



# Cascade Charter Township

5920 Tahoe Dr. SE, Grand Rapids, MI 49546

**Date:** July 26, 2021  
**To:** Clerk Susan Slater (Chair)  
Trustee Jim Koessel (Vice-Chair)  
Trustee Timmy Noordhoek  
**From:** Ben Swayze, Township Manager  
**Subject:** Governance Committee Meeting Agenda – July 28, 2021 (9:00am)

The Governance Committee is to meet in the Front Conference Room of Township Hall, or via remote conferencing software Zoom if requested, to discuss the following:

1. **Minutes of the 6.23.21 Meeting** – The Committee is responsible for approving the minutes of the previous meeting.

**Recommended Action** – Approve the minutes

2. **Township Board Rules of Procedure** – Continue discussion on developing the Township Board Rules of Procedure document. Highlighted areas are ones that have been changed since the last review.

**Recommended Action** – No action, staff direction only

**CASCADE CHARTER TOWNSHIP**  
**GOVERNANCE COMMITTEE MEETING**  
June 23, 2021 at 9:00am  
Large Conference Room at Township Hall  
5920 Tahoe Dr. SE, Grand Rapids, MI 49546

**Members Present:** Trustee Koessel, Trustee Noordhoek, Clerk Slater

**Others Present:** Township Manager (TM) Ben Swayze; Assistant Township Manager (ATM) Stephanie Fast

**Call to Order:** Meeting was called to order at 9:00 am

**Business:** The Governance Committee discussed the following items:

**1. Approval of the April 13, 2021 and April 28, 2021 Meeting Minutes**

TM Swayze explained that per the committee policy, the committee is responsible for approving the minutes.

*Motion by Trustee Koessel, Supported by Trustee Noordhoek to approve the minutes of the April 13 and April 28 meetings. Motion Carried.*

**2. Township Virtual Meeting Participation Policy**

TM Swayze explained that The Kent County Board of Commissioners has indicated they will not be extending the local state of emergency past the current end of June expiration date. Therefore, the Township ability to hold official virtual or hybrid meetings (where members of the Board or Commission can attend virtually) will cease. However, the Township will still have the ability to stream meetings to the public and/or allow virtual interaction from the public as well. ATM Fast explained the issues that were being caused regarding virtual meetings. There is no set way to regulate chats, which puts her in a bad position to regulate a meeting she has no authority over. Virtual attendance has dwindled dramatically as well. Discussion ensued. It was recommended that the Township continue to stream meetings, but that public interaction should be limited to those in attendance.

*Motion by Trustee Noordhoek, support by Trustee Koessel, to recommend the Township Board adopt a policy continuing the streaming of meetings but limiting public comment to those in physical attendance. Motion Carried*

**3. Township Board Rules of Procedure**

TM Swayze reviewed the Rules of Procedure document and the areas that still needed clarification from the committee.

- Replacement Chair – The committee discussed the process to be utilized for selecting a chair should the Supervisor be unavailable. After discussion, the following

recommendation was made. If the Supervisor knows they will be absent, they should request another member of the Board serve as chair in order to allow time to prepare. The choice should be confirmed by vote at the Board meeting prior to the Call to Order.

- If the absence of the Chair is unexpected, the remaining Board shall appoint a chair by vote at the Board meeting prior to the Call to Order

***Trustee Noordhoek left the meeting at 9:44am***

- Public comment, remove language limiting the comment periods to 10 minutes total.
- Reviewed language tasking Clerk with timing public comment. No changes.
- Reviewed written public comment section. Should note that written comment will become part of the permanent supplement of the meeting.
- Order of business – no recommended changes
- Development of the agenda
  - Township Manager (or designee) responsible for the physical development of the agenda, concurrence from Supervisor and Clerk.
  - Agenda should be posted by end of business day Friday before the meeting
  - Develop timeline for development of agenda (when items should be to bend, circulating draft, etc.)
  - Once agenda is posted, should not be changed
  - When possible, action items should come with recommendations from Boards, Commissions or Committees.
  - Township Manager should be involved in the development of packet materials to ensure Board members have enough information to make an informed decision

TM Swayze indicated he would continue on the development of the document, and new legal counsel would be circled in as well.

***No motion, discussion only***

**Adjournment:** Motion by Trustee Koessel, Supported by Clerk Slater to adjourn the meeting. Motion carried. Meeting adjourned at 10.12 am

**Approved by the Governance Committee – TBD**

\_\_\_\_\_ TOWNSHIP  
KENT COUNTY, MICHIGAN

(Resolution No. \_\_\_\_\_)

**STANDING RULES – PROCEDURES**  
**FOR TOWNSHIP BOARD AND OTHER MEETINGS;**  
**RULES REGARDING PUBLIC COMMENT**

WHEREAS, the \_\_\_\_\_ Township Board (“Township Board”) has determined that there is a need for more definite procedures and rules relative to the conduct of Township Board and other meetings; and

WHEREAS, most Township meetings are subject to the Michigan Open Meetings Act (MCLA 15.261 *et seq.*; MSA 4.1800(11) *et seq.*) (the “Act”). Even apart from the Act, however, Township officials desire to have members of the public attend all open meetings of the Township Board and to promote public attendance at the same. The Township Board also desires to provide members of the public with reasonable opportunity to discuss and comment on Township-related issues during such meetings in a reasonable fashion; and

WHEREAS, pursuant to the Act and other applicable Michigan laws, the Township Board has the authority to adopt reasonable rules and regulations regarding both the conduct of Township Board meetings and the conduct of public comments and input at such meetings.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

~~1.~~ **The Chair.** The Township Supervisor shall chair (*i.e.*, preside at) (the “Chair”) the meetings of the Township Board. **If the Supervisor is absent or unable to chair a particular meeting of the Township Board, the Township Clerk shall do so. If the Township Clerk is not present or is unable to chair a meeting of the Township Board, the member who has served on the Township Board the longest shall chair the particular meeting, and the are aware of the pending absence, they will make a request of a Board member to Chair the meeting so they can prepare accordingly. The Township Board will hold a simple majority vote on the meeting Chair prior to the Call to Order. If the absence of the Supervisor is unanticipated, the Board shall choose and hold a simple majority vote on a Chair prior to the Call to Order of the meeting**

(a) It shall be the duty of the Chair to preside at all meetings of the Township Board, to preserve order and to decide all questions of order and procedure (subject to appeal to the Township Board).

(b) The Chair shall rule on all procedural issues which might arise at a Township Board meeting, subject to being overturned regarding any such ruling by a vote of a majority of the Township Board members present (including the Chair).

(c) Any of the rules and procedures contained in this Resolution may be waived for a given Township Board meeting or agenda item at a Township Board meeting by the vote of two-

thirds of the Township Board members present at a meeting where a quorum is present (including the Supervisor). The Chair can make and second motions.

2. Public Comments. The following shall apply to public comments at Township Board meetings:

(a) Members of the public may comment only during the designated public comment portion or portions of the meeting. Public comment shall not be in order except during designated times. A member of the public shall not speak unless expressly recognized by the Chair first and the Chair gives permission to the person to address the Township Board.

(b) Specific answers to a citizen's questions need not be given by the Chair or other Township officials at the time requested, but may, at the Township's discretion, be followed up later.

~~(c) At each meeting open to the public, there shall be two general public comment periods. The first shall be held at the beginning of the meeting and shall be limited to items on the agenda not scheduled for a public hearing. The second comment period shall be held at near the end of the meeting for any topic. The first comment period shall be limited to ten (10) minutes in total. The second comment period shall be limited to ten (10) minutes in total. No citizen shall speak for more than three (3) minutes during either of these comment periods or for five (5) minutes in total for both. If the application of such time limits has the effect of completely denying one or more persons the ability to address the Township Board, such persons shall be given at least three (3) additional minutes each to address the Township Board.~~

(d) In addition to the above-mentioned two public comment periods, the Chair may permit limited public comment for particular public hearing or agenda items with voting concurrence from the Township Board by simple majority. During such other public comment times, each person shall be limited to three (3) minutes of public comment and the other public comment rules herein shall generally apply.

(e) All public comments shall be directed to and through the Chair – no member of the public shall directly address any other member of the public or any other Township official.

(f) All public comments shall be related to Township matters. Public comments must be relevant and germane to the business and functions of the Township.

(g) No citizen can "transfer," reserve or delegate any public comment time to any other person.

(h) If an attorney or person representing an association, firm or group of people requests to speak for or on behalf of that association, firm or group, the Chair can allow such attorney or representative to do so. However, in that case, the association, firm or group of people shall not also be allowed to speak separately unless they limit their comments to one minute each. The Chair shall have the authority to determine whether a non-attorney purporting to represent an association, firm or group of people has such authority and can do so.

(i) The Chair has the authority to extend the public comment period for citizens at the Chair's discretion.

(j) Any citizen desiring to make a public comment shall be requested to first state their name and address for the record.

(k) If a member of the public undertakes a personal attack on a Township official or employee regarding non-Township matters or on a private matter not related to Township business or activities, the Chair has the discretion to terminate the remaining allowable public comment time for any such person.

(l) The Township Clerk shall be responsible for timing the length of public comments and informing the Chair when a citizen has thirty seconds remaining and when time has expired.

(m) No person shall be allowed to speak more than once on the same matter at the same meeting. Persons purporting to speak to the same general subject matter in his and her personal and representative capability shall be recognized only once.

(n) Members of the public shall comply with directives from the Chair.

### 3. Public Conduct.

(a) Any person shall have the right to tape record, video tape or broadcast the proceedings of the Township Board, but they shall not utilize the electrical outlets of the Township without the prior permission of the Chair.

(b) No person shall disrupt a meeting of the Township Board. No person shall commit a breach of the peace at any meeting. A violation of this Resolution by a member of the public can constitute a disruption or breach of a meeting. Any person who disrupts a meeting of the Township Board or commits a breach of the peace at a meeting may be ejected from the meeting. Refusal by a member of the public to stop speaking when the Chair has interpreted that such person's time has expired or if such person speaks when they have no right to do so or after they have been told by the Chair to be silent, such actions shall be deemed to be a disruption of the Township Board meeting and a breach of the peace. Under the Act, a person can be ejected or excluded from a Township Board meeting for a breach of the peace actually committed at the meeting. A violation of the public conduct rules of this Resolution can constitute such a breach of the peace. Finally, MCL 750.170 makes it a criminal misdemeanor offense to disturb a lawful public meeting.

(c) Members of the public shall not talk among themselves during a meeting of the Township Board in a volume greater than a whisper, and upon being asked by the Chair to quiet down, shall do so.

(d) No person shall utilize any profane or obscene speech or gesture.

(e) No member of the public shall interrupt another person who is lawfully speaking.

4. The Reading of Letters, Emails and Other Communications.

(a) Letters, emails and other written communications (hereinafter “written communications”) that are presented to the Township Board at a public meeting or are otherwise submitted to the Township Board shall become part of the formal record of the Township Board meeting involved.

(b) Unless requested by a member of the Township Board, written communications from members of the public need not be read out loud at or during the Township Board meeting in order to be considered part of the Township Board’s meeting record. Furthermore, such written communications generally should not be read out loud during a Township Board meeting if it would take longer than three (3) minutes for such written communication to be read out loud.

5. Procedural Rules. Meetings of the Township Board shall generally utilize Roberts Rules of Order, unless otherwise provided for in this Resolution. Unless overruled by a 2/3 vote of the Township Board members present (including the Supervisor), the ruling of the Chair on procedural issues shall govern.

(a) Order of Business – The following shall be the order of business at all meetings of the Township Board:

- Call to order
- Roll call
- Approval of Agenda
- Presentations
- Public comment (Agenda Items)
- Consent Business
- Financial Actions
- Unfinished business
- New business
- Public comment (Anything)
- Manager Comments
- Board Member Comments
- Adjournment

(b) Questions shall be voted on by voice vote unless the Chair or any member of the Township Board shall call for a roll call vote or unless a roll call vote is required by law.

(c) Motions –

(i) No motion shall be debated unless it has been seconded.

(ii) The initiator of a motion may withdraw any motion at any time before it has been adopted. However, if the motion has been seconded, the seconding party must also consent to withdrawal.

(iii) All motions, resolutions and amendments or substitutions thereto, and the vote thereon (and by whom), shall be entered in the minutes.

(iv) When an appeal is taken from a decision by the Chair, the Township Board member taking the appeal shall be allowed to state his or her reason for doing so. The question shall then be immediately put in the following (or substantially similar) form – “Shall the ruling of the Chair be sustained?”

6. Other Township Bodies. The rules and regulations of this Resolution shall also govern and apply to meetings of the \_\_\_\_\_ Township Planning Commission, Zoning Board of Appeals and Board of Review unless any such body formally adopts its own such meeting rules and regulations.

7. Waiver/Variation. Any of the rules or regulations of this Resolution may be waived or modified for a particular meeting (or portions of a public meeting) by a vote of 2/3 of the Township Board members present (including the Supervisor).

#### 8. Development of the Agenda

(a) The development of the physical agenda shall be the responsibility of the Township Manager, or his/her designee. Township Manager should review all items to ensure the submission includes complete and accurate information

(b) Items to be included on the should be delivered to the Township Manager, or his/her designee, no later than Thursday at noon prior to the Township Board meeting. Items to be included on the agenda can come from:

(i) Township Board members

(ii) Township Manager, or other Department Heads of the Township with approval from the Township Manager

(iii) Township Attorney

(iv) Boards, Commissions, Committees and officially recognized subcommittees of the Township upon majority approval of said body

(c) Draft agenda will be provided to the Township Supervisor and Township Clerk for review and comment prior to publication

(d) Township Agenda and Packet will be posted on the Township website by the end of the business day the Friday prior to the Township Board meeting.

(e) Unless extenuating circumstance exist, no changes to the Township Board agenda will be made prior to the “Adoption of the Agenda” portion of the actual Township meeting to allow the Township Board and public adequate time to become familiar with agenda information.

The above Resolution was offered for adoption by Township Board Member \_\_\_\_\_, and was seconded by Township Board Member \_\_\_\_\_, the vote being as follows:

YEAS: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

**CERTIFICATION**

I hereby certify that the above is a true copy of a Resolution adopted by the \_\_\_\_\_ Township Board at a \_\_\_\_\_ meeting held at the \_\_\_\_\_ on \_\_\_\_\_, 2021, at \_\_\_\_\_ o'clock p.m., pursuant to the required statutory procedures.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Township Clerk