

Township of Rose. Gambka seconded.] Noble would like to amend the motion (A-1a) to delete the reference December 31, 2021 and add June 30, 2021 in its place due to it is inappropriate to keep doing Board meetings virtually because the shut downs have to stop. Treasurer Gambka reads from the resolution, stating “until the Rose Township Board of Trustees determines that the COVID-19 Pandemic is no longer a threat...” Trustee Walls states she is vaccinated but doesn’t want to risk her life just to meet in person. Supervisor Scheib-Snyder notes it is not just the Rose Township Board, but also the Planning Commission, Zoning Commission, the public and any of our Boards that plan on meeting. She also notes the size of the room. Clerk Miller gives statistics on how many people attend meetings most of the time, which is 4 to 5 people. Discussion on a hybrid meeting... in person and virtual.

Motion by Trustee Noble to change the date on the resolution that it shall remain in effect until June 30, 2021 instead of December 31, 2021. Seconded by Clerk Miller.

**ROSE TOWNSHIP
OAKLAND COUNTY
MICHIGAN
RESOLUTION
2021-02**

**RESOLUTION TO AUTHORIZE A DECLARATION OF A
STATE OF EMERGENCY FOR THE
TOWNSHIP OF ROSE**

WHEREAS, the Rose Township Supervisor has declared a Local State of Emergency for the Township of Rose, Oakland County, Michigan and

WHEREAS, the COVID-19 Pandemic is the reason for the declaration and

WHEREAS, the COVID-19 Pandemic is a natural or human-made cause that exists within the community and threatens widespread or severe injury or loss of life, if contracted.

IT IS HERBY RESOLVED that The Rose Township Board of Trustees is declaring a State of Emergency under the Section 10 of the Emergency Management Act, Act 390 of 1976 effective on March 31, 2021 and shall remain in effect until June 30, 2021 or until the Rose Township Board of Trustees determines that the COVID-19 Pandemic is no longer a threat in the community.

VOTE: **YES:** Gambka, Miller, Noble, Scheib-Snyder
 NO: Walls

A-1a. Resolution to Authorize a Declaration of a State of Emergency for the Township of Rose:

Motion by Trustee Walls to adopt the resolution to authorize a Declaration of a State of Emergency for the Township of Rose. Seconded by Treasurer Gambka.

No Vote. Trustee Walls states a vote needs to happen on the original motion, Trustee Noble states it does not because the resolution was amended (A-1b) above. Supervisor Scheib-Snyder states "I'll look into that, Pat."

A-2. Resolution Establishing Rules for Remote Attendance by Rose Township Board of Trustees and all Rose Township Boards; and Members of the Public Due to Coronavirus Pandemic:

Supervisor Scheib-Snyder read parts of the resolution. Clerk Miller states changes need to be made on Number 6 Page 4. Remove "before the close of the public comment portions of the meeting," and replace it with "by 4:00pm the day before the meeting."

Motion by Trustee Noble to approve amended resolution establishing rules for remote attendance. Change on page 8 from December 31, 2021 to June 30, 2021. Seconded by Clerk Miller.

STATE OF MICHIGAN
COUNTY OF OAKLAND
TOWNSHIP OF ROSE
RESOLUTION 2021-03

ESTABLISHING RULES FOR REMOTE ATTENDANCE
BY ROSE TOWNSHIP BOARD OF TRUSTEES; AND
MEMBERS OF THE PUBLIC DUE TO CORONAVIRUS PANDEMIC

At the special meeting of the Rose Township Board of Trustees, Oakland County, Michigan, held on the 31st day of March, 2021, the following Resolution was offered by Noble and supported by Miller,

WHEREAS, on March 10, 2020, Governor Whitmer declared a state of emergency as a result of the Coronavirus (COVID-19) 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 prohibiting large 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, on October 2, 2020 the Michigan Supreme Court invalidated Executive Order 2020-15 effective on April 30, 2020; and

WHEREAS, Act 228 of 2020 amended the Open Meetings Act to allow virtual public meetings, and the Act was amended again by Act 254 of 2020 to extend the time period for allowing a virtual public meeting for any circumstance, the Act now authorizes virtual public meetings: before March 31, 2021 and retroactive to March 18, 2020 for any circumstance; from on or after March 31, 2021 through December 31, 2021 for only those circumstances requiring accommodation of members absent due to military service or a medical condition, or a declared statewide or local state of emergency that would risk the personal health or safety of members of the public or the public body if the meeting were held in person; after December 31, 2021 for only those circumstances requiring accommodation of members absent due to military service; and

WHEREAS, Act 228 of 2020, sec. 3(2) provides:

(2) All decisions of a public body must be made at a meeting open to the public. For purposes of any meeting subject to this section, except a meeting of any state legislative body at which a formal vote is taken, the public body shall, subject to section 3a,¹ establish the following procedures to accommodate the absence of any member of the public body due to military duty, a medical condition, or a statewide or local state of emergency or state of disaster declared pursuant to law or charter or local ordinance by the governor or a local official, governing body, or chief administrative officer that would risk the personal health or safety of members of the public or the public body if the meeting were held in person:

(a) Procedures by which the absent member may participate in, and vote on, business before the public body, including, but not limited to, procedures that provide for both of the following:

(i) Two-way communication.

(ii) For each member of the public body attending the meeting remotely, a public announcement at the outset of the meeting by that member, to be included in the meeting minutes, that the

member is in fact attending the meeting remotely. If the member is attending the meeting remotely for a purpose other than for military duty, the member's announcement must further identify specifically the member's physical location by stating the county, city, township, or village and state from which he or she is attending the meeting remotely.

(b) Procedures by which the public is provided notice of the absence of the member and information about how to contact that member sufficiently in advance of a meeting of the public body to provide input on any business that will come before the public body.

WHEREAS, on March 2, 2021 the MDHHS issued an Emergency Order under MCL 333.2253 — Gathering and Face Mask Order concluding that the COVID-19 pandemic continues in Michigan; and

WHEREAS, on March 31, 2021 the Rose Township Board of Trustees declared a Local State of Emergency under Section 10 of the Emergency Management Act, Act 390 of 1976; and

WHEREAS, to implement MDHHS's mitigation strategies; to allow the Rose Township Board of Trustees and all other Township boards, commissions, and committees (hereinafter referred to collectively as "Public Bodies") to continue public business and to allow Public Bodies to meet remotely; and to allow the public to attend meetings of the Public Bodies remotely if they desire, consistent and in compliance with Act 228 of 2020, as amended by Act 254 of 2020, the Rose Township Board of Trustees desires to establish rules to authorize and allow its members and members of the public to attend meetings of the Public Bodies by telephone, video conference, or other electronic means as specifically set forth in this Resolution;

Now THEREFORE, BE IT RESOLVED, that the Rose Township Board of Trustees immediately authorizes its members and members of the public to attend meetings of the Township Public Bodies by telephone, and the other electronic means described herein and establishes these rules, as required by Act 228 of 2020, Sec. 3(2):

A. CONDUCT OF THE MEETING:

A telephone call in number shall be the electronic technology to be utilized by Public Bodies and it shall allow the members of the Public Body to be heard by any other member in attendance and any member of the public or staff attending during public comment and shall allow any member, any staff attending, or any member of the public when recognized during the Public Comment portion of the meeting and/or during the Public Comment portion of a particular agenda item, to communicate with any member attending.

2. A member's 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. For closed sessions conducted under this policy, each member and authorized attendee of the closed session shall not allow anyone else to hear or view the closed session. All members and authorized attendees of the closed session shall affirm, before the closed session begins, that they are in compliance with this subsection.
6. If an email is received at clerk@rosetownship.com for public comment by 4:00 pm the day before the meeting, the email will be read by the Township Clerk, or other member of the Public Body designated in the absence of the Township Clerk, and it may be addressed by the Public Body as appropriate during the meeting.
7. If a meeting is held remotely only to accommodate a member or 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 and, in that circumstance, any member who is not on military duty or does not have a medical condition must be physically present at the meeting to participate. On and after March 31, 2021, each member of the public body attending the meeting remotely must announce at the outset of the meeting, to be included in the meeting

minutes, that the member is in fact attending the meeting remotely and the reason for the remote attendance. If the member is attending the meeting remotely for a purpose other than for military duty, the member's announcement must further identify specifically the member's physical location by stating the county, city, township, or village and state from which he or she is attending the meeting remotely, although a specific address is not required by this section.

B. ATTENDANCE BY MEMBERS OF THE PUBLIC:

1. Immediately after calling the meeting to order, the Township Clerk or other designated facilitator shall ensure that the call in number or other means of conducting the meeting remotely is working. If the call 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.
1. If any member of the public is attending remotely, each member of the public shall be provided an opportunity to provide public comment by calling the call-in number or by e-mail during a public comment portion of the agenda pursuant to the rules of the Public Body on public comment and the public shall also be provided an opportunity to provide public comment by calling the call-in number or by e-mail during the public comment portion of a particular agenda item. Until those portions of the agenda, each member of the public attending remotely should be muted to prevent disruption of the meeting. During the public comment portions of the meeting, opportunity to comment shall be given by the Supervisor or designated facilitator asking those attending the meeting remotely whether they have any public comment via calling the call-in number or by e-mail. Comment shall be limited to 3 minutes per person.
2. If any member of the public is attending, and a closed session is called by the Public Body as permitted by the Open Meetings Act, a separate call in number or other electronic means of remotely participating shall be available for the Public Body to utilize for a closed session

that is not available to the public. The Township Supervisor shall clearly indicate at what point in the agenda the closed session will occur, that the public will not be able to hear the Public Body or provide comment during the closed session, and the Public Body shall return to the public meeting following closed session to adjourn the meeting or take other action as necessary.

3. A person wishing to make a comment during the public comment portion of the meeting will be asked to provide his or her name and address when participating but . will not be required, as a condition of participation, to provide the information.

c. NOTICE OF MEETINGS:

1. For every meeting to be held remotely pursuant to this Resolution, the Township Clerk shall comply with the requirements of PA 2020, No. 254 (MCL 15.263a), including posting on the homepage of the Township's website in a conspicuous location and on the door or message board of the Rose Township Office, 9080 Mason Street., Holly, Michigan, a notice containing the following:
 - a. An explanation of why the Public Body is meeting remotely;
 - b. Contact information for all members of the Public Body along with information about how the public may contact the member(s) to provide input on any business that will come before the Public Body;
 - c. The call-in number or e-mail address, or other necessary information for members of the public to utilize in order to access the meeting remotely;
 - d. The agenda for the meeting at least 2 hours prior to the meeting; and
 - 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 Public Body at the public hearing shall be posted or linked on the homepage of the Township's website in a conspicuous location or as otherwise required by law at least 2 hours before the

meeting. This provision shall not apply to written public comments received by the Public Body for the public hearing.

This Resolution is intended to establish rules and guidelines for and authorize participation by remote access by members of the Public Bodies 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 members of the Public Bodies 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 or Bylaws of Rose Township or other Public Body, the terms of this Resolution shall control.

This Resolution shall be effective at 12:01 a.m. on March 31, 2021 and shall remain in effect until June 30, 2021 at 11:59 p.m. or until the Rose Township Board determines that the COVID-19 pandemic is no longer a threat in the Township of Rose, whichever occurs

VOTE: **YES:** Miller, Noble, Gambka, Scheib-Snider
 NO: Walls

B. Resolution for the Supervisor to Execute Quit Claim Deed:

In regards to the Township Hall Property. The division has been completed and filed with the county and assessor. She will change the sidwell number to the correct one and then sign it. Trustee Noble states the property was surveyed by the supervisor and trespasses were found on both lands, so final property lines corrected so there is no trespassing. Supervisor Scheib-Snider states an equal amount of property was swapped.

Motion by Trustee Noble to authorize the Supervisor to sign the resolution regarding the Quit Claim Deed regarding the adjacent property of the Old Township Hall. Seconded by Treasurer Gambka.

ROSE TOWNSHIP RESOLUTION 2021-04

A Resolution to authorize the Supervisor to execute a Quit Claim Deed to David K. Carpenter and Francine Carpenter for the property located at 258 Franklin St. Holly, MI 48442, Sidwell No. 06-22-329-003 to be assessed as Sidwell No. 06-22-329-007 in the future (the "Property") to finalize the property exchange between the parties.

WHEREAS the Township Board at a special meeting held on the 31st day of March, 2021 having approved the Supervisor's execution of the above deed for the Property since the title company has requested a Resolution from the Township authorizing its Supervisor to execute the Quit Claim Deed on behalf of the Township:

IT IS HEREBY RESOLVED that Dianne Scheib-Snider, the Rose Township Supervisor, is authorized on behalf of the Township to execute the above Quit Claim Deed for the above property to the Carpenters.

VOTE: **YES:** Noble, Walls, Gambka, Miller, Scheib-Snider
 NO: None

10. Brief Public Comments: (limit comments to 3 minutes)

None

11. Adjournment: 4:28pm

Approved/~~Corrected~~

A handwritten signature in cursive script that reads "Debbie Miller". The signature is written in black ink and is positioned above a horizontal line.

Debbie Miller, MMC, MiPMC II
Rose Township Clerk