

I have been informed in the last two weeks on some violations the Westphalia Township Board has in relation of the Michigan Compiled Laws and the Open Meetings Act.

I've copied documents of the MCL 41.72a and Openings Meeting Act – Act of 267 of 1976 referred to as Open Meetings Act for all board members and I have highlighted some of the topics below. These are only a few that I have noted below and for further guidance you'll need to contact MTA (Michigan Township Association) at 517-321-6467. I've also noted at the bottom of page 2 other non-compliance issues, again not all, but you'll need to contact MTA for further information.

The following is **REQUIRED** to be done by our township board every month:

MCL-41.72a

Pursuant to MCL-Section 41.72a - I have attached a copy to everyone's packets (3-pages plus Department of Treasury letter) and will be placing this information in my minutes of our September 9, 2024 meeting.

Public Act 465 of 1996 (MCL 41.72a) exempts townships with a taxable value under a threshold from the requirement of publishing in a newspaper the minutes of its board meetings. The threshold, \$50 million for 1997, is adjusted annually based on the increase in the Detroit CPI. The Michigan Department of Treasury is required to determine annually the adjusted amount. Pursuant to P.A. 465, the Michigan Department of Treasury has determined that for 2022, the adjusted amount is \$96 million. This results from applying a 3.6% increase to the 2021 amount of \$92 million and rounding up the result to the nearest million. Westphalia Townships L4029 is above \$114 million which has been prepared by the Township Assessor. **(See attached letter in your packet – item #1)**

41.72a Township board, regular and special meetings; time and place; moderator; transaction of business; publication of proceedings; adjusted amount. **(See attached MCL-Section 41.72a – item #2)**

Synopsis of Meeting must be posted not more than 21 days after a meeting of the board. (1893 PA 206, MCL 211.27A). This shall be published in a newspaper of general circulation in the township. The publication of a synopsis of the proceedings, prepared by the township clerk and approved by the supervisor, showing the substance of each separate proceeding of the board is sufficient compliance with the requirements of this subsection.

Open Meetings Act – Act of 267 of 1976 referred to as “Open Meetings Act” (See attached 9 pages – item #3)

15.261 Sec. 1. (2). This act shall supersede all local charter provisions, ordinances, or resolutions which relate to requirements for meetings of local public bodies to be open to the public.

15.265 Pubic notice of regular meetings, change in schedule of regular meetings, rescheduled regular meetings, or special meetings; posting; statement of date, time, and place; website; recess or adjournment; emergency sessions; emergency public meeting; meeting in residential dwelling; limitation; notice; duration requirement.

- Sec. 5. (4). Except as provided in this subsection or in subsection (6), for a rescheduled regular or special meeting of a public body, a public notice stating the date, time and place of the meeting shall be posted at least 18 hours before the meeting in a prominent and conspicuous place at both the public body's principal office and, if the public body directly or indirectly maintains an official internet presence that includes monthly or more frequent updates of public meeting agendas or minutes, on a portion of the website that is a separate webpage dedicated to public notices for non-regularly scheduled public meetings and accessible via a prominent and conspicuous link on the website's homepage that clearly describes its purpose for public notification of those non regularly schedule public meetings.

15.266 Providing copies of public notice written request; fee.

Sec. 6. (2). Upon written request, a public body, at the same time a public notice of a meeting is posted pursuant to section 5, shall provide a copy of the public notice of that meeting to any newspaper published in the state and to any radio and television station located in the state, free of charge.

15.272 Violation as misdemeanor; penalty

Sec. 12. (1). A public official who intentionally violates this act is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00.

Sec. 12. (2). A public official who is convicted of intentionally violating a provision of this act for a second time within the same term shall be guilty of a misdemeanor and shall be fined not more than \$2,000.00, or imprisoned for not more than 1 year, or both.

***Other notable issues:**

- Public Hearing on Proposed Budget (Budget Hearings) MCL. Section 141.412 (**See attached 2 pages - item #4**)
- Public Hearing Notice, MCL. Section 24.242 (**See attached 2 pages - item #5**)
- Pass Budget with General Appropriation Act (**See attached 3 pages – item #6**)

The above have been brought to my attention a few weeks ago, thus hasn't been printed in any newspapers due to the lack of knowledge on these issues.

Since Vicki has been the only one to respond to my email sent to the Westphalia Board members on Friday, September 6, 2024 at 4:45 p.m., followed up with a text to all board members on the document sent, I have provided all a copy of my resignation. My position as Township Clerk will be completed as of September 20, 2024.