

**NORTHVILLE DISTRICT LIBRARY,  
Wayne County, Michigan**

**RESOLUTION TO ADOPT ELECTRONIC  
AND TELEPHONIC MEETINGS PROCEDURES**

**Resolution No. 2  
Effective Date: 4/15/2021**

At a special meeting of the Northville District Library Board of Trustees, in Wayne County Michigan, held on the 15<sup>th</sup> day of April, 2021, at 1:00 p.m.

PRESENT: Joseph Corriveau, Carol Doyle, Robert Sochacki, Alan Somershoe, Deborah Stanifer, Thomas Thompson, Nicholas Vlides

ABSENT: None

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Trustee Somershoe supported by Trustee Doyle moved for the adoption of the following resolution and procedures incorporated therein:

**WHEREAS**, the Michigan Open Meetings Act (“OMA”), Act 267 of 1976, as amended, authorizes the Northville District Library Board of Trustees to establish procedures to authorize the Board to meet remotely due to military duty, medical condition(s), or statewide or local state of emergency. See MCL 15.263(2); and

**WHEREAS**, the City of Northville declared a local state of emergency due to the ongoing COVID-19 pandemic tentatively through August 31, 2021; and

**WHEREAS**, Wayne County also declared a local state of emergency due to the ongoing COVID-19 pandemic tentatively through June 30, 2021; and

**WHEREAS**, in response to the local states of emergency in the City of Northville and Wayne County, and to accommodate Trustees who may be impacted by medical conditions or service for military duty, the Northville District Library Board of Trustees desires to establish procedures under the OMA to authorize the use of technology for electronic and/or telephonic meetings that allow two-way communication between the public and the Board; and

**NOW, THEREFORE, BE IT RESOLVED** by the Northville District Library Board of Trustees of Wayne County, Michigan, that the following procedures will govern electronic and telephonic meetings in accordance with the OMA.

**NORTHVILLE DISTRICT LIBRARY**  
**ELECTRONIC AND TELEPHONIC MEETINGS PROCEDURES**

*Procedures adopted by the Northville District Library Board of Trustees to protect the public health, safety, and welfare by authorizing telephonic and electronic meetings in compliance with the Michigan Open Meetings Act.*

**THE NORTHVILLE DISTRICT LIBRARY BOARD OF TRUSTEES DECLARES THAT:**

**Section 1. Title.** These procedures may be cited as the Northville District Library Electronic and Telephonic Meetings Procedures.

**Section 2. Purpose.** It is the policy of the Northville District Library (“Library”) to establish these reasonable rules and procedures in compliance with Sections 3 and 3a of the Michigan Open Meetings Act, Act 267 of 1976, MCL 15.261 *et seq.* (“OMA”), for electronic or telephonic meetings of the Library Board of Trustees (“Board”).

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

A. Authorization to hold remote electronic and telephonic meetings. Sections 3 and 3a of the OMA provide that a physical place is not required for meetings held, in whole or in part, electronically by telephonic or video conferencing (as referred to as “remote”), in the following circumstances:

1. Before March 31, 2021, under any circumstances.
2. On or after March 31, 2021 through December 31, 2021, only in circumstances in which there is an absence of a member(s) of the public body due to:
  - i. Military duty;
  - ii. A medical condition; or
  - iii. A statewide or local state of emergency or state of disaster declared pursuant to law or charter by the Governor or a local official or local governing body that would risk the personal health or safety of members of the public or the public body if the meeting was held in person.
    - (a) to permit the remote attendance of a member of the public body who resides in the affected area or
    - (b) to permit the remote meeting of a public body that usually holds its meetings in the affected area.
3. After December 31, 2021, only in circumstances requiring accommodation of members absent due to military duty.

B. Physical Presence. At a meeting that accommodates members absent due to military duty or a medical condition, only those members absent due to military duty or a medical condition may participate remotely. Any other member must be physically present at the meeting.

C. Notice of Needed Accommodation. Library Board Trustees members that must participate in a meeting remotely due to military duty or a medical condition, shall make a request for accommodations with the Library Director at least seventy-two (72) hours in advance of the first meeting that they will participate in remotely under these procedures. Once requested, a Trustee is authorized to remotely participate in Board of Trustees meetings until the request is withdrawn by the particular member or until the Library can no longer accommodate the member's remote participation under the Open Meetings Act. It is a trustee's sole responsibility to withdraw a request for accommodations if they cease to have a medical condition or no longer have military duty obligations that allow remote participation under the OMA.

D. Attendance at Meetings Held Remote In-Part. Trustees or members of the public participating electronically or telephonically in a meeting held pursuant to these procedures that also occurs in a physical space will be considered present and in attendance at the meeting for all purposes.

E. Participation Requirement. A remote meeting of the Board of Trustees must be conducted in a manner that permits two-way communication so that members of the Board can hear and be heard by other members of the Board, and so that public participants can hear the Board and can be heard by members of the Board and other participants during a public comment period. The Board of Trustees may use technology to facilitate typed public comments that may be read to or shared with members of the public body and other participants.

#### **Section 4. Notice Requirements.**

A. Notice Requirements. Notice of any electronic and telephonic meetings shall be posted on the Northville District Library'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 used for public notices for non-regularly scheduled or remote meetings that is 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 remote public meetings. The public notice shall contain the following information:

1. Why the public body is meeting remotely;
2. Which member(s) of the public body will be participating in the meeting remotely;
3. How members of the public may participate in the meeting remotely, including a telephone number, internet address, or both;
4. How members of the public may contact members of the Board of Trustees to provide input or ask questions on any business that will come before the Board at the meeting; and
5. How persons with disabilities may participate in the meeting.

Notice must also be provided on a portion of the Library's website. The notice must be included on either the homepage or on a separate webpage used for public notices for non-regularly scheduled or remote public meetings that is accessible through a prominent and conspicuous link on the website's homepage.

B. Agendas. If an agenda exists for a meeting held pursuant to these rules and procedures, the Library shall make the agenda available to the general public through the Library's website at least two (2) hours before the meeting begins.

**Section 5. Electronic and Telephonic Meeting Procedures and Rules.** Consistent with the authority to establish reasonable rules under the OMA and the Library's obligation to establish procedures for remote meetings authorized by the OMA, such meetings shall be conducted in accordance with the following rules and procedures:

A. Use of Electronic Service. Trustees and the public may participate in remote meetings through a Library provided software or interface using electronic conferencing and/or telephone service.

B. Muting. During the meeting, each participant shall be permitted to mute or unmute themselves to the extent it does not create any distractions or disruptions of the meeting. To the extent necessary, a meeting host may mute or unmute participants to facilitate effective two-way communication.

C. Public Comment. Members of the public shall speak only when called upon. The Board of Trustees will designate an opportunity for each member of the public to be heard. Members of the public not speaking should remain muted unless and until called upon to provide comment or shall not otherwise cause disruptions. Consistent with the OMA, the Board of Trustees may use reasonable rules and regulations to regulate public comment to facilitate productive and orderly discussions.

D. Public Announcement. For any member of the Board of Trustees attending remotely, the member must make a public announcement at the outset of the meeting, to be included in the meeting minutes, that the member is in fact attending the meeting remotely. If the member is attending remotely for any other purpose other than for military duty, they shall identify their location by stating the county, city, township or village and state from which they are attending.

E. Contacting Absent Members. Members of the public shall be noticed of the absence of a member of the Board of Trustees through the notice required in Section 4 of these rules and procedures. The public may contact those absent members prior to the meeting to provide input on any business that will come before the Board of Trustees by emailing or calling the Northville District Library. The Library Director shall transmit any input received to the absent member in advance of the meeting for which the member is absent. "Absent member" is defined as any member of the Board of Trustees authorized to participate in a meeting remotely.

F. Roll Call. During a remote electronic and telephonic meeting, members of the Board of Trustees are encouraged to vote by roll call to avoid any questions about how each member of the Board votes.

G. Right to Record. The right of a person to participate in an electronic 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 Library.

H. Registration. The Board of Trustees may not require a person participating in a remote 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.

I. Breach of Peace. A person must be permitted to address the Board of Trustees during a remote meeting during public comment. A person must not be excluded from an electronic meeting otherwise open to the public except for a breach of the peace committed during the meeting.

J. Closed Session. Members of the general public participating in a remote meeting may be excluded from participation in a remote closed session of a meeting of the Board of Trustees if the closed session is convened and held in compliance with the requirements of the OMA.

K. Discussion, Deliberation, and Voting. A remote meeting of the Board of Trustees 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. Except as it relates to closed sessions, the full discussions and deliberations of the Board of Trustees, not just the voting, must still be done with public access.

L. Additional Rules. The Chair or host of a remote meeting has the authority to ensure that the meeting is conducted in an orderly manner. This includes the ability to institute additional rules and procedures reasonably necessary to further the requirements of the OMA.

**Section 6. Review of Electronic and Telephonic Meetings Rules.** The Library Board shall review these rules and procedures from time to time to comply with the OMA.

**Section 7. Validity and Severability.** If any part of these procedures are declared by any court of competent jurisdiction to be invalid, that declaration does not affect the validity of the remainder of the rules or procedures.

**Section 8. Repeal.** While in effect, these rules and procedures supersede all policies (or parts of policies) of the Library that conflict with these Rules.

**Section 9. Effective Date.** These rules and procedures are effective immediately.

Roll call vote:

Yes: Corriveau, Doyle, Sochacki, Somershoe, Stanifer, Thompson and Vlisides

No: None

The Chair declared the resolution adopted.

## CERTIFICATION

I, Robert Sochacki, the duly acting Secretary of the Board of Trustees of the Northville District Library, hereby certify that the foregoing resolution was adopted by the Board by a roll call vote at a special meeting of the Board held on April 15, 2021, at which meeting a quorum was present; and that this resolution was ordered to take immediate effect.



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Robert Sochacki, Secretary  
Northville District Library