VILLAGE OF KALKASKA
RESOLUTION 2020-024

RESOLUTION ESTABLISHING PROCEDURES TO ALLOW ELECTRONIC MEETINGS OF ALL VILLAGE OF KALKASKA PUBLIC BODIES AND/OR THE ATTENDANCE AT MEETINGS BY MEMBERS OF THOSE PUBLIC BODIES REMOTELY

At a special meeting of the Kalkaska Village Council held in the Kalkaska Village Office, located at 200 Hyde Street, Kalkaska, Michigan on October 19, 2020 at 6:00 p.m.

PRESENT:

ABSENT:

The following resolution was made by ____________________________ and seconded by ____________________________, to-wit:

RECITALS

A. Effective October 16, 2020 Act 228 of the Public Acts of 2020 (the Act) amended Section 3 of the Open Meetings Act (OMA) and added Section 3a to the Open Meetings Act to permit in certain circumstances public bodies to meet electronically and to permit members of those public bodies to participate in, and vote on, business before the public body remotely.

B. The Act requires the public body, defined in Section 2(a) of the OMA to be the Kalkaska Village Council, including all boards, commissions, committees, subcommittees, authorities, or councils of the Village of Kalkaska, to establish procedures to ensure compliance with the requirements of the Act related to electronic meetings and participation in meetings by members of the public body remotely.

C. The Kalkaska Village Council, therefore, desires to comply with this statutory requirement by establishing of the procedures contained in this Resolution.

RESOLUTION

NOW THEREFORE BE IT RESOLVED, that the Kalkaska Village Council hereby establishes the following procedures to permit the Kalkaska Village Council and all other public bodies of the Village of Kalkaska to meet electronically and to permit members of the Village Council and members of those other public bodies to participate in, and vote on, business before the public body remotely.
PROCEDURES FOR ELECTRONIC MEETINGS AND ATTENDANCE BY MEMBERS REMOTELY

1. **Circumstances Permitting Electronic Meetings and/or Remote Participation by Members.** Electronic meetings of the Village of Kalkaska public bodies, in whole or in part, and/or attendance by members of those public bodies remotely may be permitted under any of the following circumstances:


   b. On and after January 1, 2021 through December 31, 2021, only for one of the following:

      i. Military service.

      ii. A medical condition.

      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 were held in person, but only to permit the following:

         (1) To permit the electronic attendance of a member of the public body who resides in the affected area.

         (2) To permit the electronic meeting of a public body that usually holds its meetings in the affected area.

   c. After December 31, 2021 only in the circumstances requiring accommodation of members absent due to military duty.

2. **Meetings held Electronically.**

   a. **Communication.** The Village of Kalkaska shall utilize electronic video and/or audio services or equipment that ensures 2-way communication so that during the electronic meeting members of the public body can hear and be heard by other members of the public body and so that participants in the electronic meeting can hear members of the public body and can be heard by members of the public body and other participants during the public comment period. To accommodate individuals with a disability, the Village of Kalkaska may use technology to facilitate typed public comments during the meeting submitted by members of the public.
participating in the meeting that may be read to or shared with members of the public body and other participants.

b. **Notice.**

   i. Any meeting to be held electronically shall be preceded by a notice posted at least 18 hours before the meeting on the Village’s website that is fully accessible to the public. The notice shall be posted on the homepage of the website or on a separate webpage dedicated to public notices for non-regularly scheduled or electronic public meetings.

   ii. The notice of the electronic meeting shall comply with all of the following:

      (1) The notice shall state why the public body is meeting electronically.

      (2) The notice shall include the telephone number, Internet address, or both, plus any required passwords or access codes, needed to allow the public to participate in the electronic meeting.

      (3) The notice shall include the telephone numbers and email addresses for each member of the public body, so that all members of the public 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 electronic meeting.

      (4) The notice shall include the name, telephone number, and email address of the Village Clerk, or other person designated by the Village Council, so that persons with disabilities may seek reasonable accommodations necessary to participate in the electronic meeting.

c. **Agenda.** If an agenda exists for an electronic meeting, then the agenda for that meeting shall be made available to the public at least two hours before the electronic meeting begins by posting the agenda on that portion of the Village’s website that is fully accessible to the public. Posting of the agenda, however, shall not prohibit subsequent amendment of the agenda at the meeting.

d. **Identification of the Public.** The Village of Kalkaska shall not as a condition of participating in an electronic meeting require a person to register or otherwise provide his or her name or other information or
otherwise to fulfill a condition precedent to attendance at the meeting. However, the Village of Kalkaska may require a person to identify himself or herself as may be necessary to permit the person to participate in the public comment period of the meeting.

3. Remote Participation by Members of the Public Body.

a. Communication. When a member of a public body is physically absent from a meeting, but attends the meeting remotely, the Village of Kalkaska shall utilize electronic video and/or audio services or equipment that ensures 2-way communication so that during the meeting the member can hear and be heard by other members of the public body and so that participants in the meeting can hear and be heard by the member. For each member of a public body attending the meeting remotely, that member shall announce at the beginning of the meeting that he or she is attending the meeting remotely and shall, except when his or her absence is due to military duty, announce the member’s physical location by stating the county, city, township, or village and the state from which he or she is attending the meeting remotely. These announcements must be included in the minutes of the meeting.

b. Notice.

i. When a member of a public body is physically absent from a meeting, but attends the meeting remotely, the Village of Kalkaska shall post at least 18 hours before the meeting on the Village’s website dedicated to public notices for non-regularly scheduled or electronic public meetings a notice that the member of the public body will be attending the meeting remotely.

ii. The notice shall include the telephone number and email address for the member of the public body who will be attending the meeting remotely, so that all members of the public may contact the member to provide input or ask questions on any business that will come before the public body at the meeting.

4. Physical Presence Required. If a meeting is held electronically because of the absence of a quorum of members due to military duty or a medical condition, or if a member participates in a meeting remotely due to military duty or a medical condition, then only those members absent due to military duty or a medical condition may participate remotely. Any member of the public body who is not on military duty or does not have a medical condition must be physically present at the meeting to participate.
RESOLUTION DECLARED ADOPTED.

VILLAGE OF KALKASKA

By: _______________________

Harley Wales, President

I, the undersigned, the Clerk of the Village of Kalkaska, Kalkaska County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Kalkaska Village Council at its special meeting held on October 19, 2020, relative to adoption of the resolution therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976; and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Dated: October 19, 2020

____________________________
Angie Koon, Clerk