



MTA Guidelines on How to Conduct Meetings under [Executive Order 2020-75](#) and the [Open Meetings Act](#)

Effective May 6 through June 30, 2020

Visit the [MTA Coronavirus Information webpage](#) for additional information and resources.

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MTA—Note that these provisions apply to all township public bodies, including the township board, board of review, annual meeting of the electors (if still held by township), planning commission, zoning board of appeals, elective library board, elective park commission, etc.

Holding Township Board Meetings In-Person or Electronically

While [Executive Order 2020-110](#) has opened much of the activities restricted by earlier Executive Orders, it still limits the ability of the public to gather indoors to groups of no more than 10 persons.

Even though a township board or other public body could meet in-person now, the limit of no more than 10 persons still poses a restriction on the public's in-person attendance. But the Open Meetings Act does not allow a public body to prohibit access to any or some of the public who wish to attend.

As a result, township boards and other public bodies are strongly advised to conduct meetings electronically, in compliance with [EO 2020-75](#), which is still in effect. This can be done via teleconference or video conference options—note that teleconferences (phone conference calls) do not require any special equipment and may be done entirely on the board members' and public attendees' phones, including land line phones.

If a meeting is held with any persons attending in-person, all attendees must comply with [Executive Order 2020-110](#) and:

- a. Follow social distancing measures recommended by the Centers for Disease Control and Prevention ("CDC"), including remaining at least six feet from people from outside the individual's household to the extent feasible under the circumstances.
- b. Wear a face covering over his or her nose and mouth—such as a homemade mask, scarf, bandana, or handkerchief—when in any enclosed public space, unless the individual is unable medically to tolerate a face covering.

1. An individual may be required to temporarily remove a face covering upon entering an enclosed public space for identification purposes. An individual may also remove a face covering to eat or drink when seated at a restaurant or bar.
2. Businesses and building owners, and those authorized to act on their behalf, are permitted to deny entry or access to any individual who refuses to comply with the rule in this subsection (b). Businesses and building owners will not be subject to a claim that they have violated the covenant of quiet enjoyment, to a claim of frustration of purpose, or to similar claims for denying entry or access to a person who refuses to comply with this subsection (b).

Acting under the Michigan Constitution of 1963 and Michigan law, the Governor in [EO 2020-75](#) ordered the following:

1. **Meetings May be Held Electronically:** The Open Meetings Act, 1976 PA 267, as amended, MCL 15.261 to 15.272 (“OMA”) requires that a meeting of a public body be held in a physical place available to the general public or requires the physical presence of one or more members of a public body, strict compliance with section 3 of the OMA, MCL 15.263, is temporarily suspended in order to alleviate any such physical-place or physical-presence requirements, as follows:

(a) A meeting of a public body may be held electronically, including by telephonic conferencing or video conferencing, **in a manner in which both the general public and the members of the public body may participate remotely by electronic means, including telephonic conferencing or video conferencing.**

(b) A meeting of a public body held electronically must be conducted in a manner that permits two-way communication so that members of the public body can hear and be heard by other members of the public body and so that general public participants can hear members of the public body and can be heard by members of the public body and other participants during a public comment period. **The public body also may use technology to facilitate typed public comments that may be read to or shared with members of the public body and other participants to satisfy the requirement that members of the public can be heard by others during the meeting. [New in [EO 2020-75](#)]**

(c) Members of a public body and of the general public participating electronically will be considered present and in attendance at the meeting and may participate in the meeting as if physically present at the meeting. **[MTA—This means the members may discuss, make motions and vote. The public must be given at least one opportunity for public comment.]**

(d) All persons must be permitted to participate in any meeting of a public body held electronically, except as otherwise provided in the OMA. **[MTA—This means that the public must be able to participate, not just the members of the public body.]**

(e) **[MTA—Notice must be posted in the normal physical locations (notice board, door) and may be posted, in addition, on the township’s website:] If a public body directly or indirectly maintains an official internet presence, the public body must, consistent with and**

in addition to any other applicable notice requirements under the OMA, post advance notice of a meeting held electronically on a portion of the public body's website that is fully accessible to the public. The public notice on the website must be included on either the homepage or on a separate webpage dedicated to public notices for non-regularly scheduled public meetings or electronic meetings and accessible through a prominent and conspicuous link on the website's homepage that clearly describes its purpose for public notification of those non-regularly scheduled or electronic public meetings. Notice of a meeting of a public body that will be held electronically must include all of the following:

- (i) An explanation of the reason why the public body is meeting electronically.
 - (ii) Detailed procedures by which the public may participate in the meeting electronically, including a telephone number, internet address, or both.
 - (iii) Procedures by which persons may contact members of the public body to provide input or ask questions on any business that will come before the public body at the meeting.
 - (iv) Procedures by which persons with disabilities may participate in the meeting.
- (f) The right of a person to participate in a meeting of a public body held electronically includes the right to tape-record, to videotape, to broadcast live on radio, and to telecast live on television the proceedings of the public body at a public meeting. The exercise of this right does not depend on the prior approval of the public body. However, a public body may establish reasonable rules and regulations to minimize the possibility of disrupting the meeting.
- (g) A public body may not require a person as a condition of participating in a meeting of the public body held electronically 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 a public comment period of the meeting.
- (h) A person must be permitted to address a meeting of a public body held electronically under rules established and recorded by the public body. A person must not be excluded from a meeting held electronically otherwise open to the public except for a breach of the peace actually committed during the meeting.
- (i) **During a meeting of a public body held electronically, members of the public body are urged to take all votes by roll call to avoid any questions about how each member of the public body votes. [MTA—This means each member of the body must be asked how they vote, and their name and vote must be recorded in the minutes.]**
- (j) If a public body holding a meeting electronically directly or indirectly maintains an official internet presence, the public body is encouraged to make available to the general public through the public body's website homepage an agenda and other materials relating to the meeting.

(k) Members of the general public otherwise participating in a meeting of a public body held electronically may be excluded from participation in a closed session of the public body held electronically during that meeting if the closed session is convened and held in compliance with the requirements of the OMA applicable to a closed session.

2. **Public Body Must Still Make Decisions in Public:** *[MTA—The full discussions and deliberations of a public body, not just the voting, must still be done with public access.]* A public body holding a meeting electronically as provided under this order is encouraged to do so in a manner that effectuates as fully as possible the purposes of the OMA, which include promoting government accountability and fostering openness in government to enhance responsible decision-making. **Discussions or deliberations at an open meeting that cannot at a minimum be heard by the general public participating in the meeting are contrary to these purposes. Accordingly, members of a public body must avoid using email, texting, instant messaging, and other such electronic forms of communication to make a decision or deliberate toward a decision, and must also avoid “round-the-horn” decision-making in a manner not accessible to the public at an open meeting.**
3. **Meetings Held in Compliance with EO are in Compliance with OMA:** If a decision or other action of a public body is in compliance with the requirements of this order and the other requirements of the OMA, it is in compliance with the OMA.
4. **Commenting at Public Hearings: If a statute or rule other than the OMA requires that public comments be permitted or a public hearing be held,** including in conjunction with the issuance of a permit or a hearing required under the Uniform Budgeting and Accounting Act, 1968 PA 2, as amended, MCL 141.421 to 141.440a, *[MTA—including the budget public hearing]* a public body or department or agency must provide a means for remote public comment or participation through the use of any technology that would facilitate a member of the general public’s ability to participate remotely to the same extent as if the member of the general public appeared in person. If not expressly authorized by statute or rule, **written comment, including by electronic means, also is permitted.** The public body also may use technology to facilitate typed public comments that may be read to or shared with members of the public body and other participants to satisfy the requirement that members of the public can be heard by others during the meeting. *[New in EO 2020-75]*
5. **The Press/News Media Must Have Access:** Nothing in this order permits a public body to limit or restrict the rights of the press or other news media. Members of public bodies are encouraged to facilitate access by members of the press and other news media both to meetings held electronically and to members of public bodies.

Virtual meeting resources for public meetings

The following are some common teleconference service companies, along with tips and suggestions as townships consider this new option for public meetings.

Conference call services:

- [RingCentral](http://www.ringcentral.com)—www.ringcentral.com
- [UberConference](http://www.uberconference.com)—www.uberconference.com
- [FreeConferenceCall.com](http://www.freeconferencecall.com)—www.freeconferencecall.com
- [Vast Conference](http://www.conferencecalling.com)—www.conferencecalling.com

Steps to setting up a virtual meeting via conference call:

1. Select your conference call service provider and create an account.
2. Select appropriate dial-in numbers for your callers.
3. Pick a date and time for your meeting via conference call—and invite your fellow board members and the public to participate.
4. All participants dial into your conference at the appointed time.
5. Commence your meeting.

Video conferencing services:

(note that several of these companies offer conference call services as well)

- [Skype](#)
- [GoToMeeting](#) *(Also has conference call capabilities)*
- [Microsoft Teams](#) *(Also has conference call capabilities)*
- [Zoom](#)
- [WebEx](#) *(Also has conference call capabilities)*
- [Facebook Live](#)

Tips for successful virtual public meetings:

- Do speak clearly
- Do maintain eye contact by looking into the camera
- Don't interrupt other speakers
- Don't carry on side conversations
- Don't communicate with other members of the board by text or email while in the meeting

Check with your township's IT consultant for options that may work best in your community. The following MTA vendors are also able to assist townships with questions:

- [Aunalytics](#), 6395 Technology Ave., Ste. A Kalamazoo, MI 49009
Phone: (800) 875-4222 Email: mason.everett@aunalytics.com
- [Shumaker Technology Group](#), 3721 W. Michigan Ave., Ste. 103 Lansing, MI 48917
Phone: (517) 388-3120 Email: kyle@shumakergroup.com

Examples of Electronic Meeting Notices

**NOTICE OF REGULAR TOWNSHIP BOARD MEETING
TO BE HELD ELECTRONICALLY
_____ TOWNSHIP
_____ COUNTY, MICHIGAN**

To: The residents and property owners of _____ Township, _____ County, Michigan, and any other interested parties.

Please take notice that a regular meeting of the _____ Township Board will be held on _____, _____, 2020 at _____ p.m. by electronic remote access.

Electronic remote access, in accordance with the Michigan Governor’s [Executive Order 2020-75](#), will be implemented in response to COVID-19 social distancing requirements and Michigan Governor’s [EO 2020-110](#). The public may participate in the meeting through Zoom access by computer and smart phone using the following link:

The public may also participate by calling into the below toll-free number:

Members of the public will only be able to speak during the public comment portion of the meeting and such comment will be limited to three minutes per person. To provide for orderly public participation, a person wishing to speak must state their name and request to be recognized by the Township Supervisor. The Supervisor will recognize all persons wishing to speak during public comment. If, prior to the meeting, members of the public have certain questions or wish to provide input on any business that will be addressed at the meeting then such persons may contact the Township Board members through _____, Township Clerk, by email to _____, or by mail at _____. A copy of the meeting material may be found on the link on the Township’s homepage at _____.

The Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting upon 72-hour advance notice by contacting _____, Township Clerk, by email, phone, or mail at the below.

_____, Township Clerk
_____, MI _____
Phone (____) ____ - ____
Email ____@____.com

**NOTICE OF SPECIAL TOWNSHIP BOARD MEETING
TO BE HELD ELECTRONICALLY**

_____ TOWNSHIP
_____ COUNTY, MICHIGAN

To: The residents and property owners of _____ Township, _____ County, Michigan, and any other interested parties.

Please take notice that a special meeting of the _____ Township Board will be held on _____, _____, 2020 at _____ p.m. by electronic remote access for the purpose of consideration of issues specified in the attached agenda.

Electronic remote access, in accordance with the Michigan Governor's [Executive Order 2020-75](#), will be implemented in response to COVID-19 social distancing requirements and Michigan Governor's [EO 2020-110](#). The public may participate in the meeting through Zoom access by computer and smart phone using the following link:

The public may also participate by calling into the below toll-free number:

Members of the public will only be able to speak at the meeting during the public comment portion of the meeting and such comment will be limited to three minutes per person. To provide for orderly public comment, a person wishing to speak during public comment must state their name and request to be recognized by the Township Supervisor. The Supervisor will recognize all persons wishing to speak during public comment. If, prior to the meeting, members of the public have certain questions or wish to provide input on any business that will be addressed at the meeting then such persons may contact the Township Board members through _____, Township Clerk, by email to _____, or by mail at _____. A copy of the meeting material may be found on the link on the Township's homepage at _____.

The Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting upon reasonable advance notice by contacting _____, Township Clerk, by email, phone, or mail at the below.

_____, Township Clerk

_____, MI _____

Phone (____) ____ - ____

Email _____@_____.com

**NOTICE OF SPECIAL TOWNSHIP BOARD MEETING
AND PUBLIC HEARING TO BE HELD ELECTRONICALLY**

_____ TOWNSHIP

_____ COUNTY, MICHIGAN

To: The residents and property owners of _____ Township, _____ County, Michigan, and any other interested parties.

Please take notice that a special meeting/public hearing of the _____ Township Board will be held on _____, _____, 2020 at _____ p.m. by electronic remote access for the purpose of consideration of issues specified in the attached agenda.

Electronic remote access, in accordance with the Michigan Governor's [Executive Order 2020-75](#), will be implemented in response to COVID-19 social distancing requirements and Michigan Governor's [EO 2020-110](#). The public may participate in the meeting/public hearing through Zoom access by computer and smart phone using the following link:

The public may also participate by calling into the below toll-free number:

Members of the public will only be able to speak during the public hearing and public comment portions of the meeting/public hearing and such comments will be limited to three minutes per person during each opportunity to speak. To provide for orderly public participation, a person wishing to speak must state their name and request to be recognized by the Township Supervisor. The Supervisor will recognize all persons wishing to speak during the public hearing and public comment. If, prior to the meeting/public hearing, members of the public have certain questions or wish to provide input on any business that will be addressed at the meeting/public hearing then such persons may contact the Township Board members through _____, Township Clerk, by email to _____, or by mail at _____. A copy of the meeting material may be found on the link on the Township's homepage at _____.

The Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting upon reasonable advance notice by contacting _____, Township Clerk, by email, phone, or mail at the below.

_____, Township Clerk

_____, MI _____

Phone (____) ____ - ____

Email _____@_____.com

_____ TOWNSHIP
_____ COUNTY, MICHIGAN
**NOTICE OF REGULAR PLANNING COMMISSION MEETING
AND PUBLIC HEARING ON SPECIAL LAND USE REQUEST
TO BE HELD ELECTRONICALLY**

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF _____, _____ COUNTY, MICHIGAN, AND ALL OTHER INTERESTED PERSONS:

Please take notice that a regular meeting/public hearing of the _____ Township Planning Commission will be held on _____, _____, 2020 at _____ p.m. by electronic remote access for the purpose of consideration of issues specified in the attached agenda.

Electronic remote access, in accordance with the Michigan Governor's [Executive Order 2020-75](#), will be implemented in response to COVID-19 social distancing requirements and Michigan Governor's [EO 2020-110](#). The public may participate in the meeting/public hearing through Zoom access by computer and smart phone using the following link:

The public may also participate by calling into the below toll-free number:

Members of the public will only be able to speak during the public hearing and public comment portions of the meeting/public hearing and such comments will be limited to three minutes per person during each opportunity to speak. To provide for orderly public participation a person wishing to speak must state their name and request to be recognized by the Planning Commission Chairperson. The Chairperson will recognize all persons wishing to speak during the public hearing and public comment. If, prior to the meeting/public hearing, members of the public have certain questions or wish to provide input on any business that will be addressed at the meeting/public hearing then such persons may contact the Planning Commissioners through _____, _____ Township Clerk, by email to _____, or by mail at _____. A copy of the meeting material may be found on links on the Township's homepage at _____, including the application for the special land use and site plan and the _____ Township Zoning Ordinance/Map/Land Use Plan.

Ross Township will provide necessary reasonable auxiliary aids and services at the meeting to individuals with disabilities upon 72 hours advanced notice to the Township. Individuals with disabilities requiring auxiliary aids or services should contact the Township Clerk by email, phone, or mail at the below.

_____ Township Planning Commission
By: _____, Chairperson

_____ Township Clerk
_____, Michigan _____
Phone _____
Email _____@_____

NOTICE OF SPECIAL BOARD MEETING
_____ SEWER AND WATER AUTHORITY
TO BE HELD ELECTRONICALLY

_____, MI _____

Please take notice that a special meeting of the _____ Sewer and Water Authority Board will be held on _____, _____, 2020 at _____ a.m. by electronic remote access for the purpose of consideration of issues specified in the attached agenda.

Electronic remote access, in accordance with the Michigan Governor’s [Executive Order 2020-75](#), will be implemented in response to COVID-19 social distancing requirements and Michigan Governor’s [EO 2020-110](#). The public may participate in the meeting through Zoom access by computer and smart phone using the following link:

The public may also participate by calling into the below toll-free number:

Members of the public will only be able to speak during the meeting during the public comment portion of the meeting and such comment will be limited to three minutes per person. To provide for orderly public comment, a person wishing to speak during public comment must state their name and request to be recognized by the Board Chairperson. The Chairperson will recognize all persons wishing to speak during public comment. If, prior to the meeting, members of the public have certain questions or wish to provide input on any business that will be addressed at the meeting then such persons may contact the Board members by contacting _____, County Sewer and Water Authority Administrator, by email to _____ or by mail at the below address. A copy of the meeting material may be found on the link on the Authority’s homepage at www. _____

The Authority will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting upon reasonable advance notice by contacting _____, _____ Sewer and Water Authority Administrator, by email, phone, or mail as provided below.

[Include contact info and address block]