

Township Board

2.1 Township Board Authority

The township board is empowered by the Michigan Constitution and state laws to govern Hayes Township. The township board has the exclusive authority, subject to applicable laws, to determine the scope, quality and quantity of township programs and services, to establish parameters and expectations of employee performance and conduct, to establish its own style of governance, and to require information from township personnel necessary and convenient to monitor township operations and compliance with board policies and directives.

The township board may authorize appointed officials and employees to take such actions and make decisions that are consistent with applicable federal and state laws, local ordinances, and township board policies.

2.2 Township Board Authority is Exercised by the Board

The township board shall act only at a meeting held in compliance with the Open Meetings Act.

Township board authority shall be exercised only through official board decisions recorded as votes taken, directives given or consensus established by the township board at a township board meeting.

No individual, committee or organization shall represent its authority or action in a matter as that of the township board unless the township board has directed the individual, committee or organization to act on the township board's behalf in that matter.

2.3 Allocation of Resources

The township board shall allocate township resources through the annual adoption of the township budget and periodic budget amendments. The board shall authorize the resources necessary to fulfill the township's mission as required by law.

2.4 Budgeting for Results and Outcomes

The township board shall budget for results and outcomes by long-range financial planning, performance measures, budgeting, and evaluation. The use of resources shall be linked to objectives established or reaffirmed at the beginning of the budget development process. The township board shall routinely monitor, evaluate and adjust budget allocations to align township resources with the strategic plan goals and objectives.

2.5 Responsibilities of Township Board Members

Township board members shall:

- Keep current on issues affecting the township
- Attend all board meetings unless there is a conflict or unforeseen emergency
- Vote upon all questions unless there is a conflict of interest present
- Encourage the free expression of opinion by all board members
- Assist new members in understanding their role and responsibilities as board members
- Take no individual action that will compromise the township and respect confidentiality of privileged information

2.6 Board Consultants

The township board reserves to itself the authority to appoint the following consultants:

1. Attorney
2. Auditor
3. Engineer

4. Planner
5. Accountant

A letter of agreement will be executed between the board and any consultant that identifies the:

1. Term/length of the agreement
2. Services to be provided
3. Payment method
4. Payment schedule
5. Documentation of services provided for payment
6. Method of resolving disputes
7. Township officials/employees authorized to direct work or assign tasks to consultant

2.7 Contracts

All contracts entered into on behalf of the township must be authorized by the township board. As the legal agent of the township, the supervisor has statutory authority to sign a contract that the township board has approved. The township board may direct the clerk or attorney, as appropriate, to sign a contract that the board has authorized, in addition to or instead of, the supervisor.

2.8 Property

A township board resolution adopted by a majority of the board members serving is required for the township to acquire property for public purposes by purchase, gift, condemnation, lease, construction or otherwise, or to convey or lease township-owned property or any part of township-owned property not needed for public purposes.

A "majority of the board members serving" is calculated by taking the total number of board members and subtracting vacant positions and any member(s) abstaining on the vote. Members who are absent are counted.

2.9 Stewardship

The township board delegates to township officials and employees the responsibility to protect the township's assets, through such means that include insurance, and which include its land, buildings and property, as well as protecting its image through positive public relations.

2.10 Litigation

The initiation of any lawsuit, litigation, claim for injunctive relief, writ of mandamus or other legal proceeding requires a majority vote of the township board, except when there are extenuating circumstances. The supervisor and/or clerk are authorized to remedy the circumstances as defined in this section.

"Extenuating circumstances" are defined as an emergency situation that cannot wait until a special or regular meeting of the board or a situation in which a violation of any state, federal or local ordinance constitutes a public nuisance or otherwise endangers the public and in which the continued existence of such a condition, emergency or violation is detrimental to the health, safety and welfare of the township.

"Extenuating circumstances" also include any situation where the continued existence of any condition, emergency or violation may jeopardize the legal position of the township in securing the intended remedy in any lawsuit, litigation, claim for injunctive relief, writ of mandamus or other legal proceeding.

The township board reserves the authority to authorize and direct the course and conduct of any lawsuit, litigation, claim for injunctive relief, writ of mandamus or other legal proceeding, notwithstanding its initiation for extenuating circumstances.

Township Administration

2.11 Board Administration

The township board shall govern township administration through the adoption of policies and procedures. Board policies and procedures shall define what the township is to accomplish, through the adoption of a mission statement, strategic plan, and other adopted policies and procedures, in compliance with applicable laws.

Board policies and procedures shall also define the manner in which the board will conduct its business, the relationship of the board to the township officials and employees, and limitations on the actions of township officials and employees.

2.12 Direction and Control of Administration

To promote efficient administration, the township board authorizes the supervisor, deputy supervisor, clerk or office manager to provide direction and control over all township activities and functions that are not assigned by state law to another official, and to provide a liaison between the board and the various township departments within the parameters established by the township board.

2.13 Board Member Concerns Regarding Township Employees

Township board members should make all inquiries, requests or complaints about department heads or employees to the supervisor or clerk. Any directives, complaints or requests made by a board member directly to a department head or employee, other than from a board member with statutory authority over the department head or employee, must be brought to the attention of the supervisor or clerk prior to initiating any response.

Township Board Meetings

2.14 Board Meeting Notices

The township clerk is responsible for all regular, special and rescheduled township board meeting notice requirements in conformance with the Open Meetings Act and other state laws.

The township clerk or supervisor shall be responsible for seeing that notice of the time, place and reason(s) for any special meeting of the township is given to each township board member either in person, email or by leaving a written notice at the member's address or place of residence, at least 18 hours prior to the meeting time.

2.15 Regular Board Meeting Agenda

The township clerk shall prepare the agenda and board packet at least four days prior to every regular township board meeting. Business items intended for board action may be placed on the agenda by any board member by notifying the clerk at least seven days prior to the meeting. Agenda items shall normally be accompanied by a copy of the motion or resolution that will be placed before the board, along with background information helpful to board members for understanding the issue.

Optional: A department head requesting to have any business placed on the proposed agenda shall notify the clerk with a cover memo and supporting documentation at least seven days prior to the township board meeting.

Board members who wish to bring an issue to the board's attention, but are not seeking board action, shall bring up such issues under one of the report sections of the meeting.

A copy of the proposed agenda shall be delivered or made available to every board member, along with all supporting documentation and correspondence addressed to the township board, at least four days prior to the board meeting.

When a need to place an item on the agenda arises after the deadline, the business item may be added to the agenda by general consent of the board.

The proposed agenda shall be approved by majority vote following the roll call of board members at each board meeting. The agenda shall conform to the following format:

1. Call to order
2. Pledge to flag
3. Review Agenda
4. Public comments unrelated to agenda items
5. New Business
6. Reports from board officers and departments
7. Old business
8. Adjournment

2.16 Special Board Meeting Notice/Agenda Considerations

The purpose(s) for which a special meeting is called shall be stated in the special meeting notice.

If all township board members are present at a special meeting of the township board, then the board may add any lawful business to the special meeting agenda.

If any township board member is not present at a special meeting of the township board, then the business shall be limited to the purpose(s) in the special meeting notice. No other agenda items may be added.

2.17 Board Correspondence

Board members shall receive with the board packet a copy of any written correspondence that was addressed to the board requesting board action at a regularly scheduled meeting. A motion may be made to consider the correspondence request under new business. If no motion is made to consider the request, the correspondence will be received and filed.

Informational written correspondence that does not require board action shall be summarized on the consent agenda as correspondence received, and copies shall be available to board members at the board meeting.

2.18 Board Meeting Logistics

The clerk shall be responsible for determining that the township hall and the board meeting room is properly set up for a public meeting. This includes, but is not limited to, ensuring:

- The parking lot, sidewalks, ramps and stairs are clear of snow and ice during winter weather.
- The meeting room temperature has reached 68 degrees.
- Audio-visual equipment that may be used during the meeting is set up and tested.
- Adequate seating is available for the anticipated audience.
- Nameplates of township board members are placed on the board table.
- Copies of the proposed agenda and any other public materials are placed on a table along with any sign-in sheet and pens.

2.19 Board Member Meeting Conduct

If a quorum of the township board is present, a board meeting shall be called to order promptly at the time announced for the meeting.

Each board member shall fully participate in board meetings by doing the following:

- Prepare for board meetings by reading their packets ahead of time in order to fully participate in discussions
- Help the chair keep meeting moving
- Limit remarks to issue being considered
- Ask questions for clarification
- Respect colleagues' rights
- Refrain from interrupting other speakers
- Actively listen
- Listen courteously and attentively to all public discussions before the board
- Explain reasons behind significant decisions during the discussion before voting
- Raise concerns and objections at a meeting, rather than after
- Express disagreement verbally, rather than non-verbally

- Criticize constructively and in private
- Vote with a clear audible voice

2.20 Chairing Board Meetings

All board members will be treated with equal dignity and respect, and board members shall have equal access to speak and to make motions.

The moderator is charged with ensuring that the will of the board majority prevails on decisions, while giving board members who hold to a minority view an adequate opportunity to present their positions to the other board members.

The moderator will keep discussions focused on the agenda items.

The moderator will relinquish the gavel when he or she has a personal conflict of interest or is sufficiently conflicted on an issue that impartiality cannot be assured.

The moderator will maintain proper decorum among board members and the public audience.

The moderator will:

- Open the meeting at the specified time
- Explain meeting procedures and decision-making processes so that board members and the audience may appropriately participate
- Restate audience questions
- Apply time limits consistently
- Recognize and deal with procedural objections
- Protect members and staff from verbal attack unrelated to official duties
- Keep track of amendments to motions
- Restate motions before they are voted upon
- Call recesses during long meetings
- Reconvene at specified time
- Adjourn the meeting

2.21 Board Member Conflict of Interest

A township board member shall vote upon all matters that require a vote of the township board unless the board member has a conflict of interest.

General law township: If a township board member has a conflict of interest regarding a matter on which the township board is required to vote, the board member will disclose that interest, and the township board member shall recuse him- or herself, and refrain from participation in all deliberations, discussions and voting on that matter.

2.22 Public Participation

Members of the public may address a specific agenda item for up to two minutes at the time the item is taken up by the board. The board may suspend the time limitation when warranted. Board discussion will precede public comment on specific agenda items. Prior to calling for the question, the supervisor shall ask any

member of the public who wishes to speak on the agenda item to be recognized. When all persons who wish to address that agenda item have been heard, the supervisor shall announce that public comment on the agenda item is concluded, and no further public comment shall be entertained.

Members of the public who wish to address the board on an item not included on the agenda shall address the board under Public Comments Unrelated to Agenda Items. They may speak for up to three minutes during Public Comments Unrelated to Agenda Items.

Persons shall be recognized in the order in which the supervisor calls on them.

2.23 Minutes

The clerk shall ensure that minutes of board meetings record:

- Time, date and place of the meeting
- Board members present and absent
- Decisions made by the board at a meeting open to the public
- Roll-call votes taken at the meeting
- The purpose or purposes for which a closed session is held

The content of minutes shall reflect the collective will of the township board as expressed in official board decisions. Minutes shall not include personal comments or opinions of individuals unless authorized by a two-thirds vote of the township board members present.

The board shall make any corrections in the minutes at the next meeting after the meeting to which the minutes refer. The corrected minutes shall show both the original entry and the correction.