



POLICY

COMPLIANCE WITH OPEN MEETINGS ACT AND FREEDOM OF INFORMATION ACT

Adopted January 18, 2007

Background

The Alliance of Downriver Watersheds (ADW) is a public body as defined under the Open Meetings and Freedom of Information acts of the State of Michigan. Under these statutes, the ADW has certain obligations and responsibilities. The following policy outlines the means by which the ADW shall respond to those obligations to meet both the spirit and letter of these legal requirements. It is the intent of the ADW to provide full public disclosure of the operations of the ADW and to encourage public participation in the activities of the ADW.

Open Meetings Act

Meetings of the Full ADW

Consistent with the requirements of state law, the ADW shall post the date and time of regularly scheduled meetings of the ADW immediately following the first meeting of the ADW in each calendar year. To the extent possible the meeting locations for each regularly scheduled meetings shall also be posted at the same time, but in any event the place shall be posted at least 3 days in advance of each ADW meeting. The ADW shall also post the date, time and place at least 18 hours in advance of any special meeting of the full ADW.

The ADW shall use the websites of the Watershed Advisory Groups of the three watersheds within the ADW to post meeting notices as follows:

- Ecorse Creek Watershed Advisory Group: www.ecorsecreek.com
- Combined Downriver Watershed Advisory Group: www.combineddownriver.com
- Lower Huron River Watershed Advisory Group: www.lowerhuronriver.net

The ADW shall provide email notification to any member of the public who requests meeting notification. If any member of the public requests in writing, the ADW shall provide first class mail notices for an annual fee not to exceed the reasonably estimated cost of copying and mailing as required under the Open Meetings Act.

To the extent possible all meetings of the ADW shall be held in publicly owned facilities and the hosting public agency with assistance of the ADW staff, shall post a notice at the meeting site at least three days in advance of any regularly scheduled meeting or 18 hours before any special meeting of the ADW. If an ADW meeting is scheduled for a non-public facility the ADW staff shall work with the facility to appropriately post notice of the meeting.

Meetings of ADW Standing or Special Committees

ADW Standing and Special Committees are advisory to full ADW and do not exercise Independent decision-making authority as a public body covered under the Open Meetings Act. However, to the extent that public attendance can be accommodated by the size of the meeting facility, the public shall be allowed to be present as invited guests, or simply observers. Participation in such meetings by the public shall be at the discretion of chair or co-chair. If any member of the public requests to be in attendance at any ADW Standing or Special Committee, the chair or co-chair shall take all reasonable steps to accommodate the request.

Minutes of Full ADW Meetings

Minutes shall be compiled for all full ADW meetings that shall include time, date and place of the meeting, members present and absent, a record of any decisions made at the meeting, a record of any roll call votes and an explanation of the purpose if a closed session is conducted consistent with the provisions of the Open Meetings Act. Draft minutes of full ADW meetings shall be available on the ADW website within 8 business days of the meeting. Correction the minutes shall be made at the next full ADW meeting And posted, if changed, within 5 days following their final approval.

Minutes of any closed meeting conducted in compliance with the Open Meetings Act shall be prepared but not available for public inspection unless required by civil action. Such closed meeting minutes shall be retained for a minimum of one year after formally approved.

Public Participation at Full ADW Meetings

Any member of the public shall be given an opportunity at each full meeting of the ADW to present information to the ADW members. The public presentation shall be limited to no more that 5 minutes unless extended by the Chair of the ADW. Members of the public shall be provided the opportunity to distribute written materials to individual ADW Members during their presentation or to provide copies of documents for inclusion as part of the public meeting record of the ADW. Members of the pubic are encouraged contact the Chair or ADW staff in advance of a meeting if they would like to extend their presentation beyond the 5 minutes allotted for each speaker.

Freedom of Information Act

Except as specifically provided under the provisions of the Michigan Freedom of Information Act (FOIA), all written documents, emails and other forms of recorded

information generated by the ADW shall be considered public records subject to disclosure to any member of the public upon request.

Availability of ADW Public Records

Upon a written request to an ADW officer or to designated ADW staff for Public Records of the ADW, the ADW shall provide within 5 business days the requested record. Under unusual circumstances the ADW may notify the requestor in writing and extend the time limit by ten days. However, it is the intent of the ADW to respond to email, written or verbal requests for specific documents as soon as practical. The ADW reserves the option of charging a fee for the actual cost of duplication, mailing and clerical labor costs when requests involve large a large number of pages of public records consistent with the provisions of state law. Facilities shall be made available for the inspection of public records during normal business hours.

FOIA Coordinator

The ADW shall designate its FOIA coordinator annually who shall be responsible for accepting and processing requests for ADW's public records. For the calendar year 2007, the FOIA coordinator shall be Ms. Nancy Gregor, or, in her absence a designated alternate, whose email address is ngregor@co.wayne.mi.us and whose mailing address is:

Nancy Gregor, ADW FOIA Coordinator
Wayne County Department of Environment
Watershed Management Division
3600 Commerce Court
Wayne, Michigan 48184
734-326-3936

The FOIA coordinator will immediately notify the ADW officers upon receipt of requests for ADW's public records. Responses to FOIA requests will be reviewed by the ADW Chair or another officer before sending the response to the party making the request.

The FOIA Coordinator will periodically provide the ADW membership a listing of FOIA requests received, and will make the responses available to members upon request.

Changes in ADW Open Meetings and Freedom of Information Acts Policy

The ADW shall post its most current Open Meetings and Freedom of Information Acts Policy on its website. From time to time the ADW may modify this policy to better meet the requirements of state law, to further encourage public participation, to enhance public access to ADW public records, or to clarify matters related to the ADW's effort to conduct its business while meeting its obligations to provide full public disclosure and appropriate public input prior to final ADW actions.