

CHAPTER VII: REGULAR AND SPECIAL MEETINGS

Section I: Open Meetings Act

As a governmental subdivision the State of Michigan, a Conservation District must comply with provisions of Public Act 267 of 1976, the Open Meetings Act. For your convenience, a copy of the Act is included in *Appendix B* of this manual. The Act provides that:

- All regular and special meetings of a Conservation District board of directors shall be “open to the public and shall be held in a place available to the general public.”
- Public notice of a meeting “shall contain name, address, and phone number of the body, and shall be posted at its principal office and other locations considered appropriate by the public body.”
- Notice of schedule of regular meetings must be made within 10 days after the board’s first meeting of the calendar year or its fiscal year. The fiscal year for Michigan Conservation Districts is October 1 to September 30.

Section II: Monthly Meeting Schedule

Districts must consider when monthly bank statements and vendor invoices arrive when deciding the meeting schedule. Since these items arrive sometime in the first 10 days of the month, meetings **should not be scheduled too early** in the month. This gives the board time to review the bank statements and approve invoices for payment at the monthly meeting. The board **should not hold its meetings too late** in the month in order to assure prompt payment of invoices. MDA recommends that board meetings be held during the **second week of the month**.

Below is a sample schedule of monthly meetings to occur on the second Wednesday of each month.

The (name) Conservation District meets at 7:00 p.m. on the second Wednesday of the month. Example meeting dates are:

October 9	November 13	December 11	January 8
February 12	March 12	April 9	May 14
June 11	July 9	August 13	September 10

The meetings will be held under the provisions of the Open Meetings Act (Public Act 267 of 1976) at the (name) Conservation District’s office located at (address) (phone).

- If there is a change in schedule, within three days of the meeting in which the change is made, the public body must post a notice stating the new dates, times and places of regular meetings.
- Special meetings must be posted at least 18 hours in advance. The notice must include date, time and place of the special meeting.
- Consideration should be given to the use of newspaper and radio and television stations as a means of further publicizing board of directors’ meetings.

Consideration should also be given to holding District board meetings at a place recognized by the general public as a public meeting place, i.e., a county building, public schools, community rooms in banks or other commercial businesses.

Section III: Public Comment

The Open Meetings Act provides provisions for the public to address the District board during the board meeting. The Act states, “A person shall be permitted to address a meeting of a public body under rules established and recorded by the public body.” The District board may establish and record rules that regulate the conditions under which the public may address the board meeting. These rules should include such conditions as the length of time any one person may be permitted to speak, the place on the agenda set aside for public address, and a requirement that persons desiring to address the public body identify themselves [1977 OAG 5183]. It is very important for the District to have written policy to address this issue. The following is a sample form Districts can use when the public would like to address the board.

Speaking to the District Board during the Public Forum; An Example

The (name) Conservation District Board welcomes you to this meeting. We conduct our meetings in strict compliance with the Michigan Open Meetings Act. We value the ideas and insights of our constituents and therefore, it is the policy of this board to allow 15 minutes of each meeting for a forum. If you wish to speak to this board during the forum section of our agenda, please complete the form on the bottom of this paper and hand it to one of the board members before the meeting. Only persons who have completed the form and given it to a board member prior to the convening of the meeting will be allowed to speak.

When the board reaches the “forum” section of the agenda, the board chairperson will divide the 15-minute segment by the number of persons who have requested to speak to the board to determine the amount of time allocated to each person. The board chairperson will then call on those people one at a time to stand and address the board for no more than the allocated time. You should not expect the board to respond at this meeting to your questions or requests for information or requests for action.

The board will note your request and respond at a later appropriate time after board members have an opportunity to consider and deliberate about the request. At other times during this meeting as the board deliberates, board members may wish to ask for information from persons in the audience, but please refrain from comment unless the board asks you to comment. Board members are always anxious to hear from constituents outside the meeting, but our meeting agenda is usually full and does not allow us time for a continuous open forum. Thanks for helping us conduct an open and orderly meeting.

Sample Speaking Request Form

A request form must be completed and handed to a board member before the meeting if you wish to speak to the (name) board during the “forum” section of the meeting agenda. The forum will be conducted according to the format explained above.

Your name:
Group/organization you represent, if any:
Subject about which you will speak:

Section IV: Closed Session

The Open Meetings Act does provide provisions for a public body to meet in a closed session. **A Conservation District may only meet in closed sessions for the following purposes:**

1. To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic evaluation of a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing. A person requesting a closed hearing may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open sessions.
2. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party requests a closed hearing.
3. To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.
4. To consult with its attorney regarding trial or settlement strategy in connection with pending litigation, but only if an open meeting would have detrimental financial effect on the litigating or settlement position of the public body.
5. To review the specific contents of an application for employment or appointment to a public office when the candidate requests that the application remain confidential. However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to this act.

A 2/3 roll call vote is required for the District board to hold a closed session except for reasons 1 and 2 listed above. The roll call vote and the purpose or purposes for calling the closed session shall be entered into the minutes of the meeting at which the vote is taken. A separate set of minutes will be kept. The minutes may be destroyed 1 year and 1 day after approval of the minutes of the regular meeting at which the closed session was approved. Minutes of closed meetings do not need to be available for public inspection and would only need to be disclosed if required by civil action.

Section V: District Board Meeting Agendas

A properly prepared agenda is important in running an effective meeting. An agenda:

- States time, date, and place of the next meeting.
- States assignments, duties, and reports to be addressed at the next meeting.
- Gives people time to think and ask questions about subjects on the agenda, prior to the meeting.
- Is prepared from the District's annual plan of work. The plan of work should be referenced to when planning an agenda to meet the District's yearly goals.

The agenda should be mailed one week prior to the meeting date. A copy of the last meeting's proposed draft of the minutes and treasurer's report should be included to allow review before the next meeting.

Sample Board Meeting Agenda

(NAME) Conservation District
PO Box 272
Somewhere, MI 41023

Regular Board Meeting
Tuesday, May 18, 2009 7:30 p.m.
Board Room

AGENDA

7:30	<u>Opening of meeting</u> A. Call to Order B. Determination of quorum C. Recognition of visitors to the meeting D. Approval of agenda and requested changes to consent agenda	Purpose Action
7:40	<u>Open forum</u> Audience note: If you desire to speak to the board, please read and complete the open forum sheet provided at the sign-in table and give it to the Board Secretary.	Information
7:55	<u>Consent agenda</u> A. Approval of minutes B. Board retreat site C. Public notices D. Approval - Affirmative Action Policies and Procedures E. Financial statements F. Use of facilities & equipment G. Bid: New phone system H. Personnel travel requests I. Board travel requests J. Contracts with other agencies K. Application/Amendment for funding	Action
<p>Detailed information on all consent agenda items is included in this meeting packet. If you have any questions about consent agenda items or any agenda items as you prepare for the meeting, please call the office.</p>		
8:00	Envirothon report	Information
8:10	Growth Plan update	Discussion
8:20	Disclosure Statement	Action
8:25	Approved list of evaluators	Discussion
8:30	Riverbank Restoration Project update	Action
8:40	Declaration of Tax Exempt Obligation	Action
8:45	Audit report	Action
9:00	What's happening in the County	Information
9:15	Board development	Discussion
9:30	Adjournment	

Section VI: District Board Meeting Minutes

The minutes of a Conservation District meeting are the official record of business transacted, activities undertaken, and plans projected. Public Act 267 of 1976, the Open Meetings Act, requires that Conservation Districts record the proceedings of all meetings. By law, minutes must:

- Contain time, date, and place of meeting.
- State members present and members absent.
- Contain any decisions made at a meeting open to the public.
- If closed meeting, the reason a closed session was held.
- Contain all roll call votes taken.
- Be available to the public at no more than the cost for printing and copying.
- Have draft minutes completed not more than 8 business days after meeting.
- Have approved minutes available no later than 5 business days after the meeting at which minutes were approved.
- Corrections in the minutes must be made no later than the next meeting after the meeting to which the minutes refer. Corrected minutes must be available no later than the next meeting after the correction and must show both the original entry and the correction.

Other than the legal requirements, the minutes should be in a form and style that is acceptable to the board. Keep in mind the minutes are reviewed by others outside of the District, i.e., county board of commissioners, state legislature, and general public. Some basic guidelines in writing minutes include the following:

- Whether it is a special or regular meeting.
- Minutes should be written in the third person, and contain what is done and not what is said.
- Contain no personal opinions of praise or criticism.
- All motions, whether adopted or lost.
- The name of person making motion; the supporter need not be included.
- Summarized committee reports, unless committee's written report is included.
- All appointments and assignments.
- Approval of minutes signed by the secretary.
- Approval of payment of bills and acceptance of treasurer's report.
- Time of adjournment.

Below is a list of the items to be contained in the monthly financial report for the board. The financial information sent to your grantor may be different:

1. Balance Sheet and checking account reconciliation.
2. List of bills paid the previous month along with the expenditure line from which each was paid.
3. List of bills to be authorized by the board for payment along with the expenditure line from which each will be paid.
4. An Income Statement, also known as a "Profit and Loss Statement." All line items for each activity should be listed here. An example of this kind of statement can be found in the *Michigan Conservation District Uniform Accounting Procedures Manual*, Part 5, and Sample Financial Statements
5. These financial reports must be completed monthly. This means that they should be done even if the monthly meeting is not held. It must also be done in the month when the annual meeting is held.
6. These financial reports should reflect activity for the entire calendar month (example, October 1 through October 31) prior to the date of the monthly meeting. For example, the financial activity for the month of October should be reported at the November monthly meeting. Do not report for part of a month or parts of two months together.
7. Send copies of the monthly meeting minutes and financial reports (Balance Sheet and Income Statement) to the Michigan Department of Agriculture (MDA), Environmental Stewardship Division, and to your MDA Field Staff Representative.

Minutes Checklist

Official minutes of a Conservation District meeting should include the following:

1. Date and place the meeting occurred.
2. Time of meeting.
3. Type of meeting (regularly scheduled meeting) (special meeting).
4. Names of directors present.
5. Names of directors absent.
6. Names of others present.
7. Name of presiding officer.
8. Approval of previous meeting record.
9. Minutes signed by secretary and validated by chairperson.
10. Motions:
 - a. Indicate name of mover and the name of the supporter.
 - b. Debate - (usually omitted).
 - c. Amendment to motion - name of mover and name of the supporter.
 - d. Amendment passed or defeated.
 - e. Motion passed or defeated.
 - f. When voting by ballot or roll call, the minutes should show the number of votes on both sides.

Sample Board Meeting Minutes

(NAME) CONSERVATION DISTRICT

100 Main Street, City, Michigan 48888

Telephone 555-1234

The regular monthly meeting of the board of directors of (Name) Conservation District was called to order at 7:00 p.m. on March 6, 2002 by Chairman Taylor, held at the District office in county seat.

Directors Present: David Taylor; Brian Price; Amy Larson; Elizabeth Rivers.

Others Present: Chuck Smith, County Board Liaison; Jessica Summer, District Administrator; Scott Fall, District Forester; Eric Spring, NRCS District Conservationist.

Approval of Agenda: Summer asked that the board consider amending an agreement with Wayne Reid (placed under Item "F" of Current Business). By consensus, the agenda was approved as amended.

Guest Reports: Chuck Smith reported that:

- The District had an article in the County Seat Press regarding timber sales;
- The MDNR inspected the natural Education Reserve and was very complimentary about the improvements the District has facilitated there;
- The County Board has established a new fee schedule for Loon Lake Camp.

Consent Calendar: Action: (Items of a routine nature to be voted on with one motion - no discussion - directors and staff may remove an item and place it elsewhere on the agenda for discussion.)

RECOMMENDATION: Approval

- Minutes of February Regular Board Meeting
- Bills paid in February, March list of bills
- Terms of employment for Ann Winter
- Recommendation: Receive and File

Moved by Price, supported by Rivers, to approve Items a-c of the Consent Calendar; Carried.

Current Business:

1. Energy Transfer Grant Agreement with MDA - The board referred this item to staff and suggested that they use the grant to sponsor the Pasture Walk meeting this spring.
2. 1998 Seedling Sale Report - the board reviewed the information regarding the 1998 sale and suggested that staff consider offering other items instead of just conifers to boost up sales. The board also suggested inserting the order form in the Review, County Seat Press, and District Newsletter.
3. Annual Meeting Update - The board discussed the upcoming meeting and reaffirmed that staff would be making the award presentations.
4. Amendment of Agreement with Wayne Reid - Moved by Larson, supported by Rivers, to increase the current amount of the agreement with Reid to \$2000 and to amend the scope of work by adding the coordination of three more focus groups; motion carried.

Staff Reports:

Jessica Summer, District Administrator, reported that:

- The Groundwater Program is going well, but it could use the assistance of the board members to promote the program in their communities. Taylor indicated he would be glad to pitch the program at the annual meeting;
- Her activities were covered in the written report included in the agenda packet.

Scott Fall, District Forester, reported that:

- The Inter-District Forestry Committee met last week to discuss the forestry program;
- Tree sale orders are still coming in, and it looks like it will be a record year for the tree sale program. This is primarily due to the District meeting the needs of its customers by offering small quantity stock and wildflower seed packets;
- The District's windbreak program is gaining popularity with landowners, as fall is contracted to plant 550 acres of windbreaks this spring.

Eric Spring, NRCS, reported that:

- He completed EQIP plans and, due to the open winter, some farmers have been able to take soil samples to prepare for the implementation of the plans;
- He will attend a Grazing Conference in Gaylord tomorrow; NRCS budget has been cut across the nation and there is a \$1.6 million shortfall in Michigan.

Information and Correspondence: Summer briefly reviewed the materials included in the agenda packet.

General Discussion and Director Reports: None offered.

Adjournment: Taylor adjourned the meeting at 9:05 p.m.

THESE MINUTES STAND TO BE APPROVED.

Respectfully submitted by: *Jessica Summer*

Signature of Secretary upon approval: _____