

MARSHALL TOWNSHIP FIRE BOARD
BY-LAWS AND RULES OF PROCEDURE
Adopted January 12, 2021

1. AUTHORITY

- a. These rules of procedures are adopted by the Marshall Township Fire Board pursuant to MCL 41.812, as may be amended, the Marshall Township Fire Department Organization Ordinance and the Michigan Open Meetings Act being Public Act 267 of 1976, as amended.

2. MEMBERSHIP

- a. The five (5) members of the Fire Board are appointed by the Marshall Township Board pursuant to the Marshall Township Fire Department Organization Ordinance as may be amended.

3. ATTENDANCE

- a. If any member of the Board is absent from three consecutive scheduled meetings without being excused, then that member shall be considered delinquent. Delinquency may be grounds for the Marshall Township Board to remove a member from the Fire Board for nonperformance of duty, or misconduct, after holding a public hearing on the matter. The Fire Board secretary or acting secretary in the absence of the elected secretary shall keep attendance records and shall notify the Marshall Township Supervisor whenever any member of the Fire Board is absent from three consecutive scheduled meetings so that the Marshall Township Supervisor can consider further action allowed under the law or excuse the absences.

4. OFFICERS

- a. Selection. At an organizational meeting in January or the first meeting in the calendar year, the Fire Board shall select from its membership a chairperson, vice-chairperson, and secretary. Nominations shall be made from the floor, and the election shall be held immediately after that. A candidate receiving a majority vote of the members present shall be declared elected.
- b. Duties. The chairperson shall preside at all meetings and shall conduct all meetings in accordance with the rules provided herein. The vice-chairperson shall act in the capacity of the chairperson in the absence of the chairperson and shall succeed to the office of the chairperson in the event of a vacancy in that office, in which case the Board shall select a successor to the office of vice-chairperson at the earliest practicable time. The secretary shall issue notices and prepare a

summary of Board proceedings as required by the Open Meetings Act and perform such duties as the Board may determine.

- c. Tenure. The officers shall take office immediately following their election and shall hold their office for a term for the calendar year or until their successor is elected and assumes office.

5. MEETINGS

- a. Meeting Notices. All meetings shall be posted at the Township Hall and posted on the Township web site according to the Open Meetings Act. The notice shall include the location, purpose, date, and time of the meeting.
- b. Meetings. The Fire Board shall meet at least once per calendar quarter on the second Tuesday of January, April, July, and October at 4 p.m. and on the dates and at times as may be otherwise prescribed by the Board. Special meetings shall be held at the call of the Chair or written request of at least 3 members of the Board stating the reason or reasons therefore.
- c. Quorum. In order for the Board to conduct business or take any official action, a quorum consisting of three (3) members shall be present. When a quorum is not present, no official action, except for the closing of the meeting may take place. All public hearings without a quorum shall be re-scheduled.
- d. Public Hearings. Public Hearings shall be scheduled and notice given in accordance with the provisions of State Law and Ordinances of the Township.
- e. Meeting Decorum. All comments at meetings and/or during hearings shall be addressed to the Chairperson and the Board. Second comments are not permitted until all have had an opportunity to speak for the first time. The Chairperson may terminate a presentation or ask for summation if comments are repetitive. The Chairperson may impose a time limit for speakers. The Chairperson shall decide all points of order subject to appeal to the full Board which may sustain or overrule the decision by a majority vote of members present.
- f. Order of Business. The order of business at regular meetings shall be as follows:
 - 1. Roll Call
 - 2. Pledge of Allegiance
 - 3. Approval of minutes of previous meetings
 - 4. Audience comments regarding items on the Agenda
 - 5. Noticed Public Hearings
 - 6. Fire Chief's Report
 - 7. Old business
 - 8. New Business
 - 9. Member Comments
 - 10. Final Citizen Comment
 - 11. Adjournment

This order of business may be suspended by a vote of a majority of the members present.

- g. Voting. An affirmative vote of a majority of the members present shall be required for the approval of any requested action or motion placed before the Board. Voting shall ordinarily be by voice vote, provided, however, that a roll call vote shall be required if requested by any member or directed by the Chairperson and as may be otherwise required by law. All members of the Board, including the Chairperson, shall vote on all matters. Members may be excused from voting only if the person has a bonafide conflict of interest, as recognized by the majority of the remaining Board members present. Any member excused from a vote shall not participate in the discussion of the item.

6. PROCEEDINGS

Board proceedings shall be prepared by the secretary or a designate of the secretary. The proceedings shall contain a brief synopsis of discussion of items brought before the Board, including a complete restatement of all motions, and recording of votes, and record of each member in attendance.

7. AMENDMENTS

The Board may amend these rules by a majority vote of members at any scheduled meeting, provided that all members have received written notice of the proposed amendments at least three business days prior to the meeting at which such amendments are to be considered.

8. CONFLICT OF INTEREST

Board members shall declare a potential conflict of interest and abstain from participating in Fire Board deliberations and voting on a request when:

- a. The matter which the Board is considering involves that member's spouse, children, stepchildren, grandchildren, parents, brothers, sisters, grandparents, parents-in-law, grandparents-in-law or members of his/her household.
- b. The Board member has a business or financial interest in the property involved in the request or has a business or financial interest in the company, agency, or association.
- c. There is a reasonable appearance of a conflict of interest, as determined by a majority vote of the remaining members of the Board present.
- d. Failure of a member to disclose a potential conflict of interest as required by these by-laws constitutes malfeasance in office.

