

**PROCEEDINGS OF  
CHARTER TOWNSHIP OF WEST BLOOMFIELD  
PARKS & RECREATION COMMISSION  
Commission Training Meeting  
Recreation Activities Center Room 102  
West Bloomfield, Michigan**

**Monday, July 24, 2023  
6:00 PM**

**APPROVED**

**CALL TO ORDER**

The meeting was called to order at 6:00 PM by Chairperson Brooks

**ROLL CALL**

Present: Chair Robert Brooks  
Secretary John Erich  
Treasurer Terrance Adams  
Commissioner Merv Aronoff  
Commissioner David Barash  
Commissioner Vincent Kirkwood  
Commissioner Sally Wenczel

Staff Present: Kelly Hyer, Executive Director  
Chris Frey, Parks Superintendent  
Stephanie Smith, Finance Manager  
Greg Need, WBPRC Attorney  
Margaret Debler, Attorney for Closed Session  
Carrie Manning, Recording Secretary

Absent: None

Public: None

**PLEDGE OF ALLEGIANCE**

**PUBLIC FORUM-** None present.

**APPROVAL OF AGENDA**

**Motion by Commissioner Aronoff seconded by Commissioner Barash to approve the agenda.**

**Ayes: 7**

**Nays: 0**

**Absent: 0**

**Motion Carried: 7-0**

Consider a closed session, pursuant to Sections 8(1) (e) and 8 (1) (h) of the Open Meetings

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Act, to consult with the Commission's attorney regarding Arthur G. Burgess v. West Bloomfield Parks and Recreation Commission et. al, Oakland County Circuit Court Case No. 23-199977-NO, and to consider a written opinion from the Commission's attorney.

**Motion by Commissioner Barash seconded by Commissioner Kirkwood to approve the closed session.**

**Ayes: 7**

**Nays: 0**

**Absent: 0**

**Motion Carried: 7-0**

Commission entered Closed Session at 6:05PM

Commission exited Closed Session at 6:28PM.

## **TRAINING AGENDA**

### **1. Sources of Authority of Park Commission and review of Commission by-laws.**

There is no inherent power possessed by a local governmental agency such as a park commission, city, township, village, etc. - power must be derived from the state legislature.

Township Parks and Places of Recreation Act,

Public Act 157 of 1905, MCLA 41.421, et seq.

Recreation and Playgrounds Act,

Public Act 156 of 1917, MCL 123.51, et seq.

Constitution and Statutes MUST be followed. By-laws must be followed but can be amended as needed.

### **2. Roles of the Park Commission and the Executive Director.**

The Park Commission establishes policy for the Township's Park and Recreation system.

Adopts a budget for the park system, subject to approval of the Township Board.

Adopt rules and regulations for park use.

Adopt By-Laws and related documents.

Appoint/Review/Evaluate Parks Director

Approve expenditures and contracts.

The Park Director implements policy as established by the Parks Commission in by-laws, rules and regulations, resolutions, motions, and budget. The Park Director oversees day-to-day operations, and they supervise, hire, and fire employees.

### **3. Preparation for a Commission Meeting.**

Read and study packet. This results in a more organized meeting cadence and reassures the public that the motions and new business items voted on during the Commission meetings have been thoroughly researched and the Commissioners' decisions have been thought through.

Ask questions of the Executive Director and/or Commission Chair in advance of the meeting, if possible. Go through the Executive Director or Chair and no other staff for answers.

### **4. Open Meetings/Freedom of Information Acts**

Strong presumption that all decisions be made in public. All documents are available for public inspection, with some specific exemptions.

**Open Meetings Act- OMA** "All meetings of a public body shall be open to the public and shall be held in a place available to the public" MCL 15.263

Violation can expose the Commission to liability.

Deliberations - All deliberations of a public body constituting a quorum of its members shall take place at a meeting open to the public except as provided in this section and sections 7 and 8. MCL 15.236(3) During meetings or during breaks, passing notes or texting could be considered deliberating, including electronic communications or social media discussions. A Quorum is considered 4 or more in a deliberation. During Closed Sessions, no decisions can take place and are only held for specific purposes and requires 5 votes for approval of the session. Closed

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sessions must be disclosed in the meeting minutes and items discussed within the Closed Session cannot be discussed outside of the Session.

**Freedom of Information Act- FOIA-** Meeting minutes are public records, as well as emails and text messages. Items pertaining to legal matters, i.e., Attorney-client privilege, can be withheld. Personal notes are excluded from the FOIA.

**5. Ethics Review**

Adhere to the Code of Conduct, avoid, or properly disclose any conflicts of interest, and be aware of any perception of unethical conduct.

**PUBLIC FORUM-** None present

**ANNOUNCEMENTS-** Commissioner Wenczel advised she will not be present at the regular July 27, 2023, Commission due to prior commitment.

**ADJOURNMENT**

There being no further business before the Commission the meeting was adjourned at 7:28PM.

Reviewed by,  
**John Erich**

(As a permanent record, an audio tape of this meeting in its entirety is on file and will remain at the Parks and Recreation offices where it may be heard.)