2024. *MTA neutral.*

HB 5724: Public records—Creates act to allow judges to request that a public body not publicly post or release certain information concerning the judge or the judge's family members. *MTA monitoring.*

HB 5797: Property taxes—Clarifies and permits the postmark date to be used when determining date property taxes are paid. *MTA opposes.*



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Boosting board engagement

Tips for effective meetings

"The biggest problem facing Americans is not those issues that bombard us daily, from homelessness and failing schools to environmental devastation and the federal deficit. Underlying each is a deeper crisis ... The crisis is that we as a people don't know how to come together to solve these problems. We lack the capacities to address the issues or remove the obstacles that stand in the way of public deliberation. Too many Americans feel powerless."

—Lappe & Du Bois, *The Quickening of America: Rebuilding Our Nation, Remaking Our Lives*

Fundamentally, the public elects local leaders to “come together to solve problems.” Constituents rely on their township officials to develop infrastructure, use tax dollars prudently and keep the public safe, among other important responsibilities.

The public does not want local officials to *be* the problem that needs solving. A combative or divided township board can distract from the critical work of the township. Similarly, a board on which only one or two members actively participate in discussion, while others remain silent except to vote, can communicate a lack of commitment or engagement. Both types of board conduct can erode public trust.

This article offers tips for increasing board engagement and cohesiveness and promoting effective and efficient township board meetings. These suggestions are helpful not only for township board meetings, but also meetings for other township boards, commissions and committees, including the planning commission, zoning board of appeals and more.

This continuing education article and accompanying self-assessment (see page 20) are worth 2 elective credits in MTA's Township Governance Academy.



OBJECTIVE

- To organize board meetings to be professional, efficient and forward-thinking on behalf of the township

CORE COMPETENCIES

- Understands how to conduct effective board meetings and is knowledgeable about parliamentary procedure
- Possesses effective policy-making skills and decision-making skills

Visit <https://michigantownships.org/learning/tga> to learn more about the Academy, and turn to page 24 for details on upcoming TGA courses.



Encouraging board participation

Ideally, all township board members should participate in deliberation on motions and offer their viewpoints and the perspectives of their constituents (the public). But often, only one or two board members will actively participate. Some board members might only speak to vote, without contributing to any discussion.

Reasons for this apparent lack of engagement vary, and might include:

- **Personality types.** Some individuals are less comfortable with public speaking or inserting their opinions into a debate.
- **Familiarity with subject matter.** A board member who lacks experience or expertise in a particular subject area might be reluctant to speak up during discussion.
- **Opinion about the subject's importance.** A board member who does not feel the issue is important or worthwhile also might be less likely to contribute to the discussion.
- **Reluctance to disagree with others.** A board member might be hesitant to offer an unpopular opinion.
- **Intimidation by other members** (*even if unintentional*). A board member might feel that he or she will be criticized for stating an opinion.

We know, of course, that healthy debate can lead to good decisions. Debate allows the board to discuss all available information, consider alternatives and evaluate consequences. So how can supervisors, as the township board meeting moderator, and others encourage participation by all members? Here are five suggestions:

1) Provide sufficient information in advance of the meeting

Well-informed board members will contribute more meaningfully to deliberations. To encourage board member preparation, be sure to provide the meeting agenda and any packet or materials to board members ahead of the meeting. Ideally, board members should have four or five days before the meeting to review the materials. The timing of the agenda packet can be included in your board rules, discussed later in this article.

The quality of information provided is also important. Where appropriate, solicit and include in the meeting packet any staff reports or outside reports and opinions from experts (such as the township engineer, attorney, assessor or auditor). This helps to equip board members with the data and background they need to ask informed questions and offer opinions during the meeting.

cover story



Focusing on ideas and issues rather than people and politics can encourage board engagement and reduce board conflict.

2) Welcome differing opinions

Board members should understand that it's okay—even important, sometimes—to disagree with the motion on the table. A supervisor can encourage this understanding and prompt debate by asking outright, “Does anyone have a different perspective on this?” or “Does anyone disagree?” or “Is there anything we haven't considered?” Follow these questions with a pause of silence to create space for board members to speak up. This invites board members with differing viewpoints to add their thoughts to the discussion.

To further encourage participation, board members should avoid immediately contradicting the member who speaks. Consider these alternative approaches:

Instead of:

“Well, that won't work because of this ...”

“Thanks, but that's a slippery slope ...”

Try this:

“I hadn't considered that. Let me think on that for a minute.”

“What do other board members think of that approach?”

Disagreement is appropriate in debate. But allowing time for board members to think about a differing opinion can strengthen the discussion and lead to better decisions.

3) Use a ‘down the line’ approach

When debate is lackluster, a supervisor will sometimes encourage discussion by asking whether anyone else has

anything to say. But another approach is to go “down the line” from one end of the board table to the other to solicit opinions. The supervisor can start with a different member during each motion or discussion so that the same board members are not going first and last each time.

Example:

“There is a motion on the table to accept the Smith Company construction bid. Let's hear everyone's thoughts, starting with Trustee Jones, and then we'll go down the line.”

This ensures that each board member has a designated opportunity to express his or her thoughts.

4) Don't rush the deliberation

Even if the board has a busy agenda, it is important to allow time for every board member to speak. The supervisor can encourage this by pausing before calling for a vote and, if possible, making eye contact or looking to each board member to confirm they have nothing further to add. The supervisor can even ask, “Are we ready for a vote?” and obtain consensus that the board is ready to vote.

5) Focus on ideas, not people

Sometimes, board debates will devolve into personal criticism. While board members can (and should) be critical of ideas and proposals sometimes, board members should avoid criticizing people, including applicants, members of the public and other board members. Put differently, you can disagree without being disagreeable.

Robert's Rules of Order—the popular parliamentary procedural rules that many boards follow—discourages members from addressing one another by name. This is to keep the board focused on ideas and issues, not people. When another board member is addressed by name, it should be stated respectfully (“Trustee Jones”), not as “you.”

Examples:

“As Trustee Jones reported ...”—not, “as you claimed.”

“Trustee Smith acknowledged...”—not, “you admitted it!”

When we feel passionately about an issue, our statements can easily turn into critiques. But by focusing on the merits of the idea rather than the intentions of people, we can have robust debates that do not become personal attacks. For example:

Instead of this:

“This short-term rental application is just terrible. These Airbnb renters don't seem to care about their neighbors anymore. They're loud and disrespectful. All they care about is money, and I'm against it.”

Try this:

“I'm concerned about how these short-term rentals will impact neighbors. I understand there is some economic benefit, but I'm not comfortable approving the plan until we put some safeguards in place.”

Instead of this:

"I'm tired of you constantly bringing up the audit, Trustee Potter. We fixed the problems, and you need to move on."

Try this:

"I'm hearing concerns about the audit, but I want to note that the township resolved the audit findings, and there were no further recommendations from our auditor. I think next year's audit will go much more smoothly, but we could ask our accounting firm if there is anything else we should be doing."

Note that in the "try this" examples, the speaker focuses on future steps—putting short-term rental safeguards in place, or addressing next year's audit by speaking to the accountant. Talking about future actions is often more productive than dwelling on past issues.

Sometimes focusing on the issues means ignoring personal attacks, as difficult as that might be. Consider this exchange, where one board member levies a personal attack, but the supervisor keeps the focus on the business at hand:

Board member: *"I can't believe you got this letter from the road commission last week and we're just hearing about it now. You've had it for nine days? This is ridiculous. Why do we even have a supervisor?"*

Supervisor: *"Thank you for your comment. Next on our agenda is Old Business ..."*

Board member: *"Oh, so you're just not going to answer why it took you nine days to share this letter?"*

Supervisor: *"Respectfully, Trustee Jones, that comment is out of order as we are now on Old Business. There will be time for board member comments at the end of the meeting. We can each share our comments then."*

Focusing on ideas and issues rather than people and politics can encourage board engagement and reduce board conflict, discussed further below.

Moving the meeting forward

On the other hand, sometimes the problem isn't insufficient board engagement, but instead debates that just won't end. How do you know when it is time to wind down discussion on an item and bring it to a vote?

Generally, the debate is ready to wrap up when board members are repeating the same arguments, and no new ideas or opinions are being voiced. At that time, further debate serves no useful purpose (other than to frustrate board members and the public). The supervisor can appropriately ask whether anyone has anything new to add, and if not, the supervisor can ask for a vote on the matter.

Sometimes, however, not all board members agree that the debate should be finished. In those situations, someone might move to "call the question." This often-misused technique is derived from *Robert's Rules of Order*, which allows a member to "move the previous question." A properly made motion for the previous question (or to "call the question") ends debate immediately and brings the main motion to an immediate vote.

Importantly, however, if the board is using *Robert's Rules*, a motion for the previous question requires a two-thirds

Seven steps to basic voting procedures

A township board may choose to adopt an established form of parliamentary procedure, such as *Robert's Rules of Order*, *Mason's Manual of Legislative Procedure*, or any number of other recognized forms of parliamentary procedure. A board could also choose to use a simplified version of meeting procedure or even establish its own rules of parliamentary procedure, as long as they do not violate state law. The key is for all board members to know the rules and use them consistently.

For example, here are some basic steps to voting that a township board may find useful.

"Township Rules of Voting"

1. **Board members who are not abstaining participate in fact-finding, discussion and debate to reach a consensus that the board should take action on a matter.**
2. **A board member makes a motion to take a specified action.** The clerk, recording secretary or the motion-maker should write the motion out as it is made and as amended—even on an index card that can be passed to the clerk—so all members will know exactly what they are voting on when a vote is taken.
3. **Another board member seconds the motion.**
Note: A "second" is not required by law, or even recommended by all forms of parliamentary procedure. A township board may choose to not require that motions be seconded.
4. **The motion may be discussed and amended until the moderator (supervisor, if present) calls for the vote.**
5. **The moderator restates the motion before the motion is taken.**
By reading out the written version of the motion, the moderator is stating the motion so all board members, as well as the public, knows what is being voted on.
6. **The moderator calls for the vote.**
A vote may be a simple "voice vote," where each voting member calls out his or her vote at the same time when asked to vote "Aye" or "No," or a vote may be a roll call vote, where the clerk calls each voting member's name and records in the minutes how that member responds. Secret ballots are never allowed for a township public body—all votes must be made in open session at a public meeting so the public may hear the votes.
The clerk may shuffle index cards with each member's name to ensure that no one member always votes first or last for roll call votes.
Each member, including the supervisor/moderator, votes on all business before the board unless that member is properly abstaining. The supervisor/moderator does not vote only to break a tie, and does not have to vote last.
7. **The moderator announces the outcome of the vote and should identify responsibility for accomplishing the action (who will do it, and when).**
Note that a public body may choose to decide motions by "consensus," without actually taking a vote, when a roll call vote or specific majority is not required. The motion is stated and, if no objections are heard, carries.

Come to Order!

Parliamentary Procedure and the Township Board

By Eleanor "Coco" Siewert,
Parliamentarian

Been there. Done that.

Does this sound familiar?

The evening of the board meeting comes, and what could have been wrapped up in a few short hours drags on and on.

Board members get off-subject, and discussion takes far longer than necessary.

Why do some meetings run so long? And what can board members do to ensure more effective meetings? Parliamentary procedure, a familiar term, but perhaps an unfamiliar concept, could mean the difference between effective, efficient meetings and drawn-out, unproductive ones.

This continuing education article and accompanying self-assessment is worth 2.0 elective credits as part of MTA's Township Governance Academy. See page 16 for details.



OBJECTIVE

- To explain the fundamentals of parliamentary procedure, and how the process can help make township board meetings more efficient

CORE COMPETENCIES

Interpersonal Skills: Communicates effectively; listens attentively; and works effectively with individuals, departments and committees to achieve desired outcomes

Leadership Abilities: Understands how to conduct effective board meetings and is knowledgeable about parliamentary procedure

What is Parliamentary Procedure?

What exactly is parliamentary procedure, and why is it a recommended tool for meetings? Parliamentary procedure is the method of procedure, discussion and debate used in deliberative bodies and organized assemblies. It is the process by which groups make decisions.

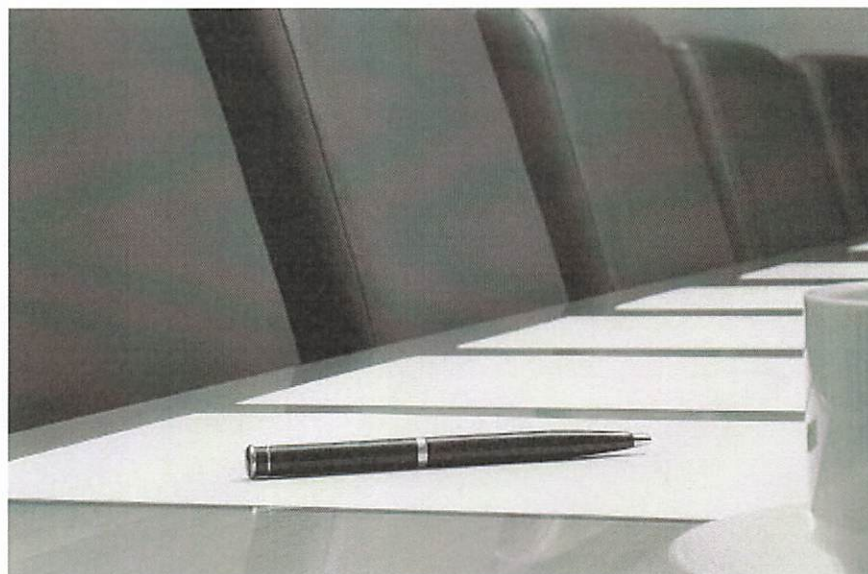
While some may contend that parliamentary procedure consists of confusing rules and creates conflict in meetings, an understanding of parliamentary rules can actually help a meeting run more fairly, smoothly and orderly. The four key tenets of parliamentary rules are:

- to accomplish the objectives for which the group is organized;
- to expedite business;
- to ensure fairness and equality to all; and
- to maintain order.

These objectives are supported by a set of parliamentary procedures that promote focused discussion through an organized system allowing one individual to speak at a time while others listen. The value of the rules of parliamentary procedure is in their ability to promote decision-making. However, the use of parliamentary procedure alone does not ensure that these objectives will be met. The township board must work to create an atmosphere of trust, honesty, respect and shared purpose.

There are numerous systems of parliamentary procedure, and townships can choose whichever method—or variation of a method—that best suits the board's needs. An important thing to keep in mind is that all board members should work from the same method of parliamentary procedure. This ensures that, if a question or concern arises, all officials are referencing and following the same procedures. (For parliamentary procedure resources, turn to the sidebar on page 14.)

Among the most commonly used parliamentary procedure manuals is *Robert's Rules of Order Newly Revised*, which is also the model used for this article. Written in 1876 by General Henry M. Robert, a West Point graduate and member of the Corps of Engineers of the United States Army, the text has been



revised many times, and is now in its 10th edition. A board choosing to adopt *Robert's Rules*, or any other manual or method of parliamentary procedure, as its parliamentary authority should vote to do so.

The Principles of Parliamentary Procedure

Many aspects of township board meetings are governed by Michigan statutes. While parliamentary procedure can be used to enhance statutes and ensure a more effective meeting, it can *never* replace what is required by law. The basic principles of parliamentary procedure, while not required of township boards, can help direct conduct of business during board meetings. A township board may use the following rules as a guideline, but can adjust the rules to comply with state law and the board's preference for more (or less) formal procedures:

- 1) In meetings, board members should focus on the adopted goals and intended outcomes when making decisions for their community.
- 2) All board members have equal rights, and all board members have an equal vote.

- 3) A parliamentary standard that is also governed by Michigan statute is the need for a quorum to be present to hold a meeting. This means at least three members of a five-member township

SAMPLE LANGUAGE

"The rules contained in (the current edition of) *Robert's Rules of Order Newly Revised* [or parliamentary procedure guide of the township's choosing] shall govern the township in all cases to which they are applicable and in which they are not inconsistent with any federal or state laws, township ordinances or any special rules of order the township board may adopt."

board, or four members of a seven-member board must be present to do business. (MCLs 41.70 and 42.7)

- 4) Only one main proposal may be before the township board at a time, and only one member may have the floor. While the responsibility to make this

occur rests most heavily on the supervisor as meeting moderator, all members contribute through their conduct.

According to MCLs 41.72a and 41.97, a general law township supervisor, if present, shall be the moderator of a regular or special meeting of the township board. If the supervisor is not present, the township board, under the direction of the clerk, shall elect by voice vote a board member to serve as meeting moderator. The clerk has the same powers and duties as the moderator until a moderator is chosen.

MCL 42.5(2) states that a charter township supervisor "shall be the presid-

continued ▶

ing and executive officer of the board and shall have an equal voice and vote in the proceedings of the board. ... If the supervisor is absent from a meeting of the township board, the board shall appoint one of its members president pro tem for that meeting."

5) Full debate among board members should be allowed before the vote on a main motion, except when the members, by motion, impose limitations. According to *Robert's Rules* procedure, a vote must be taken to impose a limitation on the debate; if a member calls the question or makes a motion to stop debate, it requires a two-thirds vote to be adopted.

6) According to *Robert's Rules*, a question, once settled, may not be presented again in the same form, in the same session, except by a motion to reconsider (*discussed later in this article*). This prevents continuous repetition of a motion when one member is dissatisfied with the outcome of a vote.

7) A proposition or issue is the item under discussion, never the person who introduced it.

Before the Meeting

Although not outlined in parliamentary procedure, all township boards should strive to make the best use of officials' time, focus and energy. Board meetings should be spent making decisions and using information, rather than collecting it. To best achieve this goal, board members should be given a meeting packet to review prior to the meeting.

This is not to say that all questions or discussion during a meeting are bad—to the contrary, there are ways to make discussion during meetings more organized. Asking questions is a way for board members to ensure the goals that have been set for the meeting are being met. However, board members who come to a meeting unprepared, and ask questions that were answered in written reports they simply hadn't yet read, waste time for fellow board members and members of the audience.

A prepared board can tackle the issues at hand, saving time and making the best use of the meeting.

Making Motions

Once a prepared board assembles at a township meeting, members make motions to bring actions before the board and facilitate discussion. A **main motion** is the basis of all parliamentary procedure. All business to be considered by the board is introduced by a main motion. According to *Robert's Rules*, there are specific steps in making a motion. First, the board member seeks recognition from the supervisor. Once the supervisor has recognized the board member, the board member states the motion. Then it is seconded by another board member. If the motion is not seconded, it is not considered for discussion.

If a motion has been made and seconded, the supervisor repeats the motion, placing it before the board for discussion and action. The maker of the motion is invited to address the motion first. According to *Robert's Rules*, seconds are not always needed in small boards, such as township boards. Each township can make its own decision as to whether or not to require seconds.

In *Robert's Rules*, there are also three types of secondary motions:

1) **Subsidiary motions** can direct or change how the main motion is handled. Examples include:

- The *motion to table* is used to temporarily postpone discussion until the board decides to resume discussion. By adopting a motion to "lay on the table," a majority of the board can immediately halt consideration of a question without debate. To resume discussion, the board must pass a motion to take from the table (*see bring-back motions on page 13*). That being said, tabling a motion is not meant to "kill" the motion—it merely sets aside debate until a later time. If a motion is not taken from the table by the end of the next regular meeting, the motion dies. The issue can be made at a later meeting as a new question.

- A *motion to amend* is intended to

change or modify a motion before a vote is taken. When the amendment has been made, seconded and stated by the supervisor, it is open for discussion. Now, the discussion centers specifically on the amendment. Using words such as "strike out" and "insert" indicates which words are to be eliminated and where the new words should go. After discussion, a vote is taken on the amendment and, if it is adopted, then discussion returns to the main motion, as amended. In this manner, discussion is always focused on the specific issue at hand.

- The *motion to refer* is useful when the board decides that more information is needed. The motion is referred to an existing committee or it can be used to create a committee that will

research additional information and present their findings to the board at an upcoming meeting. The motion is sent to the committee without a vote on the main motion. At the future meeting, the committee would present its report, and action would be taken on the referred motion.

- The *motion to postpone* to a certain time is intended to delay consideration of a question until later in the current meeting or to a future meeting. A motion should not be postponed further than three months beyond the present month.

2) **Privileged motions** are unrelated to the current motion, but are of such urgency or importance that they are considered immediately. These include motions to *adjourn*, *recess* or "*call for the orders of the day*." The latter is a demand from a board member that the group return to the meeting's agenda if discussion gets too off-track.

SAMPLE LANGUAGE

"I move to [or that] ... " To second a motion, another member says, "I second the motion." [Or "I second it," "Second" or "Support."]

SAMPLE LANGUAGE

"I move to refer the motion to the XYZ Committee, and that the committee be instructed to report at the next meeting."

SAMPLE LANGUAGE

"I move to postpone the motion to the next meeting."

3) **Incidental motions** are “housekeeping” issues, and though they are related to the business being considered, they do not directly modify the pending motion. They include a *request to withdraw a motion* that has already been put before the board, or a *division of a question*, which allows a motion to be divided into separate parts to be considered.

Bring-back motions are a fourth type of motion, which actually falls under a special type of main motion. These restorative motions contradict the parliamentary rule that once a question has been decided, it cannot be brought up again at the same meeting, and allow the board to consider previously handled business. This may include a *motion to reconsider*, which allows a board to reconsider a vote on a previous motion if a board member feels the vote was hasty, ill-advised or even illegal. *Robert’s Rules* prevent abuse by board members who are simply unhappy with the vote by including the statement that a motion to reconsider can be made only by a member who voted on the prevailing—i.e., the winning—side and only on the same day the original vote was taken.

A *motion to discharge a committee* takes a matter out of a committee’s hands and places it again before the township board as a whole.

A *motion to rescind* can cancel or countermand a motion previously passed, even at a previous meeting. Such a motion is *not* required to be made by a member who voted on the prevailing side, and with previous notice, it requires a majority vote. A motion to *take from the table* allows the board to resume consideration of a motion previously laid on the table.

Order of Motions

According to parliamentary rule—and to make board decision-making as

streamlined as possible—only one motion should be considered at a time. But with all the different types of motions, in which order should they be considered?

The final vote on a main motion is taken only after all other legitimate motions are taken up and acted upon. Privileged motions should be promptly acted upon, and subsidiary and incidental motions must be given priority so that the action finally taken on the main motion

accurately reflects the board’s wishes. Motions that bring a question again before the board can be considered only when no other business is pending.

SAMPLE LANGUAGE

“I move to reconsider the vote on the motion relating to the annual township clean-up day.”

The Rules of Debate

One way to have effective decision-making and to keep discussion on-track during meetings is to establish rules for debate. Parliamentary procedure provides numerous guidelines for debate that township boards may wish to consider using, though boards can adjust the rules depending on their desired level of formality.

Parliamentary procedure dictates that every board member has the right to speak on every debatable motion before it is voted upon. All remarks should be limited to the subject, or

specific motion, immediately under discussion. The supervisor can monitor this and remind participants if the conversation heads in another direction. All remarks must be addressed to or through the supervisor. A common cause of disruption is board members speaking out without being recognized.

Personal comments about other individuals should always be avoided. It is the supervisor’s responsibility to object if any board member does so.

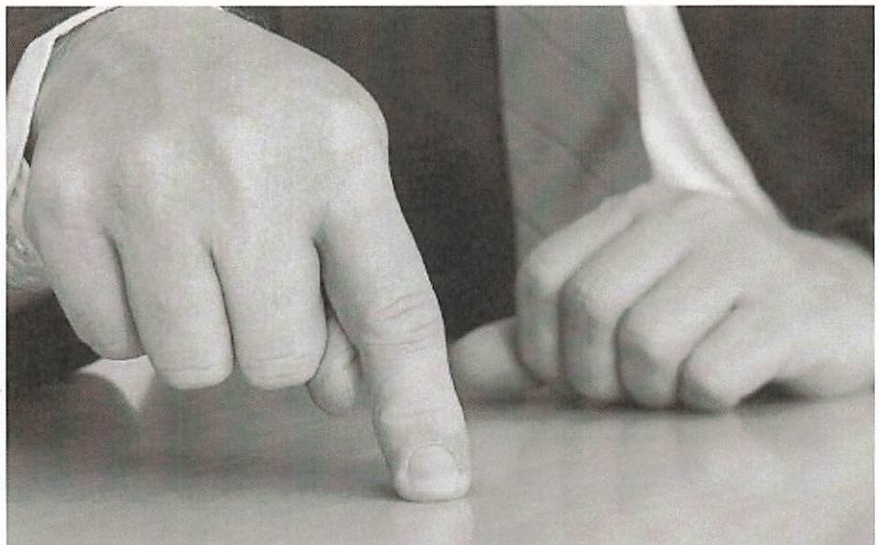
Calling on members by title—i.e., Trustee Brown—is another step toward setting an atmosphere of civility, and can indicate that the board conducts its business in a serious manner. During board discussion, the supervisor can make an effort to alternate between supporting and opposing arguments in an effort to provide for maximum dialogue and allow all sides to be stated.

Throughout the meeting, a board member may choose to make a “point of order,” which is used when a member wishes to call the supervisor’s attention to the fact that the rules are not being followed. The usual procedures of not interrupting and waiting for recognition do not apply.

Voting Procedures

Under Michigan law, a township board member has a general duty to vote on motions before the board when he or

continued ▶



Resources for Local Officials

Parliamentary Procedure Manuals

- *Robert's Rules of Order Newly Revised* (10th ed.) by Henry M. Robert III, William J. Evans, Daniel H. Honemann and Thomas J. Balch
- *Robert's Rules of Order Newly Revised, In Brief* (10th ed.) by Henry M. Robert III
- *Robert's Rules in Plain English* (1997 ed.) by Doris P. Zimmerman
- *Mason's Manual of Legislative Procedure* (2000 ed.) by Paul Mason
- *The Standard Code of Procedure* (4th ed.) by Alice Sturgis
- *Parliamentary Law* (1975 ed.) by Henry M. Robert

Parliamentary Procedure Web Sites

- www.parliamentaryprocedure.org

The Web site for the American Institute of Parliamentarians, which works for the improvement of parliamentary procedure to the end that decisions are made by parliamentary means.

- www.parliamentarians.org

The official site of the National Association of Parliamentarians has "basics" pages providing an overview of procedures and a way to contact a professional parliamentarian to assist your township board. ■

she is present at a meeting. A board member who abstains from voting on an issue, unless there is a conflict of interest, is committing a breach of duty. Township board members should consider voting at a township board meeting a duty of office.

When serving on a township board, there are restrictions on the times when a person can choose to abstain. A main reason to abstain is a conflict of interest. A legal conflict of interest is a financial or contractual interest in a matter before the board. A resigning township board member may not vote to appoint his or her successor. A charter township board member may also abstain from voting on an appointment to fill a vacancy for which he or she wishes to be considered.

For charter townships, MCL 42.7 says, "A member of the township board who is recorded as present shall vote on all questions decided by the board unless excused by the unanimous consent of the other board members present."

Following thorough discussion among board members, the motion is put to a vote. Typically, a township board must use a voice vote or a roll call vote, and the supervisor (or meeting chair) can announce the result of the vote. Many

statutes require a *resolution*, rather than a motion.

Statute dictates how many votes are necessary to pass a motion at a township board meeting. If no state law governs the issue the board is voting on, a majority vote by those members present and

voting is sufficient, according to Attorney General Opinion 5238 of 1977.

Various statutes require a majority vote of the township board membership. For example, a majority vote of the township board membership is required to set the date of the annual meeting (MCL 41.8); buy, sell or lease property (MCL 41.2 and other statutes authorizing the purchase or sale of property/equipment); adopt or amend a non-zoning ordinance (MCL 41.181) or a zoning ordinance (MCLs 125.272, 125.281 and 125.285); or approve a 425 Agreement (MCL 124.24).

A two-thirds vote of board membership is required to go into closed session for specific purposes outlined by the OMA (MCL 15.267), or to reject the recommendation of a compensation commission (MCLs 41.95 and 42.6a).

This is not an exhaustive list; other statutes require a majority or two-thirds vote. The township board should consult the statutes and their township attorney when in doubt.

According to *Robert's Rules*, there are times when a formal vote, or even a motion, is not necessary. A board can use unanimous consent in cases when there



seems to be no opposition in routine business, or when the supervisor senses the group is in agreement. For example, approval of bill payments can be accomplished by unanimous consent. This can be a great time-saver and help expedite the meeting.

Productive, Proficient Meetings

Using parliamentary procedure, while not required of townships, can help meetings run more smoothly, with greater productivity and less disruption. By conducting township business in a professional, efficient manner, boards will not only save time, but may find themselves encountering fewer complaints from the public, and could see improved citizen participation in township meetings and activities. By working

SAMPLE LANGUAGE

**"If there are no objections,
the payment of bills is
approved as presented."**

mentals of this common practice can help your township realize the type of efficiency it desires. ■

Eleanor "Coco" Stewart is a professional registered parliamentarian, who uses her parliamentary skills to assist numerous organizations in southeastern Michigan, ranging from municipalities to non-profits to university student organizations. She can be reached via e-mail at e.stewart@wayne.edu.

MTA Member Information Liaison Catherine Mullhaupt contributed to this article.

well together, boards may even achieve a heightened sense of teamwork. Understanding the funda-



Candidates in MTA's Township Governance Academy may obtain 2.0 continuing education elective credits by successfully completing the self-evaluation on page 16. For details about the Academy, contact MTA Education Specialist Shelley Tucker at (317) 321-6467, ext. 251 or e-mail shelley@michigantownships.org.

Continuing Education Self-Assessment



Participants enrolled in the Township Governance Academy (TGA), a credentialing program offered through the Michigan Townships Association, may obtain 2.0 elective credits for successful completion of this quiz. To obtain credit, participants must answer the following 10 multiple-choice questions by circling the correct answer and receive a passing score of 70 percent. The questions are based on content from the article, "Come to Order! Parliamentary Procedure and the Township Board," beginning on page 10.

There is no charge to take the quiz or to obtain TGA credit. Completed quizzes should be sent to: MTA Education Center, 512 Westshire Drive, Lansing, MI 48917, or faxed to (517) 321-8908. MTA will notify you of your results within three weeks after receiving your quiz. **IMPORTANT: Please keep a copy of your completed quiz in your TGA binder.**

Township officials interested in enrolling in the Township Governance Academy may call Shelley Tucker, MTA education specialist, at (517) 321-6467, ext. 251, or for more information, visit the MTA Web site at www.michigantownships.org, and click on the "Training" tab, then "Township Governance Academy."

TGA Continuing Education – May 2006

"Come to Order! Parliamentary Procedure and the Township Board"

2.0 Elective Credits

(To receive credit, this quiz must be completed by May 1, 2009.)

NAME: _____ TOWNSHIP & COUNTY: _____

ADDRESS: _____ CITY/STATE/ZIP: _____

E-MAIL ADDRESS: _____

1. Which of the following does *not* describe parliamentary procedure? It is:
 - a. something that township officials make up as they go along
 - b. a way of making township board meetings more effective and efficient
 - c. a method of procedure, discussion and debate among boards
 - d. the process by which groups make decisions
2. If township boards choose to adopt a method of parliamentary procedure:
 - a. it must be *Robert's Rules of Order*
 - b. the township cannot adapt rules to suit its needs
 - c. every board member must use the same method
 - d. it must use the latest edition of its parliamentary procedure manual of choice
3. During board meetings,
 - a. parliamentary procedure, and state and federal statute carry same authority
 - b. statutes enhance parliamentary procedure
 - c. parliamentary procedure can never replace what is required by law
 - d. statute does not govern any aspect of township meetings
4. According to parliamentary procedure guidelines,
 - a. some board members' votes count more than other members
 - b. the meeting moderator can cut off debate whenever he or she feels like
 - c. the board can consider numerous motions at the same time
 - d. a quorum must be present to hold a meeting
5. To get the most of board meetings,
 - a. officials should receive—and read—a meeting packet prior to the meeting
 - b. officials need only show up on time
 - c. officials should save all their questions for the meeting
 - d. officials spend the meeting collecting information
6. When making a motion to bring business before the board,
 - a. a township official can interrupt the meeting to state his or her motion
 - b. the board member seeks recognition from the supervisor or meeting moderator
 - c. the board member seeks recognition from the clerk
 - d. the motion must receive a second to be up for debate
7. If a board member wants to temporarily suspend discussion on a motion, he or she would use what type of motion?
 - a. a motion to reconsider
 - b. a motion to table
 - c. a motion to refer
 - d. a motion to amend
8. When board members debate and discuss during meetings,
 - a. personal comments about other board members are acceptable
 - b. calling board members by first name sets an atmosphere of civility
 - c. every board member has the right to speak on every debatable motion
 - d. a "point of order" can be made when the rules are being properly followed
9. Voting on township business:
 - a. is something all board members do, no matter what
 - b. is always based on a motion
 - c. takes place whenever the supervisor feels there has been enough discussion
 - d. should be considered a duty of office by board members
10. What outcomes may township boards achieve from using parliamentary procedure?
 - a. meetings with greater disruption and less productivity
 - b. township business conducted in a casual, ineffective manner
 - c. greater teamwork among board members
 - d. less citizen participation

Section 2: Roles and Responsibilities

Chapter 6: Successful Meetings

Rules of Procedure

Adopting rules of procedure to govern its meetings may very well be one of the most important actions a council takes. These rules assist in ensuring that meetings are efficient and genial and provide guidelines for dealing lawfully and effectively with the public and the media

The council should review its rules of procedure at its first meeting after members elected at the municipality's regular election have taken office and when a quorum is present. Following discussion and any amendments, the council should adopt the rules of procedure by majority vote.

Typically, council rules contain provisions for:

- notification of meetings;
- regular and special meetings;
- attendance at meetings;
- meeting information packets;
- agenda preparation and distribution (including the use of a consent agenda);
- voting;
- public hearings;
- parliamentary procedure;
- conduct of meetings (decorum of council members; disorderly conduct);
- public participation;
- minute preparation;
- committees (establishing; appointments; duties and responsibilities);
- resolutions; and
- ordinances (introduction; public hearing; publication; amendments).

The rules should indicate the sequence of the council agenda as well as the procedure for holding public meetings. They might also include whether or not the mayor or president is entitled to speak in debate, any restrictions on abstentions, how items are added to the agenda, how the agenda is distributed, limits on speeches—basically

anything having to do with how you procedurally conduct your meetings.

Agendas

An agenda is a guide for conducting an official business meeting of a duly constituted body. Generally, the person who sets the agenda is the presiding officer (hereafter called the chair). The chair should set a deadline before each meeting to receive agenda items. The deadline should allow enough time before the meeting for an agenda to be produced and supporting information and documents to be mailed or delivered to the members. Board or council members should have enough time before the meeting to read and digest the information. Allowing time for the members to prepare will help the meeting proceed at a more efficient pace.

The chair should mail a message or verbally remind each person on the board or council of the deadline each time an agenda is being prepared. Most people can be verbally reminded before the preceding meeting is adjourned. Other interested and appropriate individuals should also be notified of the date and time when agenda items are due.

The person responsible for each agenda item should be listed on the printed agenda next to that item.

Sample Agenda Outline

1. Call to Order (Pledge of Allegiance, if there is to be one)
2. Roll Call
3. Approval of (regular/special) minutes of the last meeting
4. Approval of Agenda
5. Public Comments – Reserved Time (for items listed on this agenda)
6. Petitions and Communications
7. Consent Agenda

8. Introduction and Adoption of Ordinances and Resolutions; Public Hearings
9. Reports of Officers, Boards and Committees; Routine Monthly Reports from Departments
10. Unfinished Business (unfinished or pending matters)
11. New Business
12. Miscellaneous
13. Public Comments – General
14. Recess – Work Session
15. Closed Session (for situations that meet the circumstances specified in the Michigan Open Meetings Act.)
16. Adjournment

Open Meetings Act

The basic intent of the Open Meetings Act (OMA) is to strengthen the right of all Michigan citizens to know what goes on in government.

Briefly, the OMA requires that nearly all deliberations and decisions of a public body be made in public. While it sounds simple, problems arise in the definition of terms. What is a “public body”? Is a subcommittee of the council a “public body”? Is a discussion of the candidates for the manager’s position a “deliberation”? Does the council have to discuss its final offer to the fire union in public session? The answer to most of these questions is the same: “It depends.”

Remember, the general rule of thumb is to conduct the public’s business in public. Deliberate so the constituents know why decisions are made. Deliberations and documents may be kept confidential only when disclosure would be detrimental to the municipality, not when the matter would be uncomfortable or embarrassing.

When specific circumstances cause you to question the appropriateness of a closed session or the appropriate posting requirements, the safest course of action is to follow the guidance of your municipal attorney. The specific details of the situation and recent legislation and court decisions will make each situation unique.

Closed meetings

In order for a public body to hold a closed meeting, a roll call vote must be taken; depending on the circumstances, either two-thirds of its members must vote affirmatively or it must be a majority vote. (See Appendix 2: Overview of the Open Meetings Act). Also, the purpose for which the closed meeting is being called must be stated in the meeting when the roll call is taken. The law provides for closed meetings in a few specified circumstances:

- to consider the purchase or lease of real property (2/3 vote);
- to consult with its attorney about trial or settlement strategy in pending litigation, but only when an open meeting would have a detrimental financial effect on the public body’s position (2/3 vote);
- to review the contents of an application for employment or appointment to a public office when the candidate requests the application to remain confidential (2/3 vote). However, all interviews by a public body for employment or appointment to a public office must be conducted in an open meeting; and
- to consider material exempt from discussion or disclosure by state or federal statute (2/3 vote); and
- to consider dismissal, suspension or disciplining of, or to hear complaints or charges brought against or to consider a periodic personnel evaluation of, a public officer or employee if requested by the named person (majority vote).

Recording Minutes

Minutes are recorded to provide an accurate written history of the proceedings of a board, commission, or committee meeting. The OMA contains the legal requirements for minutes of public body meetings. Minutes must be kept for all meetings and are required to contain:

- a statement of the time, date, and place of the meeting;
- the members present as well as absent;

- a record of any decisions made at the meeting and a record of all roll call votes; and
- an explanation of the purpose(s) if the meeting is a closed session.

Except for minutes taken during a closed session, all minutes are considered public records, open for public inspection, and must be available for review as well as copying at the address designated on the public notice for the meeting.

Proposed minutes must be available for public inspection within eight business days after a meeting. Approved minutes must be available within five business days after the meeting at which they were approved.

Corrections in the minutes must be made no later than the next meeting after the meeting to which the minutes refer. Corrected minutes must be available no later than the next meeting after the correction and must show both the original entry and the correction.

Closed Meeting Minutes

Minutes of closed meetings must also be recorded, although they are not available for public inspection and would only be disclosed if required by a civil action. 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.

Public Hearings

Council rules should include a procedure for public hearings. A *public hearing* is that portion of a meeting designed specifically to receive input from the public on a single issue. It may be required by ordinance, charter, or statute. The time, place, and subject of the hearing must be posted as required by the ordinance, charter, or statute. The hearing may be before, during, or after a regular meeting or may be at a special meeting called specifically for that purpose. Public hearings are formal meetings of the council to obtain input from the public. Public hearings offer citizens an opportunity to be heard, and should be viewed as a

serious effort on the part of elected officials to secure as much information as possible about a topic before a final decision is made. Public hearings are legal requirement for some matters, such as:

- adoption of the budget, and
- changing the zoning ordinance.

Local charters may also include provisions on public hearings, such as requiring a public hearing for the consideration of a proposed ordinance. Even if not required by law, a public hearing can be useful in helping municipal officials understand how their constituents feel and why they feel that way.

Parliamentary Procedure

A good working knowledge of meeting management and the basic elements of parliamentary procedure will engender a sense of confidence at your first public meeting. You should feel comfortable with how to make a motion, what is expected of you in debate, and how a vote is taken. In other words, know your rights and how to enforce and protect them.

Parliamentary procedure is not meant to be restrictive or prevent free expression of opinion, but rather to serve as a protection of the rights of all—the majority, the minority, individual members, absent members, and all of these together. For a governmental body, that also includes your constituency—the public. The purpose is to expedite business, maintain order, insure justice, and make sure that the will of the organization is accomplished properly and fairly. In other words, these procedures are designed to help, not hinder, the process.

In a message to Congress in 1961, President John F. Kennedy stated “The basis of effective government is public confidence.” As a member of your city or village council, you can help inspire that confidence by being professional in your duties, by having a good working knowledge of parliamentary procedure, and by projecting your image as an efficient, fair-minded, knowledgeable official. An orderly, smoothly run meeting, one that

accomplishes the tasks at hand, should be your goal. And it shouldn't last too long either.

It all sounds so simple. A motion is made, discussed, and voted on. How much easier can it get? Well, we have a tendency to make it much more difficult than it has to be.

Parliamentary law is composed of the rules and customs governing deliberative assemblies. The most widely used authority is *Robert's Rules of Order Newly Revised (Roberts Rules)*, used by more than 75 percent of all deliberative assemblies, including governmental bodies. Meetings of governmental bodies are regulated by federal and state laws (such as the Open Meetings Act), which take priority, and local charters (which may stipulate that the president votes only to break a tie), and any rules that your municipality has adopted regarding procedure. **If you have adopted the current version of *Roberts Rules*, it should be consulted as a last resort if nothing else applies, not as the first and foremost authority.**

As a member of the public body, you have the responsibility to become familiar with requirements and restrictions under the OMA, your own governing documents—especially your charter—and your council rules of procedure. Your agenda, how business is introduced, how debate is conducted, how the vote is taken—all of these things have their basis in parliamentary procedure.

There are some basic concepts that are common to all organizations: a quorum must be present to take legal action; only one main proposition can be on the floor at a time; only one member can speak at a time; the issue, not the person, is always what is under discussion; and usually, a majority vote decides.

A motion is handled in the following manner:

1. A member is recognized and makes a motion by stating “I move...” (Never use “I want to...” or “I think we should...” or “I motion...” or “So moved.”)
2. Another member “seconds” the motion, without waiting for recognition. This means that another person thinks the subject is important enough for discussion and vote. (To expedite business and avoid confusion when no second is offered, you might want to adopt a rule that eliminates the requirement for a second).
3. The chair states the question: “It is moved and seconded that . . .” The motion now belongs to the assembly for discussion.
4. The chair asks: “Is there any discussion?” or “Are you ready for the question?” The motion is opened for debate, and the member who made the motion has first priority in speaking to the question. According to *Roberts Rules*, each member has the right to speak twice in debate, but may not speak the second time until everyone has had a chance to speak the first time.
5. The chair states “The question is on the adoption of the motion to...” the vote is taken by whatever means is established in your community. If by voice vote, “All those in favor say ‘aye’. All those opposed, say ‘no’.”
6. The chair announces the results of the vote. “The ayes have it and the motion is adopted.” Or “The nays have it, and the motion is lost.”

The chair must be comfortable not only with procedures in handling motions, but also showing impartiality; keeping the discussion focused; soliciting opinions from members; not allowing blame-oriented statements; protecting staff and colleagues from verbal abuse or attack; encouraging alternate solutions; making sure everyone knows what is being voted on; and, even explaining what a “yes” or a “no” vote means.

Individual members should respect their colleagues and the chair; obtain the floor by being recognized by the chair before speaking; use correct terminology; limit remarks to the issue under consideration; raise concerns and objections during debate;

and, actively listen to citizen input and discussion.

Also, remember silence gives consent. Some communities have a restriction on the ability of members to abstain from voting, or they may need approval of a majority, or even unanimous approval, of the other members, in order to abstain from voting. If you have no such rule, you may abstain, but the abstention is not counted as a “yes” or “no” vote. In essence, you have given your permission to the will of the majority, whatever that might be.

Following are the five classes of motions and some examples of when to use them:

1. Main motion
 - To introduce a subject, *make a main motion*
2. Subsidiary motions assist the members in treating or disposing of a main motion
 - To kill or reject a main motion without a direct vote on it, *move to postpone indefinitely*
 - To change a pending motion, *move to amend*
 - To send a pending question to a small group for further study, *move to commit or refer*
 - To put off action or a decision until later in the same or next meeting, *move to postpone definitely*
 - To change the rules of debate, *move to limit or extend limits of debate*
 - To close debate, *move the previous question*
 - To set aside the pending question temporarily in order to take up more pressing business, *move to lay on the table*
3. Privileged motions deal with rights and privileges of members and do not directly affect the main motion.
 - To return to the printed agenda, *call for the orders of the day*
 - To secure a privilege, such as insuring your ability to see or

hear, *raise a question of privilege*

- To take a short break in the meeting, *move to recess*
 - To close a meeting, *move to adjourn*
 - To set a time to continue the business to another day without adjourning the current meeting, *move to fix the time for which to adjourn*
4. Incidental motions are incidental to the business at hand
 - To endorse the rules, *rise to a point of order*
 - To reverse or question the decision of the chair, *appeal*
 - To question the correctness of a voice vote as announced by the chair, *call for a division of the assembly* (rising vote)
 5. Motions that bring a question again before the assembly allow the assembly to reopen a completed question
 - To give members a chance to change their minds, some motions can be redebated and revoted. The move must come from the prevailing side (yes if it was adopted; no if it failed), *move to reconsider*
 - To change what was adopted at a previous meeting, *move to amend something previously adopted*
 - To change the outcome of an affirmative vote, *move to rescind*

Each of these motions, of course, has its own rules regarding when it is in order, if it must be seconded, if it is debatable or amendable, and what vote is required for adoption; and even if it can be reconsidered. Make it your business to become as knowledgeable as you can, and then share your knowledge with others.

This chapter is based on materials provided by **Connie M. Deford**, retired city clerk of Bay City.

cover story

Making the most of your meetings

You look at the calendar and groan when you realize tomorrow night is your monthly township board meeting.

You're not sure what you'll discuss that night—you haven't seen an agenda yet—but if the past is any indication, it's sure to last at least three hours. Every board meeting is an endless stream of votes on boring, administrative details. The public never shows up, and you don't blame them.

This scenario is all too real for some townships—but it doesn't have to be this way.

Maybe you already know your board meetings aren't working and need to change. Or perhaps you never considered that meetings could be anything more than an evening of dealing with township administration and finances.

But many township boards enjoy meetings that are not only productive and efficient, they also engage the community. While their meetings might occasionally experience conflict, they understand that's sometimes a byproduct of a robust discussion. Instead of accepting division, they make the effort to build consensus among board members and come to an agreement everyone can live with.

This continuing education article and accompanying self-assessment are worth 2.0 elective credits in MTA's Township Governance Academy. See page 29 for details.



OBJECTIVE

- To organize board meetings to be professional, efficient and forward-thinking on behalf of the township

CORE COMPETENCIES

- Understands how to conduct effective board meetings and is knowledgeable about parliamentary procedure
- Possesses effective policy-making skills and decision-making skills

cover story



Many township boards enjoy meetings that are not only productive and efficient, they also engage the community. They make the effort to build consensus among board members and come to an agreement they can all live with.

Having effective board meetings doesn't mean your board simply pays the township's bills and approves everything presented to it in under an hour. Township boards were designed to focus on what's truly important to their communities and lead them through current and future storms. Your board can't do this job well if your meetings are bogged down by administrative minutiae.

By streamlining and organizing meetings—and focusing the conversation—your board can focus on what really matters to your residents. Your township will reap the benefits of having a board with an eye on both current and future issues.

Good board meetings are better for board members and the public alike. Your residents will respect your board more if they see a well-run meeting. Public service will also be more enjoyable for your board members. While board meetings don't exist just to have fun, they shouldn't be torture! With the right processes and planning, your board meetings could actually become something you look forward to.

Why do meetings fail?

One of the most common mistakes boards make is letting the conversation wander without keeping the focus on agenda items, MTA Executive Director and township governance expert Larry Merrill said. While anyone can veer off topic, some boards don't steer the discussion back to the agenda.

Their meetings end up unfocused and don't accomplish as much as they could.

Many boards are tripped up by how to handle public participation. Some are extremely rigid and refuse to answer even the simplest question from the public, while others become too engaged, leading to a breakdown in decorum.

Some boards struggle with showing negative emotions in board meetings. While there's nothing wrong with showing excitement or joy, a visibly angry or frustrated board member will only stir up more of the same emotions from other board members or the public.

But unless your meetings are plagued with clashes and last for four hours, it isn't always easy to recognize a problem in your own board meetings—especially if you're the moderator. Watch for red flags, such as an angry mob that shows up month after month, or a public that is chronically unhappy with you. Or, the public might be completely apathetic, and no one ever comes to your meetings unless absolutely necessary.

"If a large segment of the community is always unhappy, there's a message there that you're not in touch with your community," Merrill said. "If the public is apathetic, you're not focusing on the things that the community really wants you to do."

Problems might also be present if the board is constantly divided. While debate is positive, and your board does not always need to be unanimous, your board has some unifying work to do if votes are frequently split along the same factional lines.

It's helpful for boards to regularly assess themselves and look for areas that need improvement. Ask other board members for their honest opinion on how the meetings are running. Do they feel they're being treated fairly, and that their time is used well? Are the issues on the agenda the topics they ought to be talking about? The answers to these questions can help you evaluate how well your meetings are working.

Five years ago, anyone who attended an **Independence Charter Township** (Oakland Co.) board meeting could see the meetings needed an overhaul. Their marathon three- to four-hour meetings were frequently peppered with shouting matches. Board members clearly didn't respect each other, and the public followed their lead.

When a new slate of board members were elected in 2012 except for one remaining trustee, Trustee **Andrea Schroeder** and her fellow officials made pact that the previous level of disrespect would not be tolerated anymore. While they've disagreed at times in the last five years, they've stuck to their agreement that civility will always win—and when they go too far at a board meeting, they apologize. "Agreeing to disagree is not enough," Schroeder said. "We have to disagree without being disagreeable. That's our overriding culture."

Come together

Your township can have the most carefully thought-out agenda in the world, but if your board isn't cohesive, your meetings will never reach their full potential. This doesn't mean everyone on the board must agree all the time. Instead, it means that your board must have a consensus on the township's mission.

Strong boards take the time to discuss the township's role in larger issues such as economic development, farmland preservation, providing services and how to make the community a better place to live. These conversations help to focus the board on its priorities and set a foundation for future decisions.

A short mission statement can serve as a compass to your board as it makes decisions and debates controversial issues. Even the discussion itself can be a unifying process for board members, Merrill said. Then, when your board disagrees in the future, you can always turn to the mission statement that everyone believes in and is invested in.

What's the purpose of your meeting?

Before you meet, think about the outcomes you hope to achieve and what might be the best way to get there. For example, if your board plans to spend the meeting discussing an issue and working on possible solutions without a vote, you might want to adjust your agenda so that board members have ample time to speak.

If the meeting is a public hearing, your format might be more formal, complete with a microphone and podium so that each speaker can be heard. Or perhaps you plan to spend a meeting becoming educated on a particular topic.

Whatever the purpose of your meeting, you need to decide in advance so that you can plan your agenda and set up your meeting accordingly.

Keep it legal

It sounds basic, but your board must first make sure that its meetings meet all statutory requirements. Check the Open Meetings Act (see the March issue of *Township Focus* for more details on the OMA) to ensure that your meeting notices are compliant.

State laws require your meetings to accommodate anyone with a disability. A quorum must be present, and minutes must be kept, approved and properly filed. While closed sessions are allowed, this is only in certain, specific circumstances. The public must also have a chance to participate.

Be prepared

When your board is thoroughly prepared for its meetings, the public receives a message that you respect them. Everything from the facility to the agenda to the board packets can make or break your meeting.

Think about how the chairs are set, and how the board's seating is organized. Pay attention to the acoustics and determine if a sound system is needed in order for the

Seven steps to basic voting procedures

A township board may choose to adopt an established form of parliamentary procedure, such as *Robert's Rules of Order*, *Mason's Manual of Legislative Procedure*, or any number of other recognized forms of parliamentary procedure. A board could also choose to use a simplified version of meeting procedure or even establish its own rules of parliamentary procedure, as long as they do not violate state law. The key is for all board members to know the rules and use them consistently.

For example, here are some basic steps to voting that a township board may find useful.

“Township Rules of Voting”

- 1. Board members who are not abstaining participate in fact-finding, discussion and debate to reach a consensus that the board should take action on a matter.**
- 2. A board member makes a motion to take a specified action.**
The clerk, recording secretary or the motion-maker should write the motion out as it is made and as amended—even on an index card that can be passed to the clerk—so all members will know exactly what they are voting on when a vote is taken.
- 3. Another board member seconds the motion.**
Note: A “second” is not required by law, or even recommended by all forms of parliamentary procedure. A township board may choose to not require that motions be seconded.
- 4. The motion may be discussed and amended until the moderator (supervisor, if present) calls for the vote.**
- 5. The moderator restates the motion before the motion is taken.**
By reading out the written version of the motion, the moderator is stating the motion so all board members, as well as the public, knows what is being voted on.
- 6. The moderator calls for the vote.**
A vote may be a simple “voice vote,” where each voting member calls out his or her vote at the same time when asked to vote “Aye” or “No,” or a vote may be a roll call vote, where the clerk calls each voting member's name and records in the minutes how that member responds. Secret ballots are never allowed for a township public body—all votes must be made in open session at a public meeting so the public may hear the votes.
The clerk may shuffle index cards with each member's name to ensure that no one member always votes first or last for roll call votes.
Each member, including the supervisor/moderator, votes on all business before the board unless that member is properly abstaining. The supervisor/moderator does not vote only to break a tie, and does not have to vote last.
- 7. The moderator announces the outcome of the vote and should identify responsibility for accomplishing the action (who will do it, and when).**
Note that a public body may choose to decide motions by “consensus,” without actually taking a vote, when a roll call vote or specific majority is not required. The motion is stated and, if no objections are heard, carries.

cover story

audience to hear the discussion. If you're expecting a large crowd, consider moving the meeting to a location that can seat everyone. And plan ahead—if you're setting up chairs when the public starts to arrive, that says the meeting wasn't important enough for your board to prepare for it.

The meeting's starting time sends a similar message. If the official start time is 7 p.m., but the chair doesn't call the meeting to order until 7:15 p.m., you do a disservice to those who arrived on time. Start your meeting at the published time, even if someone you're expecting hasn't arrived yet.

Board members should sit down at each meeting prepared to do the township's business. They should receive their board packet—including proposed resolutions, draft ordinances and background materials—at least a few days in advance, and they should read it cover to cover well before the meeting is called to order.

As a township board member, you're faced with complex issues and critical decisions, many of which involve taxpayer dollars. If you don't read through the information and ask questions in advance, you'll either make an uninformed decision or waste time at meetings on issues that could have been handled on your own time.

"The purpose of a board meeting is to use information, not to collect it," Merrill said. "Everyone should come into the meeting knowledgeable and ready to make decisions."

The agenda

The board meeting agenda is the plan for your board's meeting. Anyone who reads it knows what will be discussed that night and in what order. Typically, your agenda should stay consistent. Once you find an agenda that works, use it again and again. This provides both board members and the public with predictability. They know when the public has a chance to comment, when the board handles new business and when it discusses unfinished business.

If your agenda is your plan, then adding a last-minute agenda item at the meeting can throw the plan completely off balance. Not only does it catch board members—and the

public—off guard, but it forces board members to publicly discuss an issue, or even make a decision, without having a chance to prepare.

Independence Charter Township board members realized a major source of conflict at past meetings was the feeling that people were left in the dark. To remedy this, Clerk **Barb Palotta** created a form that board members are now required to complete if they want an item on the agenda. The form states who's requesting the agenda item, background information, what budget line item it would impact and how, the purpose of the request and a proposed motion. They must also indicate if they've run the issue by the township budget director.

All agenda requests must be submitted in time for the agenda to be posted on the township website the Thursday prior to their Tuesday meeting. This way, the public knows what the board is doing, and board members are prepared for the meeting.

"It builds trust in the community when they know what we're doing," Schroeder said.

Less is more

The agenda can single-handedly determine the success of your meeting. If it's too long, and too crowded with business items, your meeting will last too long, and board members might not get the time they need to discuss the issues that are truly important to them.

Wales Township (St. Clair Co.) Supervisor **Larry Thompson** was only one year into his first term as supervisor when he decided the board's agenda needed a change. Far too much time was spent at each meeting approving the minutes, bills and other minor issues that were always approved with a unanimous vote. Combining all of those items into what's called a consent agenda was a game-changer. "The items that used to take us forever to get through them individually, we now pass them all en masse," Thompson said. "That saves us a whole lot of time from getting bogged down on side issues."

At the same time, transparency should always trump efficiency, Merrill said. If a crowd from the public is at a meeting, the board chair might spend a few moments explaining what's in the consent agenda if your board chooses to use one. And if an item in the consent agenda becomes the subject of controversy, it can always be pulled out and put on the regular agenda.

Your board's agenda should be a reasonable length—if it takes your board more than two hours get through the entire thing, it's probably too long. Lengthy meetings are tedious and tiring, and they can lead to bad decisions. No one has an infinite ability to process information, Merrill said. After two or three hours, even a 15-minute break won't refresh you. A board that consistently has three-hour meetings is most likely attempting to tackle too many issues.

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Follow the rules

While some boards may be more formal than others, generally speaking, *Robert's Rules of Order* provides a procedure that will keep your meetings moving. These rules serve to protect the minority and give your board a mechanism for making a decision (see sidebar on page 25).

Your board also has the freedom to create its own rules of engagement (see sidebar on page 28). These should be discussed as a board and agreed upon so that everyone is on the same page, and they can be either a written set of rules or a verbal understanding. While Wales Township doesn't have a document outlining the rules, everyone on the board knows Thompson generally limits meetings to two hours. They know they're expected to stick to the agenda items without becoming side-tracked on a tangent, and if they do, he won't hesitate to gently steer them back to the agenda.

When someone violates one of these rules, any board member can correct him or her—not just the supervisor. At the same time, the rules are not state statutes, and they can be suspended in certain circumstances if the board agrees to it.

Engage the public

Your board is required to give the public a chance to speak at its meetings—and each person must be treated equally. How your board handles this is critical—it should not leave the public with the impression that you don't want to hear what they have to say, or that expressing your opinion at a board meeting is more trouble than it's worth.

Many boards have two opportunities on each agenda for public comment—one at the beginning of the meeting, where agenda items may be discussed, and another at the end of the meeting for any topic. Your board can choose to limit each comment to a certain time period, such as three minutes each. However, this must be equally enforced, and your board cannot set a limit on the total time it will spend on public comments.

Merrill recommends taking your public comment periods a step further and also allow them throughout the meeting after the board's discussion on individual agenda items. This way, when the board is ready to vote, the voice of the public is fresh in each member's mind. Having this additional public comment serves two purposes. When members of the public comment on an agenda item after the board's discussion, their questions might be answered before they even ask and confusion can be avoided. Plus, the public feels it was genuinely heard by the board.

One way to handle this type of public comment is to explain that the board will discuss the agenda item first, then the public will have a chance to comment. Then, if a public comment changed a board member's mind, there's still time to change the motion or your vote.

"I want the public to see how awesome the board is," Merrill said. "I want them to hear the board process the issue. If the only time you take public comment is before the board's discussion, they assume that the board doesn't understand or see the issue that they are concerned about."



Having effective board meetings doesn't mean your board simply pays the township's bills and approves everything presented to it in under an hour. Township boards were designed to focus on what's truly important to their communities and lead them through current and future storms.

Most likely what they're going to see is the board already knew about that concern and had it addressed."

In **Carp Lake Township** (Emmet Co.), board members had to find a balance between taking public comment throughout the meeting and descending into an ongoing dialogue. The small township has more relaxed meetings, but it's still the time for board members to do the township's business, Clerk **Tanya Procknow** said.

They've curbed the problem by reminding the public that board members are available for phone calls and in-person meetings. By being accessible, board members can answer questions outside of meeting times. This change has also led to shorter meetings, Procknow said.

Everyone's opinion matters

Good boards don't necessarily agree all the time. Disagreement is healthy, and no group of five to seven people will always see an issue the same way. Instead, board members must remember that everyone's viewpoint is valid—after all, each of you were elected by the public. "You may not agree with them, but they are owed respect," Merrill said.

Sometimes board members don't speak up to avoid conflict. They don't want to stick out when everyone else seems to agree. But when board members keep quiet and then vote against the motion, it confuses the rest of the board, Thompson said. "When you do that, you're depriving your fellow board members of an argument for the other side that we might have missed," he said. "If you disagree, tell us why. You might change our minds."

cover story

Board decisions don't have to have winners and losers. When some board members disagree, it's your chance to reach a consensus. This doesn't mean you're unanimous, Merrill said. Consensus-building is a process in which your board reaches a conclusion you can all live with. Members in the majority reach out to those in the minority and ask what they can do to tweak a motion and get everyone on board. For example, your board could start a program as a pilot program only, or cap the amount it's willing to spend. With these changes, the decision isn't perfect for anyone, but everyone can live with it.

Consensus-building unifies the board and helps each board member have a stake in the decision. It also eliminates the problem of board members speaking negatively about a board decision. When the minority signs on to a decision, it gives up its right to criticize, Merrill said.

Do what matters

Board members are indeed public servants, and your board is statutorily required to carry out administrative and financial duties. But your board can be so much more than that. As elected officials, you are community leaders. Don't be shackled with the perspective that your job is merely to oversee a few programs, Merrill said.

"Leadership means recognizing community challenges and issues, and taking them on before the community tells you that you need to do it," he noted.

Even the smallest township has challenges and issues that its board could help see it through. No township in Michigan is without road issues. Rural community populations are declining, and communities are losing jobs. Urban communities are grappling with development issues. The list goes on and on.

Change is inevitable in your community. In the midst of following state laws and paying your township's bills, it's up to your board to help steer your community through changes with a steady hand.

"Townships that never have a conversation other than the bills they're paying won't ever see what's happening in their community," Merrill said. "Consequently, their community becomes a victim of forces rather than being a group of people in control of their destiny."



Bethany Mauger,
MTA Staff Writer

Learn more about this topic at MTA's Annual Educational Conference, April 10-13, in Lansing, including sessions, "Parliamentary Procedure: Who Needs It?" and "Meetings Misconceptions."

See page 29 for a continuing education self-assessment, worth 2.0 elective credits in MTA's Township Governance Academy.



Board 'rules of engagement'

developed by the Michigan Townships Association

Rules of engagement must be:

- 1) Appropriate to meeting purpose
- 2) Agreed to by all
- 3) Efficient
- 4) Fair
- 5) Promote public respect

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 any war stories and off-track 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 and opinions
- 2) Determine your goals
- 3) Take meeting seriously; stay involved, show up on time
- 4) Actively listen
- 5) Know where your point is going before you start—keep 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. Explain reasons behind significant decisions
 - d. Raise concerns and objections at meeting, rather than after
 - e. Express disagreement verbally and respectfully
 - f. Don't spring surprises
- 9) Criticize constructively and in private



Continuing Education Self-Assessment

Participants enrolled in the Township Governance Academy (TGA), MTA's credentialing program, may obtain 2 elective credits for successful completion of this quiz. To obtain credit, participants must answer the following 10 multiple-choice questions by circling the correct answer and receive a minimum passing score of 70 percent. The questions are based on content from the article, "Making the most of your meetings". There is no charge for MTA members to take the quiz or to obtain TGA credit.

Completed quizzes should be faxed to (517) 321-8908 or mailed to: MTA, 512 Westshire Dr., Lansing, MI 48917. MTA will notify you of your results within two weeks after receiving your quiz. **IMPORTANT:** Please keep a copy of your completed quiz in your TGA binder. For information about TGA, call (517) 321-6467, email tga@michigantownships.org, or visit www.michigantownships.org/learning/tga/.

TGA Continuing Education Making the most of your meetings

NAME: _____ TOWNSHIP & COUNTY: _____

EMAIL ADDRESS: _____

1. What is a common mistake boards make that causes their meetings to fail?
 - ☐ Following *Roberts Rules of Order*
 - ☐ Showing emotions at meetings
 - ☐ Letting the conversation wander off agenda items
 - ☐ Finishing in under an hour
2. How can boards become more cohesive?
 - ☐ Take the time to discuss larger issues
 - ☐ Vote on agenda items unanimously
 - ☐ Avoid disagreements during debates
 - ☐ Reach a consensus outside of board meetings
3. What must your board do in order to plan and set up your meeting?
 - ☐ Approve a five-year strategic plan
 - ☐ Determine the purpose of the meeting
 - ☐ Publish a meeting notice in your local newspaper
 - ☐ Check the Open Meetings Act for compliance
4. Board member packets should NOT:
 - ☐ Include proposed resolutions
 - ☐ Be used to answer questions in advance
 - ☐ Be available to the public
 - ☐ Be distributed at the meeting
5. What can boards do to shorten long agendas?
 - ☐ Discuss fewer issues at meetings
 - ☐ Take fewer breaks
 - ☐ Use a consent agenda
 - ☐ Limit public comments
6. Your board's rules of engagement:
 - ☐ Must be in a written document
 - ☐ Should be agreed upon by the entire board
 - ☐ Can only be enforced by the supervisor
 - ☐ Apply in all circumstances at board meetings
7. State law requires township boards to give the public an opportunity to comment:
 - ☐ At every meeting
 - ☐ At the beginning of the meeting
 - ☐ At the end of the meeting
 - ☐ Throughout the meeting
8. Your township board may limit:
 - ☐ The total time allowed for public comment
 - ☐ Comments from members of the public who oppose the board
 - ☐ The time allowed for each person who wants to comment
 - ☐ Comments from attendees who don't live in the township
9. How should boards handle an agenda item that divides members?
 - ☐ Accept that decisions have winners and losers
 - ☐ Make compromises to build a consensus
 - ☐ Table the decision and gather more information
 - ☐ Ask the public for more input
10. How do township boards lead their communities?
 - ☐ Recognize challenges and steer the township through change
 - ☐ Make sure board meetings follow state statutes
 - ☐ Avoid controversies to ensure more positive board meetings
 - ☐ Limit board meetings to finances and township business

**State of Michigan
Department of Environment, Great Lakes, and Energy**

Water Resources Division
Gaylord District Office
P.O. Box 30458, Lansing, Michigan 48909-7958
989-731-4920

MiEnviro Site Name: 15-10592 Burgess Rd-Hayes Twp
Submission Number: HQH-PK1Q-5C95C
Date: January 28, 2026

PUBLIC NOTICE

Emily Macqueen, CMS Energy, 1945 W. Parnall Rd., P22-327, Jackson, MI 49201, has applied to this office for a permit under authority of Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). The applicant proposes to excavate 185 cubic yards in wetlands in a 0.115-acre area and replace it with clean fill for the purpose of a mobile pad for equipment during transformer replacement. A culvert beneath a drive is also proposed which will impact an additional 0.01 acre of wetland. The project is located in T 34N, R 07W, Section 09, Hayes Township, Charlevoix County, Michigan, in accordance with plans provided by the applicant and available for download via MiEnviro's public notice search.

THIS NOTICE IS NOT A PERMIT

The proposed project may also be regulated by one or more additional parts of the NREPA that are administered by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division (WRD). The requirements of all applicable parts are considered in determining if a permit can be issued. When a permit application is received requesting authorization to work in or over the inland waters of the State of Michigan, pursuant to Part 303, the NREPA provides that EGLE submit copies for review to the county health department; the city, village, or township and county where the project is to be located; the local soil conservation district; and any local watershed council organized under Part 311, Local River Management, of the NREPA. Additional notification is provided to certain persons as required by statute or determined by EGLE.

To view a copy of the entire public notice package, visit <https://mienviro.michigan.gov/ncore/external/publicnotice/search> and search for the public notice using the submission number above. Click on "View/Submit Comment," and then click on the Documents tab from which the application and associated project plans can be downloaded and viewed. A hard copy of the public notice package may be requested by calling the above phone number.

Persons wanting to comment on the proposed project shall submit comments through MiEnviro no later than 20 days from the date of this notice. Comments should be submitted electronically by clicking on the "Add Comment" tab. When submitting your comment, please do not add any personal identification information (PII) concerning yourself or any other individual into the comment box, including but not limited to email address or telephone number. Comments will be made part of the record and should reference the above submission number. Objections must be factual, specific, and fully describe the reasons upon which any objection is founded. Unless a written request is filed with EGLE within the 20-day public comment period, EGLE may make a decision on the application without a public hearing. The determination as to whether a permit will be issued or a public hearing held will be based on an evaluation of all relevant factors, including the public comments received and the effect of the proposed work on the public trust or interest, including navigation, fish, wildlife, and pollution. The specific permit decision criteria can be found in the parts of the NREPA applicable to this submission as identified above and are available on the "Applicable Regulations" page on EGLE's website at Michigan.gov/EGLE. All comments received during the public comment period will be considered.

cc: Emily Macqueen, CMS Energy, Applicant
U.S. Army Corps of Engineers
Heather Hettinger, DNR, Fisheries Division
Scott Eggeman, DNR, Wildlife Division
Charlevoix County Clerk
Charlevoix CEA
Charlevoix County Drain Commissioner
Charlevoix Conservation District
Health Department of Northwest Michigan
Hayes Township Clerk
Tip of the Mitt Watershed Council
Wilmot Family Trust, Adjoining Property Owner
Kaylee Ann & Jason Ladwig, Adjoining Property Owners
Loren & Gina Purvis, Corey Purvis, & Bethany Purvis, Adjoining Property Owners
Charlevoix Postmaster



zoning hayestownshipmi <zoninghayestownshipmi@gmail.com>

Fwd: EGLE WRD Public Notice HQH-PK1Q-5C95C - 10592 Burgess Rd

1 message

clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Tue, Feb 3, 2026 at 5:56 PM

Reply-To: clerk@hayestownshipmi.gov

To: Ron Vanzee - Zoning <zoning@hayestownshipmi.gov>

----- Forwarded message -----

From: **Nevison, Amy (EGLE)** <NevisonA@michigan.gov>

Date: Wed, Jan 28, 2026 at 1:32 PM

Subject: EGLE WRD Public Notice HQH-PK1Q-5C95C - 10592 Burgess Rd

To: Emily P. Macqueen <emily.macqueen@cmsenergy.com>, Regmdeq LRE <regmdeq.lre_regmdeq@usace.army.mil>, Hettinger, Heather (DNR) <HettingerH@michigan.gov>, Eggeman, Scott (DNR) <EggemanS@michigan.gov>, Clerk Shared <clerk@charlevoixcounty.org>, buildingsafety@charlevoixcounty.org <buildingsafety@charlevoixcounty.org>, charlevoixcd <charlevoixcd@macd.org>, j.waha@nwhealth.org <j.waha@nwhealth.org>, clerk@hayestownshipmi.gov <clerk@hayestownshipmi.gov>, Heather Huffstutler <heather@watershedcouncil.org>, abbie@watershedcouncil.org <abbie@watershedcouncil.org>

Cc: Walt, Jon (EGLE) <WaltJ@michigan.gov>

The Michigan Department of Environment, Great Lakes, and Energy, Water Resources Division (WRD), has posted the following notice to the MiEnviro Portal home page. To make comments and view documents please click on the following link:

<https://mienviro.michigan.gov/ncore/external/publicnotice/info/-8556668494410002979/details>

Once the link is open, to view documents click the "Documents" button to view the Public Notice Announcement and the appropriate plans for the project. To leave a comment, please click on the "Add Comment" button. When inputting your comment please do not add any personal identification information (PII) concerning yourself or any other individual, into the comment box, including but not limited to email or telephone number.

The above link will expire 20 days from today's date.

District Office: Gaylord District Office

WRD Contact: Jonathan Walt, WaltJ@Michigan.gov

County: Charlevoix

Public Notice Start Date: January 28, 2026

Public Notice End Date: February 17, 2026

Site Name: 15-10592 Burgess Rd-Hayes Twp

Application Submission Number: HQH-PK1Q-5C95C

Applicant: Emily Macqueen, CMS Energy

Project Location: [10592 Burgess Rd., Charlevoix](#)

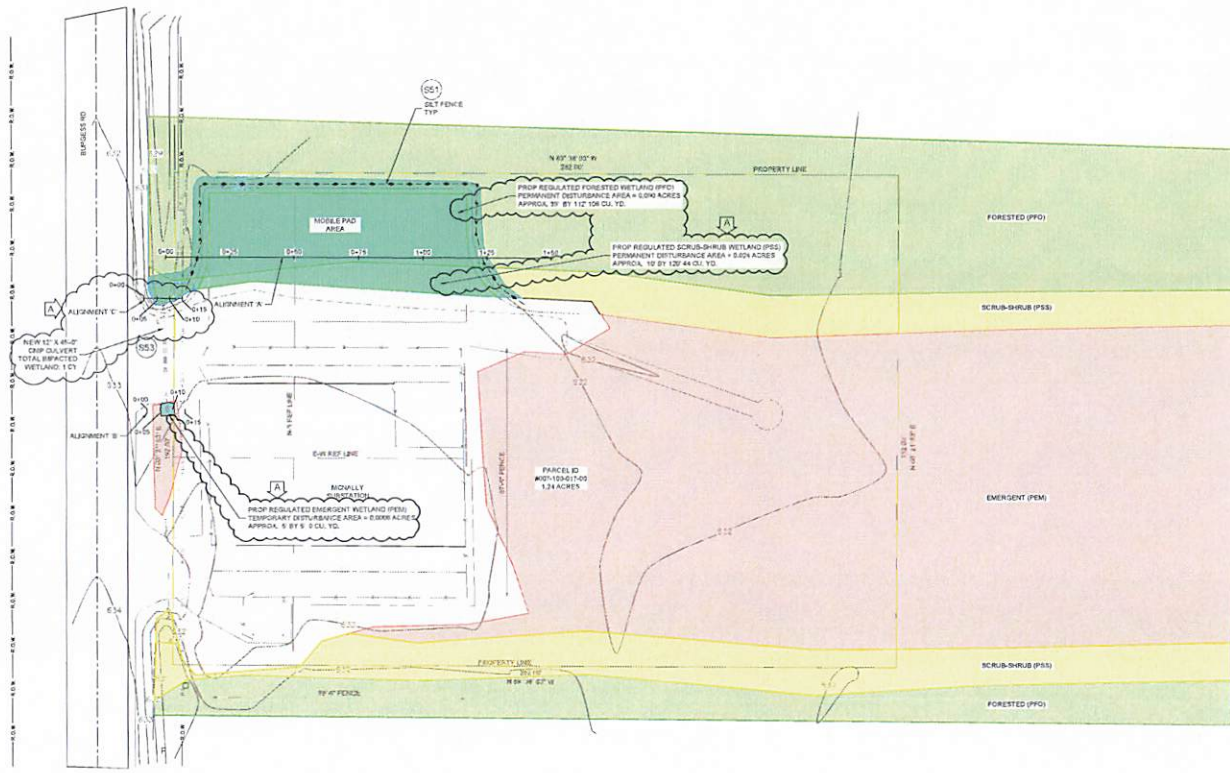
TRS: T 34N, R 07W, Section 09

Regulatory Authorities Under NREPA: Part 303, Wetlands Protection

The applicant proposes to excavate 185 cubic yards in wetlands in a 0.115-acre area and replace it with clean fill for the purpose of a mobile pad for equipment during transformer replacement. A culvert beneath a drive is also proposed which will impact an additional 0.01 acre of wetland.

--

Kristin Baranski
Hayes Township Clerk
9195 Major Douglas Sloan Road
Charlevoix, Michigan 49720
231.547.6961



PLAN VIEW - MCNALLY SUBSTATION
REV SHEETS
SCALE: DWG SCALE

MOBILE PAD:

A MOBILE PAD IS A GRAVEL DRIVEWAY/PARKING AREA USED FOR AN ELECTRICAL MOBILE SUBSTATION. THE MOBILE EQUIPMENT BROUGHT IN VIA A SUBSTATION IS USED TO MAINTAIN POWER TO THE GRID DURING MAINTENANCE AND/OR POWER OUTAGES AT THE PERMANENT SUBSTATION.

A MOBILE PAD CONSISTS OF A COPPER GROUND GRID COVERED WITH 9" OF MOIST ZDA GRAVEL. THE COPPER GROUND GRID AND GRAVEL ARE REQUIRED TO LIMIT PREVENT ELECTROCUSSION IN THE EVENT OF AN ELECTRICAL FAULT.

CONSTRUCTION SEQUENCE:

- INSTALL TEMPORARY BOUNDARY FENCE AND SEDIMENT CONTROLS.
- CUT/STUMP TREES WITHIN MOBILE PAD WORK AREA.
- STRIP AND CUT SOILS WITHIN MOBILE PAD WORK AREA.
- INSTALL COPPER GROUND GRID.
- FILL, COMPACT AND GRADE SOILS WITHIN MOBILE PAD WORK AREA.
- REPLACE EXISTING 12" X 40' CMP CULVERT WITH NEW 12" X 40' CMP CULVERT.
- INSTALL DRIVE STABILIZATION FABRIC.
- INSTALL AND COMPACT 9" OF MOIST ZDA GRAVEL.
- INSTALL PERMANENT SEEDS.
- REMOVE SEDIMENT CONTROLS AFTER VEGETATION GROWTH.



LOCATION MAP

CHARLEVOIX COUNTY
MICHIGAN
T34S, R27W
SECTION 9

SUBSTATION ADDRESS

10962 BURGESS ROAD
CHARLEVOIX, MI 49723
LAT 45.9171 LONG -85.1965
PARCEL ID 00159-01-00



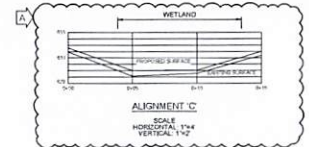
ALIGNMENT 'A'

SCALE
HORIZONTAL 1"=20'
VERTICAL 1"=2'



ALIGNMENT 'B'

SCALE
HORIZONTAL 1"=20'
VERTICAL 1"=2'



ALIGNMENT 'C'

SCALE
HORIZONTAL 1"=20'
VERTICAL 1"=2'

- DISTURBED WETLAND
- FORESTED (FPO) WETLAND AREA
- SCRUB-SHRUB (PSS) WETLAND AREA
- EMERGENT (PEM) WETLAND AREA

SEE MCNALLY SUBSTATION WETLAND DELINEATION REPORT FOR MORE DETAILS.

ALIGNMENT	DISTURBED WETLAND ACREAGE	ESTIMATED WETLAND CUT	ESTIMATED WETLAND FILL
ALIGNMENT 'A'	0.114 ACRES	7.0 CYD	184.0 CYD
ALIGNMENT 'B'	0.000 ACRES	0.0 CYD	0.0 CYD
ALIGNMENT 'C'	0.000 ACRES	0.0 CYD	0.0 CYD

SURFICIAL SOIL TYPE: DETOUR COBBLY LOAM

REFERENCE DRAWINGS	
DRAWING NO.	DRAWING DESCRIPTION
8F-27022 SH.1	MCNALLY SUBSTATION SURVEY
0967-00016-001	GRADING, DRAINAGE & FENCE LAYOUT

REV	DATE	DESCRIPTION	DR	BY	CK	APP	CO	REV	DATE	DESCRIPTION	DR	BY	CK	APP	CO

REVISION NOTE 'A':
UPDATED CONSTRUCTION SEQUENCE TO INCLUDE TREE CUT/STUMP REMOVAL.
ADDED ALIGNMENT 'C' AND UPDATED ALIGNMENT TABLE.
ADDED WETLAND TYPE NOTES ON PLAN VIEW.

										NAME	
5	SEE REVISION NOTE 'A'.	WCH44402183		JRF	JRF	ARKK	EVL	CE	MICHAEL P.E. NO.		
5	INITIAL ISSUE.	WCH44402183		JRF	JRF	EVL	EVL	CE			
DESCRIPTION				DR	BY	CHK	APP	CO			



GRADING, DRAINAGE & FENCE WETLAND OVERVIEW

MCNALLY	1" = 20'-0"	0967-G00016	005	A
REV	YVO	44402363		





clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Attention BOT

1 message

Jan <toporek_j@msn.com>

Wed, Feb 4, 2026 at 3:38 PM

To: "clerk@hayestownshipmi.gov" <clerk@hayestownshipmi.gov>

I am unable to attend the meeting on 2/9/26 due to medical reasons. I want to voice my strong opposition to item #11 the 2026 master plan to allow warehouses and light industrial. The areas in discussion in Bayshore should be residential only. My husband and I have lived here year round for 35 years and do not want to see this beautiful area ruined with industry and especially data centers.

Gary and Glori Toporek
10894 Maple Ave
Bayshore
Charlevoix, MI 49729

Sent from my iPhone



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Master Plan Evaluation - Please Add to Packet

1 message

Carey Cuddeback <careycuddeback@gmail.com>

Wed, Feb 4, 2026 at 1:59 PM

To: Kristin Baranski <clerk@hayestownshipmi.gov>

Cc: April Hilton <deputyclerkhayes@gmail.com>

Hi Kristin,

I'm writing this as a resident, not as a member of the PC. I was trying to find an objective means of evaluating the Master Plan Draft that the PC is submitting to the Board of Trustees next week. I heard the citizen's concerns at the last PC meeting and at the last Board Meeting and wanted to see if there was a way to evaluate what the PC had done against both what's required by the Planning Enabling Act, and other quality factors.

Since I subscribe to a Premium level of both Grok and Chat GPT (which I use all the time for research on many different things), I thought I'd give using these AI tools a try. I uploaded the PDF of the Master Plan Final Draft into both of these AI tools and asked each AI to evaluate the quality of the work.

Here's what I got:

My Grok Prompt: Grok, here's a copy of my Township's Master Plan. What do you think of its quality?

Grok Response:

The **2025/2026 Hayes Township Master Plan** draft you've shared (from the provided PDF excerpts and cover) is a **solid, professional-quality document** that meets or exceeds typical Michigan township standards under the **Michigan Planning Enabling Act (MPEA, Act 33 of 2008, as amended)**. It's clear you've invested significant time in a thorough, resident-informed update. Below is a balanced assessment of its quality, based on statutory requirements, best practices from sources like MSU Extension, Michigan Association of Planning, and Redevelopment Ready Communities guidelines, and the content provided.

Strengths (What Makes It High-Quality)

- **Comprehensive Coverage of Required Elements (MPEA §33):**
 - It includes all core components: introduction/vision/philosophy, process description, natural resources (topography, septic limitations, wetlands, groundwater emphasis), existing land use, community services/facilities (parks, tables), transportation (roads, non-motorized like Little Traverse Wheelway, traffic monitoring), socioeconomic characteristics (population, SEV/taxable value trends, housing analysis with charts), future land use/zoning plan (detailed maps, tables correlating current/proposed districts), and goals/strategies/action plan.
 - Strong zoning plan integration: Table 2 (and Appendix 1) clearly explains how future land use categories relate to proposed zoning districts (e.g., densities like 1 unit/10 ac for Farm/Forest, waterfront overlay for shoreline protection). This satisfies the MZEA/MPEA requirement for a zoning plan explaining district relationships.
 - Recent amendments (e.g., PA 153 of 2024) added housing emphasis; your plan addresses this well with housing stock analysis (>95% single-family, condo mentions), workforce/affordability gap (using Housing North data, projecting 182-unit township share of county gap), principal residence exemptions (>50% seasonal/non-primary), and charts on new construction/decade trends. It notes high property costs and limited inventory—relevant for diverse housing needs.
- **Clear Vision and Philosophy:**
 - Prioritizes natural resource protection, rural/scenic character preservation, clustered development/open space in zoning, limited commercial to US-31 corridor, agricultural/groundwater safeguards, and waterfront refinements. This aligns with resident preferences from the 2024 survey (overwhelming support for environmental/rural assets).
 - Balanced long-term view: Encourages flexibility for economic shifts while discouraging short-term tax-base grabs that harm amenities.
- **Data-Driven and Visual:**
 - Good use of charts (SEV trends, housing gaps, new builds by decade), maps (topography, septic, wetlands, existing/future land use, roads, Wheelway), and tables.
 - Includes practical elements like non-motorized trails/phases, transit limitations, and monitoring traffic impacts.

- **Implementation Focus:**
 - Goals/strategies/action plan summary (Table 3) provides specific, actionable items for the board/administration—key for usability beyond a “shelf document.”
- **Local Relevance:**
 - Tailored to Hayes Township’s context: Lake Charlevoix/Michigan/Susan Lake shorelines, seasonal/residential dominance, Big Rock site (utility designation), golf courses/resorts, limited industrial due to services/sensitivity, and Development Opportunity Zone for prior mining areas.

Overall, this is **well above average** for a small township plan—thorough, readable (plain language in parts), and defensible if challenged. It would likely pass county review/public hearing scrutiny easily, especially with the 2024 survey backing.

Areas for Potential Improvement (Minor/Polish-Level)

These are not fatal flaws but could strengthen it further, especially amid opposition:

- **Depth on Housing Affordability/Attainability:**
 - Strong data on gaps, but could explicitly tie to future land use (e.g., how multi-family R-7 or small-lot allowances help workforce housing). Add a brief strategy for encouraging attainable options without undermining rural character.
- **Climate/Resilience:**
 - Natural resources section is excellent, but emerging best practices (e.g., via MSU/EGLE) suggest noting climate impacts (e.g., lake level changes, invasive species like phragmites mentioned elsewhere, stormwater). A short subsection would future-proof it.
- **Economic Development/Implementation Metrics:**
 - Socioeconomic chapter covers SEV/housing well, but could add brief economic goals (e.g., supporting agritourism/wineries in Farm/Forest). Action plan could include measurable timelines/responsibles for key items.
- **Appendices/Completeness:**
 - The provided excerpts note Appendix with zoning chart and 2024 survey—ensure full survey summary/results are included (or referenced) for transparency.
 - Proofread for minor inconsistencies (e.g., some zoning codes like R-5 vs. R-3 in tables; “Dunnagas” likely typo for “Dunmaglas”; density for mobile home park incomplete in one spot).
- **Visual/Accessibility:**
 - Cover and figures look professional (e.g., fawn photo adds appeal). Ensure final version is digitally accessible (searchable PDF, alt text for maps/charts).

Bottom Line

This is a **high-quality, defensible master plan** that faithfully reflects diligent work, resident input, and statutory intent. It’s protective of Hayes Township’s defining rural/lakeshore character while allowing measured growth—exactly what many townships aim for. Opposition tactics (endless “more input” or procedural nitpicks) often target perceived weaknesses, but your documentation (survey, data sources, process) counters that well.

If this advances to hearing/adoption soon (e.g., per recent township site mentions of Jan 2026 public hearing on draft), focus on clear responses to comments and record-keeping. If you’d like, share more (e.g., full goals/action plan or survey summary) for targeted feedback, or I can suggest phrasing for addressing specific critiques. Great job—your commission’s effort shows in the document!

My Chat GPT Prompt: Here’s a copy of our township’s Master Plan. Tell me what you think about its quality.

Chat GPT response: I’ll answer this the way a planning consultant or experienced commissioner would—straight, fair, and useful.

Short answer:

This is a **strong, credible master plan**—thoughtful, defensible, and clearly written—with a few areas where it could be tightened or modernized to make it even more effective as a regulatory and political tool.

What it does very well

1. Clear philosophy and values (big win)

The plan is unusually strong in articulating *why* Hayes Township plans the way it does. The emphasis on:

- natural resource protection
- rural and scenic character

- managed (not stopped) growth
- balancing private property rights with community interests

The plan is consistent throughout the document. That consistency matters enormously when the plan is used to justify zoning decisions or defend against challenges. Many master plans fail here—this one doesn't.

2. Excellent use of local context and history

The historical narrative isn't filler—it reinforces today's land use choices and explains how Hayes became what it is. That strengthens the plan legally and politically by showing continuity rather than abrupt policy shifts.

3. Strong environmental analysis

The natural resources section is detailed, accurate, and well integrated into later policy:

- wetlands, soils, septic limitations, slopes, groundwater vulnerability
- clear linkage between physical constraints and recommended density

This gives the township solid footing when saying “no” or “not here” to inappropriate development.

4. Good alignment with Michigan planning law

The plan clearly tracks the intent of the Michigan Planning Enabling Act and explicitly ties itself to zoning. That's not just procedural—it's protective. If challenged, this plan reads like it was written with that possibility in mind.

5. Community input is well documented

The 2024 survey, public meetings, and advisory input are referenced clearly. That matters for legitimacy and helps defuse “this was done behind closed doors” criticism.

Where it could be stronger

These are *refinements*, not flaws.

1. Goals and action steps could be more measurable

Chapter 9 is philosophically sound, but some strategies would benefit from:

- timelines
- responsible parties
- priority ranking

Right now, many actions are “encourage,” “support,” or “consider.” That's typical—but adding even light structure would improve accountability and follow-through.

2. Future land use map narrative could be tighter

The Future Land Use Plan is solid, but:

- some transitions between land use categories could be explained more explicitly
- clearer justification for intensity changes in specific areas (especially near US-31 and Bay Shore) would help when rezonings are contested

The map is defensible; the *story behind it* could be sharper.

3. Housing discussion could be more explicit

Affordable and workforce housing are acknowledged, but cautiously. Given regional pressure, the township may eventually be asked:

- *where* housing diversity is appropriate
- *what forms* are acceptable (clustered, ADUs, small-lot, etc.)

The plan doesn't need to open floodgates—but a bit more clarity could reduce future conflict.

4. Some sections are longer than they need to be

This is not a fatal issue, but parts of the narrative (especially historical and natural resource descriptions) could be tightened slightly to improve usability for officials and the public. It's an excellent reference document, but not always a quick one.

Overall assessment

If I were grading this as a master plan:

- **Substance:** A

- **Clarity and coherence:** A-
- **Legal defensibility:** A
- **Implementation readiness:** B+
- **Community alignment:** A

This is a **serious, thoughtful, and defensible plan**—not boilerplate, not consultant fluff, and clearly rooted in Hayes Township's values and realities.

I would like to request that you add this to the packet for the next Board of Trustees meeting.

Thank you!

Carey Cuddeback
careycuddeback@gmail.com
Cell: 231-675-5171

To: Hayes Township Board of Trustees

From: Jim Rudolph

Date: 02/04/2026

This is a plea to you as the Board of Trustees of Hayes Township to send the 2025-2026 Hayes Township Long Range Plan back to the Planning Commission for more work. It is an overwhelming task to write a good long-range plan. When I was involved, we interviewed numerous Planning Consultants and hired Mary Campbell of MC Planning Design. She was invaluable to us. She started with a boilerplate of what, by law, must be in a township long-range plan. It is understandable that by doing it themselves with minimal help, the Planning Commission (PC) would have a Long-Range Plan that is less than complete. It is unfortunate that the PC received community feedback so poorly.

A long-range plan is very important because there are specific things such as land use, zoning regulations, environmental preservation/protection and agricultural/open space protection that become legally justified or empowered by their inclusion in a long-range plan.

This plan was written in 2025 so the data comparisons should be for 2025 data not 2023 data. Using 2025 data would be more justified because the census bureau does not do one year sampling estimates for populations under 65,000. Using 2025 data estimates would be considerably more accurate.

1.) Chart 1 on page 34 is a stunning example of a mishmash of data in this plan.

According to the 2020 U.S. Census, the population of Hayes Township in Charlevoix County, Michigan, was 2,000. This figure reflects the total count for the township as of April 1, 2020. (Statement from US Census Bureau)

The table on Chart 1 says Hayes had a population of only 1861 (139 persons less than the US Census) in 2020 and interestingly, the plan says there were 2000 people in the township in 2023., Census figures are quite accurate for decade years 2000, 2010, 2020, etc. and tolerable estimates in half-decade (2005, 2015, 2025, etc.) You might think that the numbers were somehow transposed, but there is no way that Hayes Township either gained or lost 139 people in three years. The data about Hayes Township in Chart 1 is wrong! For comparison, from 2010 to 2020 the entire Charlevoix County only increased 105 people. I fear that the township publishing the chart that Hayes Township increased 139 people in only three years will expose us to ridicule.

2.) At the Jan 27th public hearing, at least one member of the PC board lectured the audience that there is no scientific data to justify the depth of a waterfront setback strip. After the meeting I did a very quick internet search for "Scientific reasons for a waterfront setback strip". This immediately came up: <https://watersheds.ca/wp-content/uploads/2023/02/The-Science-Behind-Vegetated-Shoreline-Buffers-Why-the-Ribbon-of-Life-Matters.pdf> To save you computing, 15 meters is 49.2 feet. Being a scientific article, it is replete with footnotes on the sources for the recommendation for at least a 50' strip. The township is in possession of a letter from TIPP cautioning the township of the dangers of reducing the depth of the waterfront setback strip. Please heed all this guidance and not recommend the reduction of the requirement for the depth of the waterfront setback strip. The need and value of the strip is certainly analogous to the need and value of a road right of way.

- 3.) All the information I read about writing a long-range plan is filled with admonitions to involve the community. Government agencies recommend regularly scheduled meetings providing feedback on the progress of the plan. An additional recommendation was that the PC should provide regular feedback to the residents on their recommendations that were accepted. As importantly, the PC should defend the reasons why other of their recommendations were not accepted. I incorrectly assumed that the PC would follow these recommendations based on their extensive training. They did not. We are left wondering if the PC even read, or at least seriously considered the recommendations from the community.
- 4.) Additionally, the board insisted that they are planning out 20 years in this plan. With a quick look at the members of the PC board, and at least half, probably more, of the audience, you can easily guess that most if not all will be gone in 20 years. The PC should have expended much more effort to get the wants and wishes of younger residents who are much more likely to actually live here in 20 years. An even more damning indictment of the township lacking justification for the plan is that these younger residents were drastically underrepresented by design in the last township survey.
- 5.) There are numerous tables in the plan on the value and age of the homes. The Charlevoix County equalization department could give SEV and the BS&A software could give the age, instead of probably inaccurate survey estimates.
- 6.) I want to thank the PC board for their concern about the lack of availability of affordable housing. However, doing the necessary steps to provide affordable housing is a much more complicated problem than I think the PC board is prepared at this point to address. If the only action is to lower the required size for parcels, downstate and out-of-state retirees will buy and build on the parcels. Local workforce employees do not have the savings or sufficient family income to secure a mortgage to build a new home.

Drastically reducing the parcel size is a real concern because numerous township surveys have documented the residents' value for retaining open spaces and scenic vistas. It is appropriate to have a goal in the long-range plan of researching ways to provide affordable housing without sacrificing open spaces and vistas. Jumping to the solution of reducing parcel size is not a tenable solution.
- 7.) The township Board should assure the PC has sufficient funds for contracting the assistance of a professional planner to rewrite the long-range plan.

A few additional concerns to supplement #6

- a. Median cost of new house in Michigan in 2023 was \$375,000. Banks require a family income of \$120,000 to get a mortgage on a \$375,000 house.
- b. A year later, in 2024, the price of a new house in Michigan went up \$73,000 to \$448,000. Banks would now require a \$143,000 family income for a mortgage. Very few local workforce employees have a \$143,000 family income.
- c. Things are probably not going to get better. The average age of home builders is in their late 50s. Who will take their place? Will their replacements be statewide or national building companies who require more profit?
Nationwide about 1 in 10 to 1 in 5 home construction workers are undocumented immigrants, probably closer to 1 in 5 in Michigan since building is more seasonal. Having fewer undocumented immigrants available for building jobs will almost certainly raise construction costs.
I am a member of the Charlevoix County Brownfield Board we are involved in a 16 lot, 22 home project at Garfield and Sheridan. The owners of the land (Timms) are very understanding and helpful (they could have easily already sold the land for another McMansion, but they know the need for affordable housing). The developer, John Kurtz, knows the need is so great he is accepting the possibility of not making any profit. The City of Charlevoix is bending over backward to facilitate water and sewer services.
- d. The cost is going to be about \$360,000 per home but because of TIF the homes can be sold at about \$280,000. This price keeps going up because of increasing price of lumber.
- e. We know that out of state buyers, (for instance Blackrock and Blackstone), will try to snap up these homes if there are no restrictions. So, there will be stringent deeds restricting the homes to employees with 5 years history of working in Antrim, Charlevoix or Emmet. These homes can only be re-sold to someone with 5 years of history working in three counties and with only a CPI profit.
I detailed all the above to show that reducing parcel sizes would be ineffective. If Hayes lowers parcel sizes as is included in the long-range plan, the only people able to purchase and build will be retirees from downstate and other states who have the money from selling their present home. I fear we will give up our treasured open spaces and vistas and unfortunately the affordability crisis for local workers will continue unabated.
- f. We have often visited the area around Boston for my work. I was immediately taken aback, realizing how beautiful that area must have once been, but now it is drastically overdeveloped. I fear for that happening here.