

What are Township Body “Workshops”

By Clifford H. Bloom, Esq.
Bloom Sluggett, PC
Grand Rapids, Michigan
www.bloomsluggett.com

What is the difference between a regular meeting, a special meeting and a workshop for a government body in Michigan? Unfortunately, there is often significant confusion regarding the exact definition and nature of those meetings, as well as the interplay between them.

Any township body (including a township board, planning commission or zoning board of appeals) can have two different types of meetings – a regular meeting and a special meeting. Pursuant to statute, regular meetings are set by those bodies for the upcoming year no later than January of each calendar year. The meeting dates for regular meetings for the upcoming calendar year are then posted in the appropriate public places. For township boards, the regular meetings are typically held at least once per month, and with some townships, twice per month. For most township planning commissions, the regular meetings are either every month, every other month or quarterly.

Every meeting that is not a regular meeting is a special meeting. Special meetings are typically called on an “as needed” basis. There are special notice posting requirements for a special meeting pursuant to the Michigan Open Meetings Act and other township statutes. Special meeting notices are important, because unlike regular meetings, there is no posting for the upcoming calendar year in January for special meetings. Typically, the special meeting notices must not only comply with the Open Meetings Act, but must also state why the meeting is being called and list all of the matters to be accomplished at the meeting, including whether final decisions regarding certain matters will be made at the special meeting.

The word “workshop” is not a formally legally recognized word or term pursuant to either the Michigan Open Meetings Act or Michigan law. A workshop can occur at either a regular meeting or a special meeting. Typically, when a township body uses the term “workshop,” it means that only one topic will be covered at the regular or special meeting involved and there will be no final decisions made at that meeting. Workshops need not occur only at a special meeting – they can occur at a regularly scheduled meeting.

Public hearings can occur at regular meetings or special meetings. Typically, public hearings are not held during meetings designated as “workshops.”

Contrary to popular opinion, every meeting of a township planning commission, township board or township zoning board of appeals must be open to the public and held in compliance with the Michigan Open Meetings Act. Workshops conducted at a regular meeting or special meeting are no exception. Therefore, during a meeting at which a workshop is held, the meeting must not only be open to the public, but must be properly posted, public comment must be allowed, minutes must be taken, etc.

Under the Michigan Open Meetings Act, reasonable public comment must be allowed to occur at all public meetings, including special meetings and regular meetings. Of course, the allowed public comments normally do not last as long at a regular meeting or special meeting at which a public hearing is not held.

All of this is not academic. There are severe sanctions for violating the Michigan Open Meetings Act. Ignorance of the law is no excuse.