

CHARTER TOWNSHIP OF COMSTOCK

BOARD OF TRUSTEES BYLAWS

ADOPTED: September 20, 2021

The following Bylaws are hereby adopted by the Comstock Township Board of Trustees pursuant to the provisions of Section 42.7(f) of the Compiled Laws of Michigan.

SECTION 1: Board Members

- A. Term of Office** - The term of office for all elected officials is four years. The terms commence at 12 p.m. on November 20 following the November General Presidential election, provided the newly elected officials have qualified for office by that time.
- B. Code of Conduct** - The township board members shall:
- a. Attend Board meetings, unless excused for good reasons, become informed concerning issues on the Board agenda, and shall inform the Supervisor of any impending absences from a Board meeting;
 - b. Exercise his or her obligation to vote upon all agenda items unless a conflict of interest exists;
 - c. Adopt policy only after full discussion of the issues at public Board meetings;
 - d. Encourage the free expression of opinion by all Board members, and seek communication between the Board and the community;
 - e. Work with other Board members to establish effective policy and to delegate authority for the administration of the Township to the Superintendent;
 - f. Communicate to other Board members and the Superintendent/manager public communication and input to Board and Township policy;
 - g. Become informed about current Township government issues by individual study and through education and programs providing needed information;
 - h. Support the employment of those persons best qualified to serve as Township staff and insist on a regular impartial evaluation of all staff;

- i. Avoid being placed in a position of conflict of interest and refrain from using the Board position for personal or partisan gain; and
- j. Take no action that will compromise the Board or the Township staff and respect the confidentiality of information that is privileged under applicable law.

SECTION 2: Meetings

- C. Regular schedule** - The township board shall meet on the first and third Monday of each month in regular session. If any regularly scheduled meeting that falls on one of the following holidays (New Year's Day, President's Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Christmas Eve Day, Christmas Day), the regular meeting shall be cancelled.
- D. Special meetings** - The Township Board shall meet in special session at the call of the Township clerk upon the written request of the supervisor or two members of the Township Board. Notice of special meetings shall be given to each Township Board member at least 24 hours in advance of the special meeting. Such notice shall be served personally, left at the member's usual place of residence, or placed in the board member's Township mailbox by the township Clerk or the clerk's designee. If placed in the Board Member's mailbox the Clerk or the Clerk's designee shall alert the board member of the notice via telephone or e-mail. The notice shall also contain the time, place, and purpose of the meeting.
- E. Place of meeting** - Regularly scheduled meetings shall be held in the Township Hall. Whenever the regular meeting place of the Township Board shall appear to be inadequate to accommodate all of the public expected to attend, the Supervisor and Clerk may change the meeting to a larger facility located in the Township. A notice of such change shall be provided as required by law.
- F. Time of meetings** - Regularly scheduled meetings shall begin at 6 o'clock in the evening unless the Board shall, by majority vote in a public meeting, set a different starting time. The Township Board shall not begin considering any matter on the agenda not yet under consideration by the hour of 10:00 P.M. except by unanimous consent of the Board members present. Matters on the agenda and not yet acted upon at the time of adjournment will be placed on the agenda of the next regular meeting or special meeting if one is called.
- G. Change in schedule** - Changes in the regular schedule shall not be made except upon the approval of a majority of the Board Members in a public meeting. In the event the

Board shall meet and a quorum is not present, the Board, upon the action of a majority of those present, may adjourn the meeting to another day provided that proper notice to members and public are given, as may be required by law.

SECTION 3: Notices

The Township Clerk shall be responsible for providing the proper notice for all meetings of the Township Board. Such notification shall include but not necessarily be limited to the following:

- A. Regular meetings** - The clerk shall post or publish a notice within 10 days after the first meeting of the Township Board in each calendar year, as required by law, indicating the dates, times, and places of the board's regular meeting schedule. The Clerk shall also post the schedule and schedule changes on the Township webpage if one is in use.
- B. Schedule change** - Whenever the Board shall change its regular schedule of meetings, the clerk shall post or publish a notice of the change within 3 days following the meeting in which the change was made, as required by law.
- C. Emergency meetings** - If the Board shall reschedule a meeting under the provisions for a change of schedule or call a special meeting under the provisions for Special Meetings, the Clerk shall post a notice of such change immediately and no meeting except emergency meetings shall be held until the notice shall have been posted at least 18 hours, as required by law. An emergency meeting shall be held only upon the call of the Supervisor or upon the consent of two thirds of the members and only if a delay would threaten severe and imminent danger to the health, safety, and welfare of the public.
- D. Notification to media and others** - The Clerk shall notify, without charge, any newspaper, radio, or television station of such meeting schedule, schedule changes, or special meetings, whenever such newspaper, radio or television station shall have filed with the Clerk, a written request for such notice. The Clerk shall also notify other individuals or organizations of the regular meeting schedule, changes in the schedule, or special meetings, but only upon their written request and agreement to pay the township for printing and postage expenses. The Clerk shall mail all such notices pursuant to this rule by first-class mail and by email.

SECTION 4: Agendas

- A. Special meeting agenda** - Whenever the Board shall be called into a special meeting, the matters to be considered shall be stated in the call of the meeting. No other matters

shall be considered except when all members are present and a majority of the board concurs.

B. Distribution of agenda and materials - Upon completion of the agenda, or no later than Friday before the meeting, the Clerk shall immediately distribute copies of the agenda together with copies of reports, etc., that relate to the business matters coming to the Board to the Board members. The Clerk may distribute such materials by personal delivery, by placement in the board member's township mailbox or by email.

C. Order of business -

Regular Board Meeting Agenda shall be arranged in the following order of business.

1. Call to order
2. Pledge of Allegiance to the Flag of the United States of America
3. Approval of the Agenda
4. Public Comment(s) on Agenda and Non-Agenda Items
5. Announcements for Department/Boards/Commissions
6. Consent Agenda
7. Presentation(s)
8. Business
 - a. Fire & Rescue
 - b. Planning & Zoning
 - c. Clerk
 - d. Treasurer
 - e. Supervisor
 - f. Superintendent
9. Reports
10. Informational/Future Action Items
11. Public Comment(s) on Agenda and Non-Agenda Items
12. Members Comments
13. Adjournment

SECTION 5: Meeting Conduct

A. Chairperson - The Township Supervisor shall moderate and chair all meetings of the Township Board. In the absence of the Supervisor, the Clerk is to assume the chair to open the meeting and during the selection of a member, by voice vote, to moderate the meeting. The selected chairperson pro tempore shall assume the duties of the chair.

B. Board members wishing to speak – A board member shall first obtain the approval of the chair and each person who speaks shall address the chair. Other persons at the

meeting shall not speak unless recognized by the chair. No member shall speak a second time on any motion until all members have had the opportunity to speak once.

C. Citizens' Comments – The following procedure shall be followed during the Citizen Comments portion of the Township Board meetings:

1. A citizen shall only speak when recognized by the Supervisor.
2. When recognized by the Supervisor, a citizen shall approach the podium prior to speaking. This rule may be waived by the Supervisor in the circumstances of physical disability or other special hardship.
3. Citizen comments shall be directed to the Township Board and must state the citizen's name and address for the meeting record.
4. A citizen may speak as follows:
 - a. Once for no more than three (3) minutes during the Citizen Comments portions of the meeting.
 - b. Once for no more than three (3) minutes during a public hearing with comments limited to the agenda item being considered by the Township Board at that time.
5. The above limitations may not be extended by another citizen's offer to donate his/her time to the speaker.

D. Disorderly conduct at meetings - The Supervisor may call to order any person who is being disorderly at a Township Board meeting by speaking or otherwise disrupting the proceedings, by speaking longer than the allotted time, or by speaking vulgarities. If such behavior continues after being warned by the Supervisor to stop, such person shall be determined to be out of order. If a person shall continue to be disorderly and disrupt the meeting after being directed to stop by the Supervisor, the Supervisor may order the person to be removed from the meeting. No person shall be removed from a public meeting except for an actual breach of the peace committed at the meeting

SECTION 6: Procedure

A. Quorum - Four members shall constitute a quorum for the transaction of business at all meetings of the township board.

- B. Majority Vote** - All Board Motions shall pass by a majority vote of those present, unless an exception is provided for in state statute or in these rules.
- C. Parliamentarian** - The Supervisor or their designee shall act as Parliamentarian and shall govern all questions of procedure that are not otherwise provided by these rules or by state law.
- D. Voting** – Whenever a question for vote is called for a vote by the Supervisor or Chair of the meeting, every member present shall vote on all questions decided by the Township Board. No member present shall abstain from voting yes or no, unless excused by majority vote of the other members present for conflict of interest.
 - a. On request by any Township Board Member, the vote on any pending question shall be taken by a recorded roll call vote.
 - b. When a recorded roll call vote is demanded and after the Supervisor has stated the question, the Clerk is directed to call the roll; no board member is allowed to speak on the question, nor shall any motion be in order until such roll call is completed and the result is announced.

SECTION 7: Record of Meetings

- A. Clerk responsibility** - The Township Clerk or Deputy Clerk shall be responsible for maintaining the official record and minutes of each meeting of the Board. The minutes shall include all the actions of the Board with respect to motions. The record shall include the name of the maker, supporter and the vote of each member of the board on all final actions.
- B. Record of discussion** - The Clerk shall not be responsible for maintaining a written record or summary written record of the discussion or comments of the Board members nor of comments made by members of the public.
- C. Public access to meeting records** - The Clerk shall make available to members of the public the records and minutes of board meetings in accordance with the Open Meetings Act. The clerk shall also promptly send copies of minutes to persons who have submitted FOIA subscription for minutes and paid the fee therefore as determined by the Clerk.

SECTION 8: Conflict of Interest

A. Conflict of Interest - Board members shall declare a potential conflict of interest and abstain from participating in Board deliberations and voting on an agenda item when:

- a. The agenda item for which the Board member is asked to make a decision involves his/her spouse, children, step-children, grandchildren, parents, brothers, sisters, grandparents, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, parents-in-law, grandparents-in-law or members of his/her household;
- b. The Board member has a business or financial interest in the property involved in the agenda item or has a business or financial interest in the applicant's company, agency or association;
- c. The Board member owns or has a financial interest in the neighboring property. For purposes of this section, a neighboring property shall include any property falling within the notification radius for the proposed development, as required by the zoning ordinance or other applicable ordinance; or
- d. There is a reasonable appearance of a conflict of interest, as determined by a majority vote of the remaining members of the Board present.

B. Abstention - The meeting minutes will reflect the abstention.

C. Failure to Disclose Conflict - Failure of a member to disclose a potential conflict of interest as required by these bylaws constitutes malfeasance in office.

SECTION 10: Amendments

These bylaws may be amended at any meeting by an affirmative vote of five members of the Charter Township of Comstock Board of Trustees.

Adopted by the Comstock Township Board at a meeting on September 20, 2021.