

## **Zeeland Charter Township**

### **Livestreaming and Recording of Meetings Policy and Procedures**

#### **Background**

- Zeeland Charter Township (the “Township”) livestreams and records meetings of its public bodies in order to improve accessibility, increase public engagement, build public confidence, promote good governance, and provide greater understanding and awareness of the Township’s governmental process.

#### **Purpose**

- The “Livestreaming and Recording of Meetings Policy and Procedures,” hereafter referred to as “this policy” or “policy,” provides information, procedures, and guidelines relating to the livestreaming and recording of public meetings held by the Township Board, Township Planning Commission, Township Zoning Board of Appeals, and other Township meetings designated by the Township.

#### **Definitions**

- Meeting Chair: The person presiding over the meeting.
- Closed Session: A rare exception to the Open Meetings Act under MCL 15.268, which permits a public body to deliberate in closed session. Closed sessions are exempt from recording/live-streaming.
- Live Streaming: Video or audio that is transmitted via the internet simultaneous to its occurrence.
- On-demand: Video or audio files of past occurrences, which can be accessed by an electronic device.
- Copyright: Any material for which there are legal rights regarding duplication or imitation under federal law.
- Defamatory, Threatening, or Inappropriate Comment: Spoken words or phrases that intend to injure another’s reputation, promote harm or violence to any person,

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containing profanity, or otherwise not appropriate or suitable or legal under applicable law.

- Minutes: The minutes of Township public meetings are required to be taken by the Township Clerk or other applicable official. The minutes shall be considered the official records of Township public meetings.

### **Scope**

- Any meetings or portions of meetings that are not subject to the Open Meetings Act or are closed pursuant to the Open Meetings Act will not be broadcast or recorded.
- This policy applies to all persons attending covered public meetings, including Board and Commission members, Township staff, invited speakers, presenters, and members of the public.
- While it is not intended that there be either live or recorded footage of the audience, there may be incidental capture. The Township shall not be required to edit any videos at the request of anyone who inadvertently appeared on a video or broadcast

### **Policies and Procedures**

- **Meetings to be livestreamed and recorded:** Township meetings may be livestreamed through whatever platform it deems as the most user-friendly, cost-effective, and publicly accessible platform. The Township reserves the right to change platforms at its discretion upon providing proper public notice of such an intended change.
- **Technical Difficulties:** There may be occasions where, due to technical difficulties, a livestream and/or recording may not be available. While every effort will be made to ensure the livestream and recording are functioning smoothly, the Township takes no responsibility. It cannot be held liable for the livestreaming and recording being temporarily unavailable due to issues beyond its control. Technical difficulties may include, but are not limited to, the availability of the internet connection, device failure, the unavailability of recording and/or livestreaming platforms, and/or power outages. A meeting may be briefly recessed to allow for repairs to the broadcast
- **Change in Venue:** In certain circumstances, the Township may need to shift the venue of a meeting to a location that does not have audio/visual capabilities. Provided that such meeting is properly noticed in accordance with the Open Meetings Act, the Township

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may conduct such a meeting. If the meeting will not be livestreamed and/or recorded, the Township shall note such on the meeting agenda.

- **Public Comment:** Members of the public are permitted to address any public body from the podium during public meetings following the procedures established by the Township and in accordance with the Open Meetings Act. Members of the audience who wish to speak during a meeting must do so from the podium. Comments made from the audience will not be heard without using a microphone, and audience commenters will likely not be seen on camera. For this reason, the meeting chair may remind members of the public to speak clearly into the microphone.
  
- **Termination of Livestream and Corrections:**
  - The Township does not accept responsibility for any public comments made during meetings, including those which are defamatory, threatening, or inappropriate. The Township does not warrant or represent that the material or statements made during meetings are complete, reliable, accurate, or appropriate.
  
  - The Township according to its discretion may correct inaccuracies and/or direct the termination or interruption of livestreaming if deemed advisable to do so. Such discretion may be exercised where the content of the debate is considered misleading, defamatory, or potentially inappropriate to be published. This includes but is not limited to:
    - Defamatory, threatening, or inappropriate comments;
    - Repeated or excessive inaccuracies;
    - Possible infringement of copyright laws;
    - Breach of privacy or disclosure of personal information in violation of law.
  
- **Access:**
  - Generally within seven business days following a recorded public meeting, the Township shall post the recording of the meeting on the Township's website for a period consistent with the Township policy. Posting delays beyond seven business days shall be communicated on the Township's website and include details of when the recording will be available.
  
  - Those individuals without internet access who wish to view a prior meeting video may schedule a time to do so at Township Hall by contacting the Township Manager at 616-772-6701.

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- Livestreams and recordings of meetings are the property of the Township and cannot be reused or reproduced without the approval of the Township. If requested, permission may be granted to produce or reproduce the recordings posted on the Township’s website, provided that the copied material is not modified or altered, and the ownership of the material remains attributed to the Township. Unless expressly authorized herein, no part of the recorded materials posted on the Township’s website may be reproduced without the written permission of the Township. The copyright protection remains with the Township.
- Archived recordings will be retained by the Township at its reasonable discretion, subject to being removed at the direction of the Township Manager. Reasons for removal may include server limitations and/or video formats that are no longer supported by the utilized software platforms.
- **Responsibilities**
  - The Township Manager shall be responsible for the operation of the livestreaming and recording equipment, as well as ensuring the meeting is posted for viewing within the timeframe established by this policy and applicable law.
  - The Township Manager may use a designee for any obligations under this policy.
- **Amendments**
  - The Board reserves the right to review and amend this policy at any time, provided such deliberations and actions take place at a public meeting conducted in accordance with the Open Meetings Act.