

FLINT TOWNSHIP EDC ELECTRONIC AND TELEPHONIC MEETINGS RULES

Rules adopted by the Flint Township EDC (EDC) to protect the public health, safety, and welfare by establishing meeting procedures for Township public bodies in compliance with Executive Order 2020-75 issued by the Governor of Michigan on May 6, 2020 and the Michigan Open Meetings Act.

FLINT TOWNSHIP EDC DECLARES AS FOLLOWS:

Section 1. Title. These Rules may be cited as the Flint Township EDC Electronic and Telephonic Meetings Rules.

Section 2. Purpose. In order to provide for the safety of Corporation Board members and community members during the coronavirus public health emergency, it is the policy of Flint Township EDC to ensure all meetings are conducted in compliance with the Michigan Open Meetings Act (OMA) and Executive Order 2020-75 issued by the Governor of Michigan on May 6, 2020, until June 30, 2020 at 11:59 p.m. unless otherwise extended by the Governor of Michigan.

**Section 3. Electronic and Telephonic Meetings
Authorization.**

A. Authorization to hold remote electronic and telephonic meetings. Executive Order 2020-75, provides that, until June 30, 2020 at 11:59 p.m., or as may be amended, a meeting of a public body may be held electronically, including by electronic and telephonic or video conferencing, in a manner in which both the general public and the members of the public body may participate by electronic means. The Michigan Open Meetings Act similarly provides such authority.

B. Participation Requirement. A meeting of a public body held electronically must be conducted in a manner that permits two-way communication so that members of the public body can hear and be heard by other members of the public body and so that general public participants can hear members of the public body and can be heard by members of the public body and other participants during a public comment period.

C. Township Authorization. It is the policy of Flint Charter Township that public bodies of the Township will hold meetings via electronic and telephonic means while Executive Order 2020-15 and any subsequent actions extending the provisions of Executive Order 2020-15 are in effect.

Section 4. Electronic and Telephonic Meeting Procedures and Rules.

A. The EDC shall conduct electronic and telephonic meetings consistent with the requirements of the OMA and Executive Order 2020-75.

B. The EDC shall provide notice for electronic and telephonic meetings consistent with the OMA and Executive Order 2020-75.

C. To the extent possible, the EDC will make available to the general public through the Township's website homepage an agenda and other materials relating to the electronic and telephonic meeting.

D. Notices of any electronic and telephonic meeting shall be posted on the Township's website at least 18 hours before the meeting. The public notice on the website must be included on either the homepage or on a separate webpage dedicated to public notices for non-regularly scheduled public meetings or electronic meetings and accessible through a prominent and conspicuous link on the website's homepage that clearly describes its purpose for public notification of non-regularly scheduled or electronic public meetings. The public notice shall contain the following information:

1. An explanation of the reason why the public body is meeting electronically.
2. Detailed procedures by which the public may participate in the meeting electronically, including a telephone number, internet address, or both.
3. Procedures by which persons may contact members of the public body to provide input or ask questions on any business that will come before the public body at the meeting.
4. Procedures by which persons with disabilities may participate in the meeting.

E. Consistent with the authority to establish reasonable rules under the OMA and Executive Order 2020-75, electronic and telephonic meetings shall be conducted in accordance with the following rules or such other rules established by the public body:

1. Members of the public body may participate in the meeting via a telephone connection or other electronic connection provided. Members of the public body and of the general public participating via telephone or other electronic means will be considered present and in attendance at the meeting and may participate in the meeting as if physically present at the meeting.
2. Electronic and telephonic meetings must allow for members of the public body and public participants to participate in two-way communication so that members of the public body can hear and be heard by other members of the public body and public

participants can hear members of the public body and can be heard by members of the public body and other public participants during the public comment period.

3. All electronic and telephonic members of the public body in the meeting should keep their telephones "muted" unless and until they are recognized by the host or chair of the meeting, unless the host or chairperson otherwise determines members will be "unmuted" at the start of the meeting.
4. During the electronic and telephonic meeting, members of the public body should vote by roll call to avoid any questions about how each member of the public body votes. Each member of the public body should be asked how they vote, and their name and vote must be recorded in the minutes.
5. The right of a person to participate in an electronic and telephonic meeting includes the right to tape-record, to videotape, to broadcast live on radio, and to telecast live on television the proceedings of the meeting. The exercise of this right does not depend on the prior approval of the public body. However, the chair or the public body may establish any reasonable rules and regulations to minimize the possibility of disrupting the meeting.
6. The public body may not require a person participating in an electronic and telephonic meeting to register or otherwise provide his or her name or other information or otherwise to fulfill a condition precedent to attendance, other than mechanisms necessary to permit the person to participate in the public comment period of the meeting.
7. A person must be permitted to address the public body during an electronic and telephonic meeting under these rules, provided that no specific rules by order of the public body are not needed to address specific circumstances or technical issues that arise during the meeting. A person must not be excluded from an electronic and telephonic meeting otherwise open to the public except for a breach of the peace committed during the meeting.
8. Members of the general public participating in an electronic and telephonic meeting may be excluded from participation in an electronic and telephonic closed session of the public body if the closed session is convened and held in compliance with the requirements of the OMA applicable to a closed session.
9. The public body's electronic and telephonic meeting will effectuate as fully as possible the purposes of the OMA, which include promoting government accountability and fostering openness in government to enhance responsible decision-making.
10. The chair of an electronic and telephonic meeting has the authority to ensure that electronic and telephonic meetings are conducted in an orderly manner and ensure that the provisions of the OMA and Executive Order 2020-75 are followed. This

includes the ability to institute additional rules and procedures reasonably necessary to further the requirements of the OMA and Executive Order 2020-75.

Section 5. Review of Electronic and telephonic Meetings Rules. These Rules shall continue to be in effect while Executive Order 2020-75 and any extensions of Executive Order 2020-75 are in effect.

Section 6. Validity and Severability. If any part of these Rules is declared by any court of competent jurisdiction to be invalid, that declaration does not affect the validity of the remainder of these Rules.

Section 7. Repealer. While in effect, these Rules supersede all policies (or parts of policies) of the Township that conflict with these Rules.

Section 8. Effective Date. These Rules are effective immediately.

Adopted by the Flint Township EDC
Adopted **May 26**, 2020