

Michigan Economic Development Corporation
Public Comment Policy

Background

Meetings of the Michigan Economic Development Corporation (“MEDC”) Executive Committee are conducted pursuant to the Open Meetings Act MCL 15.261 *et seq* (“OMA”). Accordingly, all Executive Committee meetings are open to the public. Members of the public attending an Executive Committee meeting are permitted to address the Executive Committee under rules established and recorded by the Executive Committee (MCL 15.263(5)). Further, Section 5.05(e) of the Seventh Amended and Restated By-Laws of the MEDC (“By-Laws”) requires the Executive Committee to adopt a public comment policy.

Meetings are held in-person with Executive Committee Member (“Member”) attendance permitted by use of telecommunications or other electronic equipment as authorized by the Second Amended and Restated Interlocal Agreement and the By-Laws.

To ensure that members of the public have a fair and adequate opportunity to be heard at Executive Committee meetings, and to facilitate the orderly conduct of the meeting, the following public comment policy shall apply to MEDC Executive Committee meetings (“Policy”):

Policy

I. General Guidelines

a. Public comment may occur in one of three ways:

i. In-person public comment

- Individuals must be physically present at the Executive Committee meeting prior to the conclusion of the in-person public comment period.
- No pre-registration is required; however, if an individual would like to pre-register, notification can be sent to medccomments@michigan.org.
- Individuals will be required to sign in at the Executive Committee meeting to ensure orderly administration of in-person public comment.

ii. Virtual public comment

- Individuals must pre-register for public comment via MEDC’s website or through the accommodation means listed on MEDC’s website by 8:00 a.m. the morning of the regularly scheduled Executive Committee meeting.
- When registering, individuals must indicate a first name and the last four digits of the phone number which will be used at Executive Committee meeting.
- Individuals who pre-register after 8:00 a.m. the morning of the regularly scheduled Executive Committee meeting will be automatically registered for the following regularly scheduled Executive Committee meeting.
- Individuals who do not pre-register in accordance with this Policy will not be eligible for virtual public comment.



- Individuals who pre-registered but were not present during the virtual public comment period at the regularly scheduled Executive Committee meeting will not be automatically registered for the following regularly scheduled Executive Committee meeting.
- iii. Written public comment
- Individuals wishing to submit written materials in support of virtual public comment, or individuals wishing to only make a written public comment, may submit materials to medccomments@michigan.org or by mail, 300 N. Washington Square, Lansing, Michigan 48913, c/o MEDC Secretary.
 - Written materials must be provided to medccomments@michigan.org, or received by the MEDC if by mail, no later than 3:00pm the day prior to the scheduled Executive Committee meeting to ensure Members receive the information advance of the next day's Executive Committee meeting. All written materials received by the deadline will be reported in the Communications section of the applicable Executive Committee meeting agenda and will also be included as an attachment to the approved Executive Committee meeting minutes for that meeting.
 - a. If the written materials are provided after 3:00pm, those materials will be provided to Members via electronic means after the applicable Executive Committee meeting and will be reflected in the following Executive Committee meeting's approved minutes.
 - Individuals providing in-person public comment may bring written materials to the Executive Committee meeting. The Secretary will collect such materials and distribute to the Executive Committee the next business day after the Executive Committee meeting.
- b. Time
- i. Public comment is limited to the designated public comment period(s) as listed on the agenda.
- The public comment period is an opportunity for the public to express their comments regarding any subject matter and need not be limited to agenda items.
 - As a general practice, the public comment period will occur after the Call to Order/Roll Call and Communications. Notwithstanding, pursuant to the By-Laws, Section 5.05(d), the Chairperson may suspend, waive, or modify the agenda order at any meeting.
- ii. No individual may be recognized to speak more than once during the designated public comment period and public commentators may not yield time to each other; however, groups are encouraged to designate one or more individuals to speak on their behalf.
- iii. The following time periods will apply:

- 3 minutes per individual: If 1-20 combined in-person and pre-registered virtual public commentors.
- 2 minutes per individual: If 21-30 combined in-person and pre-registered virtual public commentors.
- 1 minute and 30 second per individual: If 31-40 combined in-person and pre-registered virtual public commentors.
- If there are 41 or more combined in-person and pre-pre-registered virtual public commentors:
 - a. Generally, each individual will have 1 minute and 30 seconds of public comment.
 - b. If, at the beginning of the meeting, the Chairperson determines that the total number of public comments will interfere with the orderly conduct of the meeting, the Chairperson may:
 - i. Limit the public comment period for pre-registered virtual commentors to one and a half hours and encourage those individuals to submit a written public comment; and/or
 - ii. Move the opportunity for public comment period for pre-registered virtual commentors to the end of the meeting agenda; and/or
 - iii. Omit the public comment period for pre-registered virtual commentors and encourage those individuals to submit a written comment.
- iv. Any Member may request that the Chairperson increase the time limitations above for any individual, or for all public commentors, without reason.
- v. In an effort to provide the public a full opportunity to be heard, if a Member provides a response to an individual's public comment, the time used by the Member shall not count against that individual's time limit for making their comment, i.e. the time limit for an individual public comment shall be tolled while an Executive Committee member is speaking. However, once an individual has used their time, there is no right to additional time to make a "rebuttal" or follow-up comment in response to Member's reply unless specifically granted by the Chairperson.

c. Decorum

- i. In-person public commentors must stay within the area designated for the public at the MEDC Executive Committee meeting.
- ii. Unless requested by a Member, the public has no right to address the Executive Committee during its deliberations on a particular matter.
- iii. Members may engage in dialogue with an individual making public comment; however, no Member is required to respond to a public comment. In general, Members will not respond to comments made during the public comment period

unless it becomes necessary to ask a clarifying question, correct a factual error, or provide or request specific factual information.

- iv. Individuals making public comment shall direct all comments to the Executive Committee and not to MEDC staff or other participants.

- v. Enforcement

- The Chairperson has the authority to maintain order during the meeting.
- In an effort to maintain order during the public comment period, the Chairperson is empowered to enforce this Policy and may:
 - a. Terminate an individual's public comment period when the public comment exceeds the time limit allowed or when the Policy is not being followed (or delegate such authority to the Secretary);
 - b. Require that an individual leave the meeting if that individual commits a breach of the peace (as allowable under OMA);
 - c. Request the assistance of law enforcement officers in the removal of an individual when an individual commits a breach of the peace (as allowable under OMA).

- d. Special Meetings

- i. Virtual public commentators must pre-register for public comment, via MEDC's website, at least thirty (30) minutes before the special Executive Committee meeting.
 - Individuals who pre-register after will be automatically registered for the following regularly scheduled Executive Committee meeting.
 - Individuals who do not pre-register in accordance with this Policy will not be eligible for virtual public comment at the special meeting.
 - Individuals who pre-registered but were not present at the special Executive Committee meeting during the virtual public comment period will not be automatically registered for the following regularly scheduled Executive Committee meeting.
- ii. Aside from the alternate pre-registration requirements for virtual public commentators, all other aspects of this Policy apply to special meetings.

- e. Technology

- i. If an Executive Committee meeting is not held at MEDC headquarters the MEDC will use its best efforts to make virtual public comment available. In the event technology at the venue prevents virtual public comment from occurring, all virtual public commentators will be automatically added to the next regularly scheduled Executive Committee meeting.
- ii. For all instances of unforeseen technological disruptions, regardless of location or reason, virtual public commentators will be automatically added to the next Executive Committee meeting.

II. Procedure

- a. The Secretary shall administer the public comment period.
- b. In-person public comment shall occur prior to virtual public comment.
- c. No individual may make a public comment until recognized. Upon being recognized, and prior to making public comment, an individual shall state their name and city of residence.
- d. During the designated public comment period, in-person public commentators will be directed to the area designated for public comment. Those physically present during the in-person public comment period and wishing to do so will have the opportunity to provide public comment.
- e. After all in-person public commentators present at the Executive Committee meeting and wishing to speak have done so, the in-person public comment period is considered concluded.
- f. Subject to Section I.b., virtual public commentators will then be called upon in pre-registration order. The Secretary will provide instructions for the virtual public comment period.
- g. After all qualified virtual pre-registered public commentators have been called upon to speak, the virtual public comment period, and the public comment period as a whole, is considered concluded.

III. Meeting Minutes

- a. Pursuant to the Open Meetings Act, minutes of the meeting shall consist of the date, time, place, members present, members absent, any decisions made at the meeting open to the public and as appropriate, the purpose or purposes for which a closed session is held. Additionally, the minutes will include a record of all roll call votes taken at the meeting.