\_\_\_\_\_\_\_\_\_\_\_\_ County Road Commission

Open Meetings Act Policy

This policy sets forth the procedures for the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County Road Commission (the “Road Commission”) to comply with the Open Meetings Act, MCL 15.261, et. seq, as the same may be amended from time to time.

1. Open Meeting Requirement. The business of the Board of the Road Commission shall be conducted at public meetings held in compliance with the Open Meetings Act.
2. All meetings shall be open to the public and shall be held in a place available to the general public.
3. All decisions of the Board shall be made at a meeting open to the public.
4. All deliberations of the Board constituting a quorum of its members shall take place at a meeting open to the public, except as provided in paragraph 6 of this policy.
5. All persons shall be permitted to attend any meeting of the Board. The right of a person to attend a meeting of the Board includes the right to tape-record, to videotape, to broadcast live on radio, and telecast live on television the proceedings of the Board.
6. All persons attending Road Commission meetings will be expected to comply with the Code of Civility adopted by the Board.
7. No person shall be excluded from a meeting otherwise open to the public except for a breach of the peace actually committed at the meeting. A breach of the peace constitutes seriously disruptive conduct involving abusive, disorderly, dangerous, aggressive, or provocative behaviors tending to threaten or incite violence.
8. Adoption of Parliamentary Rules. Robert’s Rules of Order Newly Revised 12th Ed. (or the current edition) are adopted as the parliamentary rules of procedure for all Road Commission meetings to the extent not inconsistent with the Open Meetings Act.
9. Public Comments. Road Commission policy regarding public comments is as follows:
10. Comments shall be limited to the “public comment” portion of the agenda at any Road Commission meeting.
11. A person shall be permitted to address a meeting of the Board so long as he or she identifies himself or herself by name for purposes of including it in the minutes of the meeting.
12. Any person wishing to address the meeting pursuant to these requirements shall wait until he or she is recognized by the Chair of the Board and limit his or her comments to the time determined by the Chair of the Board prior to the “public comment” portion of the meeting, but in any event no more than three (3) minutes at any meeting.
13. In the interest of time, and to permit the expression of the broadest range of viewpoints, the Chair of the Board may ask if one speaker may be designated to speak for any group that is present. If one speaker is designated to speak for a group, the Chair of the Board may allow for extensions of the time limit determined pursuant to subsection (c) above.
14. Public comments involving abusive, disorderly, dangerous, aggressive, or provocative speech and behaviors tending to threaten or incite violence will not be tolerated.
15. Written remarks may be submitted to the Chair of the Board at any time and will be received in the record of the meeting as if read.
16. Notice of Meetings. Public notice of the date, time and place of each regular meeting of the Road Commission shall be posted at the Road Commission’s principal office and other locations considered appropriate for the Road Commission throughout the area of the county.
17. Public notices of the Road Commission shall include the name of the Road Commission, a contact person and telephone number for the Road Commission, and the address of the Road Commission.
18. Within ten (10) days of the first meeting of the Road Commission in each fiscal year, a public notice stating the dates, times, and places of the Road Commission’s regular meetings shall be posted at the Road Commission’s principal office and other locations considered appropriate for the Road Commission throughout the area of the county.
19. If there is a change in the schedule of regular meetings of the Road Commission, a public notice stating the new dates, times, and places shall be posted within three (3) days after the meeting at which the change is made as provided in (b) of this Section 3.
20. For a rescheduled regular or special meeting, a public notice stating the date, time, and place of the meeting shall be posted at least eighteen (18) hours before the meeting in a prominent and conspicuous place at both the Road Commission’s principal office and on a portion of the Road Commission’s website that is fully accessible to the public. To meet the 18-hour posting requirement, the notice must be accessible to the public for the entire 18 hours.
21. In addition, the Road Commission’s Board Secretary, or his or her designee, shall give or cause to be given notice either personally, by first class mail, facsimile communication or electronic communication to each member of the Board, not later than the time the public notice is given, but the failure to do so shall not invalidate any proceedings of the Road Commission.
22. All public notices of the Road Commission shall include the following statement, with an accessible contact person for each meeting, who shall be Board Secretary or the Board Secretary’s designee: “If you require accommodation due to a disability, please contact \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at (\_\_\_) \_\_\_\_-\_\_\_\_\_\_\_ not less that 48 hours prior to the date of the meeting.”
23. Emergency Meetings. In accordance with the Open Meetings Act, emergency meetings of the Board may be held in the event of a severe and imminent threat to the health, safety, or welfare of the public when a majority of the members of the Board decides that delay would be detrimental to efforts to lessen or respond to the threat. If the Road Commission holds an emergency meeting that does not comply with the 18-hour posted notice requirement, the Road Commission shall make paper copies of the notice available to the public at that meeting. The notice shall include an explanation of the reasons that the Road Commission cannot comply with the 18-hour posted notice requirement.
24. Meeting Minutes. The Board shall keep written or printed minutes of each meeting, which shall be made available to the public.
25. The minutes shall include the date, time, place, members present, members absent, any decisions made at the meeting, all roll call votes taken at the meeting, and the purpose or purposes for which any closed session is held.
26. The Road Commission shall make any corrections to the minutes at the next meeting after correction, and the corrected minutes shall show both the original entry and the correction.
27. The Road Commission shall make proposed minutes available for public inspection within eight (8) business days after the meeting to which the minutes refer, and shall make approved minutes available for public inspection within five (5) business days after the meeting at which the minutes are approved by the Board.
28. The Road Commission shall not include in or with its minutes any personally identifiable information.
29. Closed Sessions. The Board may meet in closed session only for the following purposes, as provided in the Open Meetings Act:
30. To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, an officer, employee, staff member, or individual agent of the Road Commission, if the named person requests a closed hearing.
31. If applicable, for strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.
32. To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.
33. To consult with legal counsel to the Road Commission regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the Road Commission.
34. To review and consider the contents of an application for employment or appointment if the candidate requests that the application remain confidential. However, all interviews by the Road Commission for employment or appointment to office shall be held in an open meeting.
35. To consider material exempt from discussion or disclosure by state or federal statute.
36. Any other exemptions that may be provided by the Open Meetings Act.