

Come to Order!

Parliamentary Procedure and the Township Board

By Eleanor "Coco" Siewert,
Parliamentarian

Been there. Done that.

Does this sound familiar?

*The evening of the board meeting comes, and what could
have been wrapped up in a few short hours drags on and on.*

*Board members get off-subject, and discussion takes
far longer than necessary.*

*Why do some meetings run so long? And what
can board members do to ensure more
effective meetings? Parliamentary procedure,
a familiar term, but perhaps an unfamiliar
concept, could mean the difference
between effective, efficient meetings
and drawn-out, unproductive ones.*

This continuing education article and accompanying self-assessment is worth 2.0 elective credits as part of MTA's Township Governance Academy. See page 16 for details.



OBJECTIVE

- To explain the fundamentals of parliamentary procedure, and how the process can help make township board meetings more efficient

CORE COMPETENCIES

Interpersonal Skills: Communicates effectively; listens attentively; and works effectively with individuals, departments and committees to achieve desired outcomes

Leadership Abilities: Understands how to conduct effective board meetings and is knowledgeable about parliamentary procedure

What is Parliamentary Procedure?

What exactly is parliamentary procedure, and why is it a recommended tool for meetings? Parliamentary procedure is the method of procedure, discussion and debate used in deliberative bodies and organized assemblies. It is the process by which groups make decisions.

While some may contend that parliamentary procedure consists of confusing rules and creates conflict in meetings, an understanding of parliamentary rules can actually help a meeting run more fairly, smoothly and orderly. The four key tenets of parliamentary rules are:

- to accomplish the objectives for which the group is organized;
- to expedite business;
- to ensure fairness and equality to all; and
- to maintain order.

These objectives are supported by a set of parliamentary procedures that promote focused discussion through an organized system allowing one individual to speak at a time while others listen. The value of the rules of parliamentary procedure is in their ability to promote decision-making. However, the use of parliamentary procedure alone does not ensure that these objectives will be met. The township board must work to create an atmosphere of trust, honesty, respect and shared purpose.

There are numerous systems of parliamentary procedure, and townships can choose whichever method—or variation of a method—that best suits the board's needs. An important thing to keep in mind is that all board members should work from the same method of parliamentary procedure. This ensures that, if a question or concern arises, all officials are referencing and following the same procedures. (*For parliamentary procedure resources, turn to the sidebar on page 14.*)

Among the most commonly used parliamentary procedure manuals is *Robert's Rules of Order Newly Revised*, which is also the model used for this article. Written in 1876 by General Henry M. Robert, a West Point graduate and member of the Corps of Engineers of the United States Army, the text has been



revised many times, and is now in its 10th edition. A board choosing to adopt *Robert's Rules*, or any other manual or method of parliamentary procedure, as its parliamentary authority should vote to do so.

The Principles of Parliamentary Procedure

Many aspects of township board meetings are governed by Michigan statutes. While parliamentary procedure can be used to enhance statutes and ensure a more effective meeting, it can *never* replace what is required by law. The basic principles of parliamentary procedure, while not required of township boards, can help direct conduct of business during board meetings. A township board may use the following rules as a guideline, but can adjust the rules to comply with state law and the board's preference for more (or less) formal procedures:

- 1) In meetings, board members should focus on the adopted goals and intended outcomes when making decisions for their community.
- 2) All board members have equal rights, and all board members have an equal vote.

3) A parliamentary standard that is also governed by Michigan statute is the need for a quorum to be present to hold a meeting. This means at least three members of a five-member township

board, or four members of a seven-member board must be present to do business. (MCLs 41.70 and 42.7)

4) Only one main proposal may be before the township board at a time, and only one member may have the floor. While the responsibility to make this

occur rests most heavily on the supervisor as meeting moderator, all members contribute through their conduct.

According to MCLs 41.72a and 41.97, a general law township supervisor, if present, shall be the moderator of a regular or special meeting of the township board. If the supervisor is not present, the township board, under the direction of the clerk, shall elect by voice vote a board member to serve as meeting moderator. The clerk has the same powers and duties as the moderator until a moderator is chosen.

MCL 42.5(2) states that a charter township supervisor "shall be the presid-

SAMPLE LANGUAGE

"The rules contained in (the current edition of) *Robert's Rules of Order Newly Revised* [or parliamentary procedure guide of the township's choosing] shall govern the township in all cases to which they are applicable and in which they are not inconsistent with any federal or state laws, township ordinances or any special rules of order the township board may adopt."

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ing and executive officer of the board and shall have an equal voice and vote in the proceedings of the board. ... If the supervisor is absent from a meeting of the township board, the board shall appoint one of its members president pro tem for that meeting.”

5) Full debate among board members should be allowed before the vote on a main motion, except when the members, by motion, impose limitations. According to *Robert's Rules* procedure, a vote must be taken to impose a limitation on the debate; if a member calls the question or makes a motion to stop debate, it requires a two-thirds vote to be adopted.

6) According to *Robert's Rules*, a question, once settled, may not be presented again in the same form, in the same session, except by a motion to reconsider (*discussed later in this article*). This prevents continuous repetition of a motion when one member is dissatisfied with the outcome of a vote.

7) A proposition or issue is the item under discussion, never the person who introduced it.

Before the Meeting

Although not outlined in parliamentary procedure, all township boards should strive to make the best use of officials' time, focus and energy. Board meetings should be spent making decisions and *using* information, rather than collecting it. To best achieve this goal, board members should be given a meeting packet to review *prior* to the meeting.

This is not to say that all questions or discussion during a meeting are bad—to the contrary, there are ways to make discussion during meetings more organized. Asking questions is a way for board members to ensure the goals that have been set for the meeting are being met. However, board members who come to a meeting unprepared, and ask questions that were answered in written reports they simply hadn't yet read, waste time for fellow board members and members of the audience.

A prepared board can tackle the issues at hand, saving time and making the best use of the meeting.

Making Motions

Once a prepared board assembles at a township meeting, members make motions to bring actions before the board and facilitate discussion. A **main motion** is the basis of all parliamentary procedure. All business to be considered by the board is introduced by a main motion. According to *Robert's Rules*, there are specific steps in making a motion. First, the board member seeks recognition from the supervisor. Once the supervisor has recognized the board member, the board member states the motion. Then it is seconded by another board member. If the motion is not seconded, it is not considered for discussion.

If a motion has been made and seconded, the supervisor repeats the motion, placing it before the board for discussion and action. The maker of the motion is invited to address the motion first. According to *Robert's Rules*, seconds are not always needed in small boards, such as township boards. Each township can make its own decision as to whether or not to require seconds.

In *Robert's Rules*, there are also three types of secondary motions:

1) **Subsidiary motions** can direct or change how the main motion is handled. Examples include:

- The *motion to table* is used to temporarily postpone discussion until the board decides to resume discussion. By adopting a motion to “lay on the table,” a majority of the board can immediately halt consideration of a question without debate. To resume discussion, the board must pass a motion to take *from* the table (*see bring-back motions on page 13*). That being said, tabling a motion is not meant to “kill” the motion—it merely sets aside debate until a later time. If a motion is not taken from the table by the end of the next regular meeting, the motion dies. The issue can be made at a later meeting as a new question.

- A *motion to amend* is intended to

change or modify a motion before a vote is taken. When the amendment has been made, seconded and stated by the supervisor, it is open for discussion. Now, the discussion centers specifically on the amendment. Using words such as “strike out” and “insert” indicates which words are to be eliminated and where the new words should go. After discussion, a vote is taken on the amendment and, if it is adopted, then discussion returns to the main motion, as amended. In this manner, discussion is always focused on the specific issue at hand.

- The *motion to refer* is useful when the board decides that more information is needed. The motion is referred to an existing committee or it can be used to create a committee that will

research additional information and present their findings to the board at an upcoming meeting. The motion is sent to the committee without a vote on the main motion. At the future meeting, the committee would present its report, and action would be taken on the referred motion.

- The *motion to postpone* to a certain time is intended to delay consideration of a question until later in the current meeting or to a future meeting. A motion should not be postponed further than three months beyond the present month.

2) **Privileged motions** are unrelated to the current motion, but are of such urgency or importance that they are considered immediately. These include motions to *adjourn*, *recess* or “*call for the orders of the day*.” The latter is a demand from a board member that the group return to the meeting's agenda if discussion gets too off-track.

SAMPLE LANGUAGE

“I move to [or that] ...” To second a motion, another member says, “I second the motion.” [Or “I second it,” “Second” or “Support.”]

SAMPLE LANGUAGE

“I move to refer the motion to the XYZ Committee, and that the committee be instructed to report at the next meeting.”

SAMPLE LANGUAGE

“I move to postpone the motion to the next meeting.”

3) **Incidental motions** are “housekeeping” issues, and though they are related to the business being considered, they do not directly modify the pending motion. They include a *request to withdraw a motion* that has already been put before the board, or a *division of a question*, which allows a motion to be divided into separate parts to be considered.

Bring-back motions are a fourth type of motion, which actually falls under a special type of main motion. These restorative motions contradict the parliamentary rule that once a question has been decided, it cannot be brought up again at the same meeting, and allow the board to consider previously handled business. This may include a *motion to reconsider*, which allows a board to reconsider a vote on a previous motion if a board member feels the vote was hasty, ill-advised or even illegal. *Robert’s Rules* prevent abuse by board members who are simply unhappy with the vote by including the statement that a motion to reconsider can be made only by a member who voted on the prevailing—i.e., the winning—side and only on the same day the original vote was taken.

A *motion to discharge a committee* takes a matter out of a committee’s hands and places it again before the township board as a whole.

A *motion to rescind* can cancel or countermand a motion previously passed, even at a previous meeting. Such a motion is *not* required to be made by a member who voted on the prevailing side, and with previous notice, it requires a majority vote. A motion to *take from the table* allows the board to resume consideration of a motion previously laid on the table.

Order of Motions

According to parliamentary rule—and to make board decision-making as

streamlined as possible—only one motion should be considered at a time. But with all the different types of motions, in which order should they be considered?

The final vote on a main motion is taken only after all other legitimate motions are taken up and acted upon. Privileged motions should be promptly acted upon, and subsidiary and incidental motions must be given priority so that the action finally taken on the main motion

accurately reflects the board’s wishes. Motions that bring a question again before the board can be considered only when no other business is pending.

The Rules of Debate

One way to have effective decision-making and to keep discussion on-track during meetings is to establish rules for debate. Parliamentary procedure provides numerous guidelines for debate that township boards may wish to consider using, though boards can adjust the rules depending on their desired level of formality.

Parliamentary procedure dictates that every board member has the right to speak on every debatable motion before it is voted upon. All remarks should be limited to the subject, or

specific motion, immediately under discussion. The supervisor can monitor this and remind participants if the conversation heads in another direction. All remarks must be addressed to or through the supervisor. A common cause of disruption is board members speaking out without being recognized.

Personal comments about other individuals should always be avoided. It is the supervisor’s responsibility to object if any board member does so.

Calling on members by title—i.e., Trustee Brown—is another step toward setting an atmosphere of civility, and can indicate that the board conducts its business in a serious manner. During board discussion, the supervisor can make an effort to alternate between supporting and opposing arguments in an effort to provide for maximum dialogue and allow all sides to be stated.

Throughout the meeting, a board member may choose to make a “point of order,” which is used when a member wishes to call the supervisor’s attention to the fact that the rules are not being followed. The usual procedures of not interrupting and waiting for recognition do not apply.

Voting Procedures

Under Michigan law, a township board member has a general duty to vote on motions before the board when he or

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SAMPLE LANGUAGE

“I move to reconsider the vote on the motion relating to the annual township clean-up day.”

SAMPLE LANGUAGE

“I move that the committee considering upcoming volunteer projects be discharged.”



Resources for Local Officials

Parliamentary Procedure Manuals

- *Robert's Rules of Order Newly Revised* (10th ed.) by Henry M. Robert III, William J. Evans, Daniel H. Honemann and Thomas J. Balch
- *Robert's Rules of Order Newly Revised, In Brief* (10th ed.) by Henry M. Robert III
- *Robert's Rules in Plain English* (1997 ed.) by Doris P. Zimmerman
- *Mason's Manual of Legislative Procedure* (2000 ed.) by Paul Mason
- *The Standard Code of Procedure* (4th ed.) by Alice Sturgis
- *Parliamentary Law* (1975 ed.) by Henry M. Robert

Parliamentary Procedure Web Sites

- www.parliamentaryprocedure.org

The Web site for the American Institute of Parliamentarians, which works for the improvement of parliamentary procedure to the end that decisions are made by parliamentary means.

- www.parliamentarians.org

The official site of the National Association of Parliamentarians has "basics" pages providing an overview of procedures and a way to contact a professional parliamentarian to assist your township board. ■

she is present at a meeting. A board member who abstains from voting on an issue, unless there is a conflict of interest, is committing a breach of duty. Township board members should consider voting at a township board meeting a duty of office.

When serving on a township board, there are restrictions on the times when a person can choose to abstain. A main reason to abstain is a conflict of interest. A legal conflict of interest is a financial or contractual interest in a matter before the board. A resigning township board member may not vote to appoint his or her successor. A charter township board member may also abstain from voting on an appointment to fill a vacancy for which he or she wishes to be considered.

For charter townships, MCL 42.7 says, "A member of the township board who is recorded as present shall vote on all questions decided by the board unless excused by the unanimous consent of the other board members present."

Following thorough discussion among board members, the motion is put to a vote. Typically, a township board must use a voice vote or a roll call vote, and the supervisor (or meeting chair) can announce the result of the vote. Many

statutes require a *resolution*, rather than a motion.

Statute dictates how many votes are necessary to pass a motion at a township board meeting. If no state law governs the issue the board is voting on, a majority vote by those members present and

voting is sufficient, according to Attorney General Opinion 5238 of 1977.

Various statutes require a majority vote of the township board membership. For example, a majority vote of the township board membership is required to set the date of the annual meeting (MCL 41.8); buy, sell or lease property (MCL 41.2 and other statutes authorizing the purchase or sale of property/equipment); adopt or amend a non-zoning ordinance (MCL 41.181) or a zoning ordinance (MCLs 125.272, 125.281 and 125.285); or approve a 425 Agreement (MCL 124.24).

A two-thirds vote of board membership is required to go into closed session for specific purposes outlined by the OMA (MCL 15.267), or to reject the recommendation of a compensation commission (MCLs 41.95 and 42.6a).

This is not an exhaustive list; other statutes require a majority or two-thirds vote. The township board should consult the statutes and their township attorney when in doubt.

According to *Robert's Rules*, there are times when a formal vote, or even a motion, is not necessary. A board can use unanimous consent in cases when there



seems to be no opposition in routine business, or when the supervisor senses the group is in agreement. For example, approval of bill payments can be accomplished by unanimous consent. This can be a great time-saver and help expedite the meeting.

Productive, Proficient Meetings

Using parliamentary procedure, while not required of townships, can help meetings run more smoothly, with greater productivity and less disruption. By conducting township business in a professional, efficient manner, boards will not only save time, but may find themselves encountering fewer complaints from the public, and could see improved citizen participation in township meetings and activities. By working

SAMPLE LANGUAGE

"If there are no objections, the payment of bills is approved as presented."

mentals of this common practice can help your township realize the type of efficiency it desires. ■

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MTA Member Information Liaison Catherine Mullhaupt contributed to this article.

well together, boards may even achieve a heightened sense of teamwork. Understanding the funda-



Candidates in MTA's Township Governance Academy may obtain 2.0 continuing education elective credits by successfully completing the self-evaluation on page 16. For details about the Academy, contact MTA Education Specialist Shelley Tucker at (517) 321-6467, ext. 251 or e-mail shelley@michigan-townships.org

Continuing Education Self-Assessment



Participants enrolled in the Township Governance Academy (TGA), a credentialing program offered through the Michigan Townships Association, may obtain 2.0 elective credits for successful completion of this quiz. To obtain credit, participants must answer the following 10 multiple-choice questions by circling the correct answer and receive a passing score of 70 percent. The questions are based on content from the article, "Come to Order! Parliamentary Procedure and the Township Board," beginning on page 10.

There is no charge to take the quiz or to obtain TGA credit. Completed quizzes should be sent to: MTA Education Center, 512 Westshire Drive, Lansing, MI 48917, or faxed to (517) 321-8908. MTA will notify you of your results within three weeks after receiving your quiz. *IMPORTANT: Please keep a copy of your completed quiz in your TGA binder.*

Township officials interested in enrolling in the Township Governance Academy may call Shelley Tucker, MTA education specialist, at (517) 321-6467, ext. 251, or for more information, visit the MTA Web site at www.michigantownships.org, and click on the "Training" tab, then "Township Governance Academy."

TGA Continuing Education – May 2006 "Come to Order! Parliamentary Procedure and the Township Board" 2.0 Elective Credits

(To receive credit, this quiz must be completed by May 1, 2009.)

NAME: _____ TOWNSHIP & COUNTY: _____
ADDRESS: _____ CITY/STATE/ZIP: _____
E-MAIL ADDRESS: _____

1. Which of the following does *not* describe parliamentary procedure? It is:
 - a. something that township officials make up as they go along
 - b. a way of making township board meetings more effective and efficient
 - c. a method of procedure, discussion and debate among boards
 - d. the process by which groups make decisions
2. If township boards choose to adopt a method of parliamentary procedure:
 - a. it must be *Robert's Rules of Order*
 - b. the township cannot adapt rules to suit its needs
 - c. every board member must use the same method
 - d. it must use the latest edition of its parliamentary procedure manual of choice
3. During board meetings,
 - a. parliamentary procedure, and state and federal statute carry same authority
 - b. statutes enhance parliamentary procedure
 - c. parliamentary procedure can never replace what is required by law
 - d. statute does not govern any aspect of township meetings
4. According to parliamentary procedure guidelines,
 - a. some board members' votes count more than other members
 - b. the meeting moderator can cut off debate whenever he or she feels like
 - c. the board can consider numerous motions at the same time
 - d. a quorum must be present to hold a meeting
5. To get the most of board meetings,
 - a. officials should receive—and read—a meeting packet prior to the meeting
 - b. officials need only show up on time
 - c. officials should save all their questions for the meeting
 - d. officials spend the meeting collecting information
6. When making a motion to bring business before the board,
 - a. a township official can interrupt the meeting to state his or her motion
 - b. the board member seeks recognition from the supervisor or meeting moderator
 - c. the board member seeks recognition from the clerk
 - d. the motion must receive a second to be up for debate
7. If a board member wants to temporarily suspend discussion on a motion, he or she would use what type of motion?
 - a. a motion to reconsider
 - b. a motion to table
 - c. a motion to refer
 - d. a motion to amend
8. When board members debate and discuss during meetings,
 - a. personal comments about other board members are acceptable
 - b. calling board members by first name sets an atmosphere of civility
 - c. every board member has the right to speak on every debatable motion
 - d. a "point of order" can be made when the rules are being properly followed
9. Voting on township business:
 - a. is something all board members do, no matter what
 - b. is always based on a motion
 - c. takes place whenever the supervisor feels there has been enough discussion
 - d. should be considered a duty of office by board members
10. What outcomes may township boards achieve from using parliamentary procedure?
 - a. meetings with greater disruption and less productivity
 - b. township business conducted in a casual, ineffective manner
 - c. greater teamwork among board members
 - d. less citizen participation