

Crystal Lake Township Bylaws Rules of Procedure

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Crystal Lake Township Bylaws

Rules of Procedure

1. MEETINGS

1.1 REGULAR MEETINGS

The regular meetings of the Township Board shall be held on the second Tuesday of each month, unless that day is a holiday or day of an election in which case the regular meeting scheduled for said day shall be held on the following Tuesday, no later than its first meeting scheduled for the following fiscal year of April (1) through March (30), including any exceptions for holidays.

1.2 SPECIAL MEETINGS

Special meetings of the Township Board shall be called by the Township Clerk upon written and /or emailed request of the Supervisor or any two (2) members of the Township Board. Notice of a special meeting shall be given to each member of the Township Board at least eighteen (18) hours in advance of the meetings. The Township Clerk shall cause such notice to be served personally or left at the members' usual place of residence. The notice shall contain the time, place, and purpose of the meeting.

1.3 PLACE OF MEETING

All regular meetings of the Township Board shall be held in the Township Hall located at 1651 Frankfort Hwy., unless the Township Board, by majority vote, sets a different meeting location. The location of any special meeting shall be included in the meeting notice.

1.4 TIME OF MEETINGS

All regular meetings of the Township Board shall begin at 7:00 P.M., unless the Township Board, by majority vote, sets a different time. The time of any special meeting shall be included in the meeting notice.

1.5 ENDING OF MEETINGS

All meetings of the Township Board shall end at 10 p.m. At the appointed hour, the Board shall complete that item of business and immediately adjourn unless the Township Board, by majority vote, extends the meeting.

2. PUBLIC NOTICE OF MEETINGS

2.1 GENERAL

The Township Clerk in the manner provided for the Michigan Open Meetings Act shall give proper notice of all meetings of the Crystal Lake Township.

2.2 REGULAR MEETING SCHEDULE

The Township Clerk shall post a notice of the regular meeting schedule for the fiscal year at the Township Hall Bulletin Board and inside the Township Hall. Said notice shall be published

at least once per week prior to the beginning of each fiscal year. Said notice shall indicate the dates, times, and the places of the regular meetings scheduled.

2.3 SPECIAL MEETINGS

When a special meeting is called pursuant to these rules or the Township Board, the Township Clerk shall post notice of such meeting immediately, but no meeting may be held until such notice has been posted for the minimum time provided for in the Michigan Open Meetings Act. (Minimum 18 hours prior to meeting).

3. AGENDA

3.1 ORDER OF BUSINESS

The general order of business at a regular meeting of the Crystal Lake Township Board shall be as described below. The specific order of business at any regular meeting depends on the matter before the Township Board

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Adoption of Agenda
5. Conflicts of Interest
6. Approval of Minutes
7. Presentations of Guests
8. For the Good of the Community
9. Correspondence
10. County Commissioner's Report
11. Public comments not related to the Agenda. Speakers are limited to three (3) minutes. With the approval of board, speakers may be given up to a four (4) three (3) minute extension(s).
12. Clerk's Report (Approval of bills, etc.)
13. Treasurer's Report
14. Committee Reports
15. Board Member Comments
16. Unfinished Business
17. New Business
18. Public comments related to Agenda items only. Speakers are limited to three (3) minutes. With the approval of board, speakers may be given up to a four (4) three (3) minute extension(s).
19. Adjournment

The order of business at a special meeting of the Crystal Lake Township shall be determined by the Supervisor. The Township Board may change the order of business by a majority vote.

3.2 REGULAR MEETING AGENDA

The Township Supervisor or his/her designee shall prepare the agenda for all the regularly scheduled Township Board Meetings based on the general order of business. The Supervisor, upon consultation with the Township Clerk, shall determine items to be placed on the agenda. Items may be placed on the agenda by the Township Supervisor and/or any Board Member, with the approval of the Township Clerk. No item may be added to the agenda after 5 p.m., of the Monday preceding the regular meeting without a majority vote of the Township Board. The Township Clerk will cause agenda packets to be delivered to

each Township Board Member by 12:00 Noon the Friday preceding each regular meeting, by way of Members Township Board Mailbox or email.

3.3 SPECIAL MEETING AGENDA

The agenda of a Special Meeting will consist only of the matters so stated in the notice of the meeting.

3.4 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 correspondence. 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 receive, and copies shall be available to board members at the board meeting.

3.5 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. If the 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.

4. CONDUCT OF MEETING

4.1 CHAIRPERSON

The Township Supervisor shall moderate and chair all meetings of the Township Board. In the absence of the Supervisor, the Township Clerk shall call the meeting to order and a chairperson shall be selected by a majority vote by the Township Board.

4.2 MEMBERS OF THE PUBLIC

Members of the public at the meeting shall not speak unless recognized by the chair. Members of the public shall be limited to speaking for a maximum of three (3) minutes on any agenda item under discussion and a maximum of three (3) minutes during any public hearing or public comment. The Township Board may extend by up to three (3) minutes the three (3) minute limit by a majority vote of the Township Board members present. Prior to addressing the Township Board, members of the public shall state their name and address for the record.

4.3 DISORDERLY CONDUCT AT MEETINGS

The chairperson may call to order any person who speaks when not recognized by the chair or who speaks longer than the allotted time, or who is obscene. Such person shall thereupon be seated until the chair shall have determined whether the person is in order. A person who continues to disregard being called out of order is deemed to commit a breach of the peace. A person who commits a breach of the peace at a meeting may be excluded from the meeting, but a person may not be excluded from the meeting for any other reason. The chairperson has the right to call in police assistance, without a majority vote by the Township Board, if he/she finds the safety of the people in attendance has been compromised.

5. RECORD OF MEETINGS

5.1 RECORDING RESPONSIBILITY

The Township Clerk shall be responsible for maintaining the official record and minutes of each meeting of the Township Board. The minutes shall include all actions of the Township Board with respect to motions, including the names of the members who made a motion and the member who supported it. If the vote is by roll call, the minutes shall show who voted "Yes", "No", or "Abstained". A synopsis of the meetings discussion shall also be included as part of the meeting minutes. Synopsis will be published in the next available publication of the local paper.

5.2 RECORD OF DISCUSSION

The Township Clerk shall be responsible for maintaining a written summary of all the discussions or comments of the Township Board or members of the public made at Township Meetings.

5.3 MINUTES, PREPARATION, PUBLICATION AND PUBLIC ACCESS

The Township Clerk shall give the public access to the proposed and approved minutes of the Crystal Lake Township meetings in the manner provided for in the Michigan Open Meetings Act and other state laws. A hard copy of the approved meeting minutes for each board meeting shall be on file in the Clerk's office.

5.4 TAPING OF MEETINGS; DISPOSITION OF TAPES

All meetings of the Crystal Lake Township Board are taped for the purpose of assisting the Township Clerk in preparing the minutes of the meetings. The tapes will be disposed of in accordance with the procedures adopted by the Michigan Secretary of State.

"Notes and audio or visual recordings of meetings of a township body made for the purpose of transcribing the minutes may be destroyed after the meeting at which the minutes are approved by the public body; EVT=one day after the date that the meeting minutes are approved (MCL 15.269)." However, in no case shall any tape recording of a Township Board meeting be disposed of sooner than thirty (30); following the date of the meeting.

6. PUBLIC HEARINGS

6.1 NOTICE OF PUBLIC HEARING

The Township Clerk shall place in a newspaper of general circulation within the Crystal Lake Township when required by statute, regulation, or ordinance to hold a public hearing or upon direction of the township board.

Public hearings held as part of regular meetings of the Township Board shall begin closely following the call to order at 7 p.m. Public hearings held as part of any special meeting shall begin closely following the call to order of the special meeting. In either case, when there are multiple hearings, each new hearing commences following the close of the preceding one. The Township Board, by majority vote of those present, may set a different starting time for each public hearing.

6.2 CONDUCT OF PUBLIC HEARING

A public hearing is not a separate meeting within the context of the Michigan Open Meetings Act. The chair proceeds to that item of business on the Board's agenda when such item is included.

The chairperson begins each public hearing by explaining the purpose of the hearing. Following the briefing, the chairperson opens the hearing to receive oral and written

comments. Board Rule 4.2 applies to the length of each person's comment. A public hearing closes when all persons speaking have had the opportunity to be heard.

6.3 RESULTANT ACTION OF A PUBLIC HEARING

No "Matter" heard by the Township Board will be placed on the same meeting's agenda for action unless the Township Board, by majority vote, adds it to the meeting agenda.

7. PARLIAMENTARY PROCEDURE

The rules of Parliamentary Procedure as contained in the most recent edition of Roberts Rules of Order shall govern the Crystal Lake Township Board in all cases to which they are applicable, unless they are in conflict with the rules of the County of Benzie, or the laws of the State of Michigan.

8. MOTIONS AND RESOLUTIONS

8.1 All action taken by the Township Board shall be by motion, resolution or ordinance which shall be publicly set forth in the record prior to any action thereon.

8.2 NON-DEBATABLE MOTIONS

A motion to adjourn, recess, lay on the table, or to vote immediately shall be voted upon without further debate.

8.3 MOTIONS BY THE CHAIRPERSON

Except for motions involving the Township Supervisor appointments, the chairperson shall have the right to make any motion or move the adoption of any resolution or ordinance.

9. VOTING

9.1 DUTY TO VOTE

Each member of the Crystal Lake Township Board who shall be recorded as present shall vote on questions decided by the Board, unless excused by the unanimous consent of the other members present or unless prohibited by law.

9.2 ROLL CALL VOTES

A roll call vote shall be taken on all actions taken by the Township Board by resolution or ordinance. A roll call vote shall **not** be required for action taken by motion, which action may be taken by a voice vote. Any member of the Township Board may however, call for a roll call vote on any motion.

10. COMMITTEES

10.1 COMMITTEE MEETINGS

Committees created by the Township Board shall meet at such times and places as shall be called by a majority of the Township Board, by a majority of the Committee Members or by the Chairperson of the committee. Committee meetings need not be open to the public except where required by the Michigan Open Meeting Act or by the Chairperson of the Committee.

10.2 RULES OF PROCEDURE

Each committee shall, to the extent applicable, follow the rules set forth in the Rules of Procedure with respect to the conduct of its meetings.

10.3 COMMITTEE AUTHORITY

Each committee shall only consider those matters referred to it by a majority of the Township Board. Each committee shall report back to the Township Board on every matter referred to it. No committee shall have any authority to take any action on behalf of the Township Board. Each committee may only make reports and/or recommendations to the Township Board on matters referred to it. Committee Chairpersons are responsible for providing meeting minutes of the committee's proceedings to the Township Board in a timely manner.

10.4 TIME FOR REPORT

Each committee shall report to the Township Board on the status of every matter referred to it at the next regular or special meeting of the Township Board subsequent to the meeting at which the matter was referred to the committee. Any item referred to committees resulting in recommendations for Board action shall be placed on the meeting agenda under Committee Reports.

10.5 UNDUE INFLUENCE

Members of the Township Board should not attempt to unduly influence commission or committee recommendations, or to unduly influence or lobby individual commission or committee members on an item under their consideration. It is important for commissions and committees to be able to make objective recommendations to the Township Board on items before them. Members of the Board that attempt to unduly influence commission positions on an item may prejudice or hinder their role in reviewing the commission's recommendation as a member of the Township Board.

10.6 COMMITTEE ATTENDANCE

Individual Board Members shall have the right to attend meetings but are cautioned about becoming involved in the meeting's discussion. Board members, however, may answer questions put to them or respond to information being provided.

10.7 REPRESENTATION/DISCLOSURE OF BOARD POSITIONS

If a member of the Township Board represents the Township before another governmental agency or organization, the Board Member should first indicate the majority position as an opinion of the Board. Personal opinions and comments may be expressed only if the Board Member clarifies that these statements do not represent the position of the Township Board.

11. TOWNSHIP BOARD RELATIONS WITH STAFF

11.1 CONDUCT DURING PUBLIC MEETINGS

There shall be mutual respect from both staff and Board Members of their respective roles and responsibilities when and if expressing criticism in public session. Members of the Township board should refrain from argument with a member of the public or staff at Board meetings. Any concerns by a member of the Board over the behavior or work of a Township employee during a Board meeting should be directed to the Head of that individual department.

11.2 DEPARTMENT HEADS

Per Township Law (Recodified), R.S. of 1846, MCL 41.1, *et seq.*, department heads are as follows:

The Supervisor is the head of these departments:

- Supervisor
- Assessing
- Cemetery

- Board of Review
- Planning Commission
- Zoning Administrator
- Zoning Board of Appeals

The Clerk is the head of these departments:

- Clerk
- Elections

The Treasurer is the head of these departments:

- Treasurer
- Tax Fund

The Township Board is the head of these departments:

- Municipal Roads
- Township Hall and Grounds
- Metro Act Fund

11.3 COUNCIL INQUIRES

Requests for information or questions by the Township Board shall be directed to the Township Clerk.

11.4 REQUESTS FOR WRITTEN MATERIAL

All written information material requested by individual Board Members shall be submitted by Township Clerks office who will transmit them to all Board Members with the notation indication which Board Member requested the information.

11.5 UNDUE INFLUENCE OF TOWNSHIP STAFF

Board Members shall not attempt to correct or unduly influence staff in the selection of employees, recommendations for the awarding of contracts, the selection of consultants, the processing of development applications or the granting of Township licenses or permits.

11.6 DIRECTIVES TO THE TOWNSHIP STAFF

A Board Member shall not direct Staff to initiate any action, prepare any report or initiate any project or study without the approval of a majority of the Township Board. All such request will be first directed to the individual Head of Department.

11.7 BOARD MEMBER MAIL

Incoming mail clearly marked as personal shall not be opened when addressed to individual Board Members by Staff unless requested. All other mail addressed to the Township Offices for the Township, or Board Members, shall be opened by the Township Clerk or his/her designee. The Township Clerk's office will advise Township Board Members if they have received mail, which must be acknowledged, in order that the Board may respond in a timely manner. This procedure shall be followed unless an individual Board Member requests that staff not open his/her mail.

11.8 BOARD MEMBERS AND THE TOWNSHIP ATTORNEY

Individual Board Members shall ask questions of the Township Attorney through the Township Supervisor or Township Clerk. The Township Attorney will be given his/her direction by a majority vote of the Township Board.

In cases where there is convincing evidence that an ethical breach has occurred involving the Township Supervisor or Township Clerk, Board Members may contact the Township Attorney directly if three (3) or more Board Members concur that there insufficient evident to conclude that an ethical breach may have occurred. One of the three members must be the Township Supervisor or Township Clerk.

In the event that an interim Supervisor or Clerk is in place, Board Members may contact the Township Attorney directly in the event that three (3) or more board members concur that the advice/ recommendation of the Township Attorney is necessary. One of the three members must be the Township Supervisor or Township Clerk.