

**VILLAGE OF BEULAH**

**RESOLUTION 2020-\_\_**

**RESOLUTION ESTABLISHING RULES FOR REMOTE ATTENDANCE BY  
COUNCIL, COMMISSION, COMMITTEE, AND BOARD MEMBERS AND MEMBERS  
OF THE PUBLIC AT MEETINGS DUE TO CORONAVIRUS PANDEMIC**

WHEREAS, on March 10, 2020, Governor Whitmer declared a state of emergency as a result of the Coronavirus outbreak; and

WHEREAS, on March 11, 2020, the World Health Organization declared the Coronavirus outbreak a pandemic; and

WHEREAS, on March 13, 2020, the President declared a National Emergency as a result of the Coronavirus outbreak; and

WHEREAS, the Michigan Department of Health and Human Services (MDHHS) has issued Interim Recommendations for COVID-19 Community Mitigation Strategies; and

WHEREAS, such strategies include encouraging staff to tele-work when feasible and implementing social distancing measures as feasible, including limiting in-person meetings, and to limit large work-related gatherings; and

WHEREAS, on March 18, 2020, Governor Whitmer issued Executive Order 2020-15 to suspend rules and procedures relating to physical presence at meetings and hearings of public bodies to allow for public bodies to continue to conduct public business during the COVID-19 emergency and the general public to continue to participate in government decision making without unduly compromising public health, safety, and welfare; and

WHEREAS, to implement MDHHS's mitigation strategies, allow the Council and its appointed boards, committees, or commissions to continue public business, and to allow the public to attend meetings of the Village Council and its appointed committees, commissions, or boards remotely if they desire, consistent and in compliance with Executive Order 2020-15, the Council desires to establish rules to authorize and allow its members and members of the public to attend meetings of the Council and its appointed boards, commission, or committees by telephone or other electronic means as set forth in this Resolution;

NOW THEREFORE BE IT RESOLVED, that the Council immediately authorizes its members and members of its appointed boards, commission, or committees, and members of the public to attend all meetings of the Council or its committees, commissions, or boards by telephone or other electronic means and establishes rules as follows:

A. NOTICE OF MEETINGS:

1. For every meeting to be held remotely pursuant to this Resolution, the Clerk or designee shall post on the homepage of the Village's website in a conspicuous location and at the Village's office, the following:

- a. An explanation of why the Council, commission, board, or committee is meeting remotely.
  - b. Contact information for all members along with information about how the public may contact the member(s) to provide input on any business that will come before the Council, commission, board, or committee.
  - c. The dial-in conference number or other necessary information for members of the public to utilize to access the meeting remotely.
  - d. The agenda for the meeting at least 18 hours prior to the meeting.
  - e. Procedures by which persons with disabilities may participate in the meeting.
2. If any meeting includes a public hearing, all material that will be considered by the Council, commission, board, or committee at the public hearing shall be posted or linked on the homepage of the Village's website in a conspicuous location as well as available for inspection at the Village's office, not less than 18 hours prior to the public hearing or as otherwise required by law. This provision shall not apply to written public comments received by the Council, board, commission, or committee for the public hearing.

#### B. CONDUCT OF THE MEETING BY MEMBERS:

1. The telephone or other electronic technology being utilized shall allow the member to communicate to any other member in attendance and any member of the public or staff attending and shall allow any member, any member of the public, or staff attending to communicate with any member attending.
2. A members' remote attendance shall be considered attendance for the purpose of establishing a quorum.
3. Any vote by a member participating remotely pursuant to this resolution shall be counted in the total number of votes for any matter and shall not be held invalid for the reason that it was cast by a member remotely.
4. If any member is participating remotely, all votes on any matter shall be taken by roll call vote.
5. Adjournment of a meeting shall occur only on a roll call vote of the Council, commission, board or committee.
6. A member participating remotely shall disclose any person or persons present in the same room as the member during their remote attendance.

7. Emails, texting, or other forms of electronic communication by or between members during the meeting shall not be allowed.
8. If an email, text or other form of electronic communication is received by a member, the Council, committee, commission, or board prior to the meeting or during the meeting related to any item on the agenda for the meeting, the email, text, or other electronic communication shall be read by the Council, board, commission, or committee or the member receiving the communication during the agenda item and it shall be addressed by the Council, committee, commission, board or committee as appropriate during the meeting.

C. ATTENDANCE BY MEMBERS OF THE PUBLIC:

1. Immediately after calling the meeting to order, the chair of the meeting shall insure that the dial-in number or other means of conducting the meeting remotely is working. If the dial-in number or other means of conducting the meeting remotely is not working, the meeting shall be immediately adjourned by the chair of the meeting without any decision or deliberation on any matter.
2. If the dial-in number or other means of conducting the meeting remotely is working, attendance shall be taken for all persons attending, including members of the public. If the number of persons in attendance, including Council, board, commission, or committee members, exceeds 900, the meeting shall be immediately adjourned without deliberation or a decision on any matter except to adjourn the meeting. If members of the public remotely join the meeting during the course of the meeting, they will be asked, but not required, to identify themselves and shall be added to the public attendance list for the meeting. No member of the public shall be required to identify themselves except as necessary to permit the person to participate in public comment.
3. If any member of the public is attending remotely, each member of the public shall be provided an opportunity to provide public comment during a public comment portion of the agenda pursuant to the rules of the Council, board, commission, or committee on public comment. Such opportunity shall be given by the chair of the meeting or such other person as designated by the chair asking each individual attending by name whether they have any public comment (the "Roll Call Method") or such other method to ensure each member of the public attending has an opportunity to provide public comment as allowed by the remote meeting platform being utilized.
  - a. Roll Call Method. If the Roll Call Method is utilized, the chair of the meeting or person designated by the chair shall not move to the next name or person for public comment unless the person verbally confirms that they have no comment or there is no response after at least thirty (30) seconds. At the conclusion of the

Roll Call Method, the chair or person designated by the chair will inquire whether there is any further public comment of any member of the public attending that had not been called. Any member of the public not already called desiring to give public comment shall be permitted to provide public comment.

- b. Other Method. If another method for providing public comment is utilized as allowed by the remote meeting platform, the chair or person designated by the chair shall utilize such methods as necessary to ensure all members of the public attending the meeting have an opportunity to provide public comment and shall not close public comment until the chair or person designated by the chair has ascertained that no member of the public has any further public comment.
4. If any member of the public is attending, and a closed session is called by the Council, board, commission, or committee as permitted by the Open Meetings Act, a separate call in number or other electronic means of remotely participating shall be available for the Council, board, commission or committee to utilize for a closed session that is not available to the public, the chair of the meeting shall clearly indicate at what point in the agenda the closed session will occur, the projected length of the closed session, that the public will not be able to hear the Council, board, commission, or committee or provide comment during the closed session, and the Council, board, commission, or committee shall return to the public meeting following closed session to adjourn the meeting or take other action as necessary.

This Resolution is intended to establish rules for and authorize participation by remote access by members of the Council, and the Village's appointed boards, commissions, or committees and attendance by remote access by members of the public in the interest of the public health, safety, and welfare during the Coronavirus outbreak while preserving meaningful access to meetings and communication for the Council and its appointed board, commission, and committee members and members of the public, including members of the press and other news media.

In the event of a conflict between this Resolution and the rules of the Council, its appointed boards commissions, or committees, the terms of this Resolution shall control.

This Resolution shall be effective immediately and shall remain in effect until April 15, 2020 at 11:59 pm or so long as Executive Order 2020-15 is in effect, whichever is longer.

Ayes:

Opposed:

I, Laura Spencer, Clerk for the Village of Beulah, do hereby certify that on March \_\_\_\_, 2020, the preceding resolution was adopted by the Village Council for the Village of Beulah.

Dated: \_\_\_\_\_

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Laura Spencer, Clerk