

MINUTES

Thursday, April 9, 2020 at 10:00 AM

Remote Telephonic Call Meeting

CALL TO ORDER at 10:00 AM - By Chairperson Matt Davis.

BOARD MEMBERS ROLL CALL - Present: Lucy Blair, Matt Davis, Ben Holben, Sean LeFere, Michael Murphy, Tom Tarkiewicz, and Ryan Underhill

Absent: None.

Also Present: Mayor Joe Caron; Finance Director Jon Bartlett; Marshall Area Economic Development Alliance Coordinator, Kierith Kurth; and Special Project Director Eric Zuzga

ESTABLISH RULES FOR REMOTE MEETINGS - Tom Tarkiewicz presented the proposed Rules for the conduct of Remote Meetings pursuant to Governor Whitmer's Executive Order 2020-15. Motion for approval by Mr. Tarkiewicz, seconded by Michael Murphy. Upon Roll Call by the Secretary, Board Members unanimously adopted the resolution to establish Rules for Remote Meetings under said Executive Order.

APPROVAL OF MINUTES - Following Motion by Ryan Underhill, seconded by Lucy Blair, and upon Roll Call by the Secretary, Board Members unanimously approved the February 10, 2020 Minutes, as written.

PUBLIC COMMENT - The Chairperson asked that any members of the Public attending the call wishing to provide comment identify themselves, however, there were none.

PRESENTATIONS - None.

CONSENT AGENDA - No items.

NEW BUSINESS

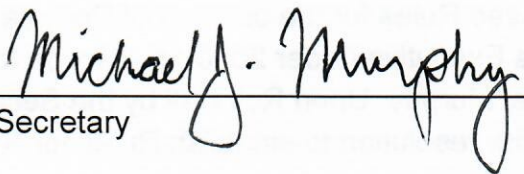
A. Approval of FY 2020-21 Budget: Finance Director Jon Bartlett and Special Project Director Eric Zuzga presented the proposed FY 2020-21 Budget, which includes \$450,000 revenues from bond proceeds. They discussed the

City's planning for a first phase of housing development and related infrastructure improvements, and provided further support based upon 2019 tax values and the fact that the 2020 assessment roll has been completed. Sean LeFere provided additional details concerning currently planned residential development. Michael Murphy expressed concern due to uncertainties from the COVID-19 pandemic. All Board Members appreciate the need to provide the Marshall City Council with a specific budget by May 2020. Upon Roll Call by the Secretary, following Motion by Lucy Blair, seconded by Ben Holben, all Board Members - with the one exception of Michael Murphy, voted to approve the budget as presented and recommend its approval by the Marshall City Council. Motion approved.

OLD BUSINESS- None.

BOARD COMMUNICATIONS - None.

ADJOURNMENT - Upon Roll Call by the Secretary, Board Members resolved to adjourn at 10:30 AM.


Secretary

MARSHALL SOUTH NEIGHBORHOOD IMPROVEMENT AUTHORITY

RESOLUTION NO. 2020 - _____

A RESOLUTION ESTABLISHING RULES FOR REMOTE MEETINGS FOR ATTENDANCE BY MARSHALL SOUTH NEIGHBORHOOD IMPROVEMENT AUTHORITY BOARD MEMBERS AND MEMBERS OF THE PUBLIC AT REMOTE MEETINGS DUE TO CORONAVIRUS (COVID-19) PANDEMIC

Marshall South Neighborhood Improvement Authority ("SNIA"), in the City of Marshall, Calhoun County, Michigan, hereby resolves:

At a special meeting of the Board of the SNIA ("Board") held by remote telephonic methods in the County of Calhoun, State of Michigan, on the 9th day of April, 2020, at 10:00 AM.

The meeting was called to order at 10:00 AM by Matt Davis, SNIA Chairperson.

Present: Lucy Blair, Matt Davis, Ben Holben, Sean LeFere, Michael Murphy, Tom Tarkiewicz, and Ryan Underhill

Absent: None

Also Present: Mayor Joe Caron, Finance Director Jon Bartlett, Special Project Director Eric Zuzga, and Marshall Area Economic Development Alliance Coordinator Kierith Kurth.

The following preamble and resolution were offered by Tom Tarkiewicz and supported by Michael Murphy:

WHEREAS, on March 10, 2020, Governor Whitmer, acting under the Michigan Constitution of 1963 and Michigan law, declared a state of emergency across the State of Michigan as a result of the COVID-19 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 implement social distancing measures, including limiting in-person meetings, and to limit large work-related 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, to implement MDHHS's mitigation strategies and allow the SNIA Board (hereinafter, the "Board"), and all of its Committees (as applicable) (hereinafter, collectively: "Public Body") to continue public business, and to allow the public to attend meetings of the Public Body remotely if they desire, consistent and in compliance with Executive Order 2020-15, the Board desires to establish rules to authorize and allow the Public Body and general public to attend Public Body meetings by telephone or other electronic means as set forth in this Resolution; and

WHEREAS: The Board desires to authorize and direct its Chairperson, and those so designated, to take all necessary measures to enable the Public Body to facilitate public meetings as permitted under Executive Order 2020-15, and as may be extended, or by superseding Executive Order of similar effect issued by the Governor.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board authorizes and directs the Chairperson, and those so designated, to take all necessary measures to enable the Public Body to facilitate public meetings as permitted under Executive Order 2020-15, and as may be extended, or by superseding Executive Order of similar effect issued by the Governor.

The Board immediately authorizes its Public Body members and Staff and members of the general public to attend all meetings of the Public Body by telephone or other electronic means and establishes rules that must be followed in order for remote public meetings of the Public Body to be properly conducted:

- A. All Public Body meetings may be held electronically consistent with EO 2020-15, and similar Executive Orders issued by the Governor during this unprecedented time of COVID-19.

B. NOTICE OF PUBLIC MEETINGS:

1. For a meeting(s) to be held pursuant to this Resolution, SNIA officials or City Staff shall post on the homepage of City's website in a conspicuous location and at City Hall at 323 West Michigan Avenue, Marshall Michigan, 49068, the following:
 - a. An explanation of why the meeting is being held remotely.
 - b. The Agenda for the meeting at least 18 hours prior to the meeting.
 - c. 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.
 - d. Procedures for public participation, such as: a link to an electronic link for online meeting participation, or a telephone number for conference calling, or both.
 - e. Procedures to allow for participants with disabilities to participate in the remote meeting.

C. CONDUCT OF THE PUBLIC MEETING:

1. The telephone or other electronic technology being utilized to allow the remote meeting shall allow the Public Body members, Staff, and the general public to communicate.

2. Upon the start of the remote meeting, Board members or Staff shall immediately ensure that the dial-in number or other means of conducting the meeting remotely is working. If the system is not working properly, the meeting shall either be paused temporarily or adjourned without any decision or deliberation on any matter until such time as the system is working properly.

3. Attendance. Public Body members' remote attendance shall be considered attendance for the purpose of establishing a quorum.

4. Public Body Action. Public Body members may make motions and vote as he or she would during a physical meeting. 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. All votes taken during the remote meeting shall be completed by roll call vote so the general public will know how each member voted; this information will then be properly

recorded in the meeting minutes.

5. Closed Session

a. The Public Body may conduct a closed session portion of the meeting, if necessary, as regulated by the Open Meetings Act, EO 2020-15 and authorized applicable Executive Orders.

b. For closed sessions conducted under this Resolution, each Public Body member and authorized attendee of the closed session shall not allow anyone else to hear or view the closed session. Except the person designated to keep minutes of the closed session, individual Public Body members and authorized attendees shall not record or cause to be recorded the closed session other than the official closed session meeting minutes.

c. All Public Body members and authorized attendees of the closed session shall affirm, before the start of the closed session, that they are in compliance with this Resolution subsection No. 5.

d. A separate call-in number or other electronic means of remotely participating shall be available for the Public Body to utilize for closed session that is not available to the public, and that shall not be recorded other than closed session meeting minutes. A Public Body member or Staff shall clearly indicate during the agenda when the closed session will occur and that the general public will not be able to hear or participate or provide comment during the closed session. The Public Body shall return to the public meeting following closed session to adjourn the meeting or take other action as necessary.

6. Emails, texting, or other forms of electronic communication by or between Public Body members during the meeting are prohibited.

7. Public Body members receiving electronic communications from a member of the public one-half (1/2) hour prior to the start of the remote meeting related to any item on the agenda for the meeting may be read by the member receiving the communication during the agenda item and it shall be addressed by the Public Body as appropriate during the meeting.

8. Adjournment of a meeting shall require a roll call vote of the Public Body.

D. ATTENDANCE BY MEMBERS OF THE PUBLIC:

1. Except for closed session, the general public may tape-record, videotape, broadcast on live radio, or telecast on live television the proceedings of the public meeting without prior approval in accordance with the OMA. Press and other news media are allowed to participate.
2. General public participation will not require registration in order to participate, and names will only be given as is necessary to participate in public comment.
3. Members of the public participating remotely shall be provided an opportunity to provide public comment during a public comment section of the agenda pursuant to the rules of the Public Body on public comment. Such opportunity shall be given by the designated facilitator asking each participant whether they have any public comment.
4. No person may be excluded, unless a breach of the peace is committed during the public meeting and they are excluded by the Public Body under the rules stated under the OMA for disruption.

E. PUBLIC HEALTH, SAFETY, AND WELFARE:

This Resolution is intended to establish rules for and authorize participation by remote access by the Public Body members, Staff, and attendance of the general public in the interest of the public health, safety, and welfare during the Coronavirus (COVID-19) pandemic while preserving meaningful access to meetings and participant communication.

F. CONFLICT:

In the event of a conflict between this Resolution and the Rules of the Public Body, this Resolution shall control.

G. EFFECTIVE:

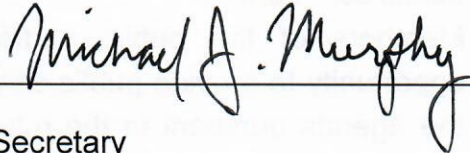
This Resolution shall be effective immediately and shall remain in effect until April 15, 2020 at 11:59 pm or so long as Executive Order 2020-15 is in effect, extended, or superseded by a similar Executive Order, which shall be acknowledged by the Public Body and the Resolution affirmed at the subsequent public meeting, including remote meetings.

ROLL CALL VOTE:

AYES: Lucy Blair, Matt Davis, Ben Holben, Sean LeFere, Michael Murphy, Tom Tarkiewicz, and Ryan Underhill

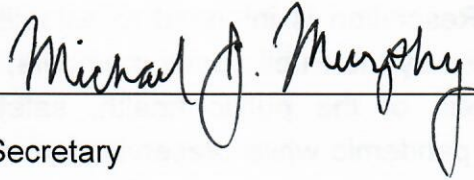
NAYS: None.

Resolution declared adopted this 9th day of April, 2020.

A handwritten signature in black ink, reading "Michael J. Murphy", is written over a horizontal line.

Secretary

The undersigned duly qualified and acting Secretary of the Board hereby certifies that the foregoing is a true and complete copy of a Resolution adopted by the Board at a special meeting held on the 9th day of April, 2020, the original of which is a part of the Board's minutes and further certifies that notice of the meeting was given to the public pursuant to the provisions of the Open Meetings Act, 1976 PA 267, as amended.

A handwritten signature in black ink, reading "Michael J. Murphy", is written over a horizontal line.

Secretary