



Charter Township of Oscoda

Township Board Protocol Manual

Revised November 2020

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Mission Statement

The Charter Township of Oscoda is the government entity responsible for creating the environment to improve the quality of life for its residents and opportunities for its businesses to thrive. It creates and maintains the organizational and physical infrastructure of the community to engage residents and help its businesses continually adjust to the everchanging economic climate. The Township is a steward of the public trust, administrator of responsive and efficient government, and a champion of transparency that works to serve and protect its citizens.

Core Values

- Accountability
- Community
- Excellence
- Integrity
- Service
- Stewardship

Foreword

In the course of serving as a public official, there are a myriad issues with which you will become involved. This protocol manual attempts to centralize information on common issues related to local government and your role as a member of the Oscoda Township Board of Trustees.

The issues that are addressed in this publication are often complex and subjective. This manual is intended to be a guide and is not a substitute for the counsel, guidance, or opinion of the Township Superintendent and/or the Township Attorney.

The protocols included in this reference document have been formally adopted by the Township Board of Trustees. Provisions contained herein will be reviewed as needed.

Chapter 1. Introduction and Overview

Adopted by Congress on July 11, 1958

Any person in Government service should:

- I. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department.
- II. Uphold the Constitution, laws, and legal regulations of the United States and of all governments therein and never be a party to their evasion.
- III. Give a full day's labor for a full day's pay; giving to the performance of their duties, their earnest effort, and best thought.
- IV. Seek to find and employ more efficient and economical ways of getting tasks accomplished.
- V. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept, for themselves or their family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of their governmental duties.
- VI. Make no private promises of any kind binding upon the duties of office, since a Government official has no private word which can be binding on public duty.
- VII. Engage in no business with the Government, either directly or indirectly, which is inconsistent with the conscientious performance of their governmental duties.
- VIII. Never use any information coming to them confidentially in the performance of governmental duties as a means for making private profit.
- IX. Expose corruption wherever discovered.
- X. Uphold these principles, ever conscious that public office is a public trust.

As a member of the Township Board, you not only establish important and often critical policies for the community, you are also a Board member of a public corporation having an annual budget and appropriating millions of dollars. The scope of services and issues addressed by the Township organization go well beyond those frequently reported in the newspaper or discussed at Board meetings.

1.01 Council-Manager Form of Government

Oscoda Township is a Council-Manager form of government. As described in Michigan law and Township policies, certain responsibilities are vested in the Township Board and the Township Superintendent. Basically, this form of government prescribes that a Board's role is that of a legislative policy-making body which determines not only the local laws that regulate community life, but also determines what public policy is and gives direction to the Township Superintendent to administer the affairs of the Township government in a businesslike and prudent manner.

1.02 Purpose of Township Board Protocol Manual

Oscoda Township has prepared its own protocol manual to assist the Township Board by documenting accepted practices and clarifying expectations. Administration of Township Board affairs is greatly enhanced by the agreement of the Township Board and staff to be bound by these practices. While attempting not to be overly restrictive, procedures are established so that expectations and practices can be clearly articulated to guide members of the Board in their actions. This manual is not intended to supersede or conflict with relevant laws, rules, or regulations.

1.03 Overview of Basic Township Documents

This protocol manual provides a summary of important aspects of Township Board activities. However, it cannot incorporate all material and information necessary for undertaking the business of the Township Board. Many other laws, plans, and documents exist which bind the Township Board to certain courses of action and practices. The following is a summary of some of the most notable documents that establish Township Board direction.

A. Compiled Laws of Michigan

The state laws contain many requirements for the operation of Township government and administration of meetings of township boards throughout the state. Oscoda Township is a "charter township", which means it operates under the general laws of the state. Public Act 357 of 1947 establishes the Township form of government, and the Charter Township Act of 1970 establishes Oscoda as a charter township.

B. Ordinances

These include a variety of local laws and regulations including, but not limited to, zoning

standards, health and safety issues, traffic regulations, and building standards.

C. Employee Handbook

It is the policy of Oscoda Township to uphold, promote, and demand the highest standards of ethics from all its elected and appointed officials. Accordingly, all members of the Township Board, members of all appointed boards, commissions, committees, Township employees, consultants, and professional service providers are expected to maintain the utmost standards of personal integrity, truthfulness, honesty, and fairness in carrying out their public duties; avoid any improprieties in their roles as public servants; and never use their Township position or powers for personal gain. The Employee Handbook addresses general rules of conduct and provides guidelines for Township officials to be worthy of the public trust and abide by their Oath of Office. It is available from the Township Clerk's office.

D. Annual Budget

The annual budget is the primary tool and road map for accomplishing the goals of the Township. The budget document is the result of one of the most important processes the Township undertakes. By adopting the annual budget, the Township Board makes policy decisions, sets priorities, allocates resources, and provides the framework for government operations.

E. Annual Financial Report

The annual financial report includes the financial statements of the Township for the fiscal year. It includes the financial condition of the Township as reflected in the balance sheet, the results of operations as reflected in income statements, an analysis of the uses of Township funds, and related footnotes. The annual financial report includes statements for the various groups of funds and a consolidated group of statements for the Township as a whole. The Annual Financial Report is available online at oscodatwpmi.documents-on-demand.com.

F. Master Plan

A master plan addresses the community's long-range planning needs relative to land use, transportation, economic development, and other planning elements. The Township's Master Plan is reviewed on an ongoing basis and should be revised at least every five years. The Master Plan is available online at oscodatwpmi.documents-on-demand.com.

G. Capital Improvement Plan

The Capital Improvement Plan serves as a guide for determining priorities, planning, financing, and constructing capital projects which add to, support, or improve the physical infrastructure, capital assets, or productive capacity of Township services. The most current Capital Improvement Plan is included with the Annual Financial Report, and can be found at oscodatwpmi.documents-on-demand.com.

H. Strategic Plan

Strategic planning is a tool that facilitates achieving predetermined goals through specific tasks. The process involves articulating a vision of where an organization

wants to go, creating a plan for how to get there, and identifying how to carry out the plan. It is a forward-looking process that produces tangible, measurable and meaningful results. The Township Board is provided updates on these strategies that are regularly monitored for progress. The most current Strategic Plan can be found at oscodatwpmi.documents-on-demand.com.

1.04 Orientation of New Members

It is important for the members of the Township Board to gain an understanding of the full range of services and programs provided by the Township. As new members join the Township Board, the Township Superintendent will host an orientation program that provides an opportunity for members to tour municipal facilities and meet with key staff. Additional orientation information will be provided to new members.

Several training opportunities for members of the Board exist, and members are encouraged to attend throughout their time of service. Some opportunities include those from these organizations:

- Michigan Township Association-sponsored Township Governance Academy and other New Officials Training programs.
- Michigan Association of Planning
- Michigan Municipal League
- Michigan State University
- Annual training sessions
- Continuation training as laws change over time

At any time, if there are facilities or programs about which you would like more information, arrangements will be made to increase your awareness of these operations.

Chapter 2. General Powers and Responsibilities

2.01 Township Board Generally

Fundamentally, the powers of the Township Board are to be utilized for the good of the community and its residents; to provide for the health, safety and general welfare of the citizenry. The Township Board is the policy making and lawmaking body of the Township.

State law and local ordinances grant the powers and responsibilities of the Board. It is important to note that the Board acts as a body. While the Supervisor, Clerk and Treasurer have some official responsibilities as described below, when it comes to establishing policies, voting, and in other significant areas, all members are equal. It is also important to note that policy is established by at least a majority vote of the Board. While individual members may disagree with decisions of the majority, a decision of the majority does bind the Board to a course of action. Members of the Board should respect adopted Board policy. In turn, it is staff's responsibility to ensure the policy of the Board is upheld.

Actions of staff to pursue the policy direction established by a majority of the Board do not reflect any bias against Board members who held a minority opinion on an issue.

A. Board Non-Participation in Administration

In order to uphold the integrity of the council-manager form of government, and to provide proper checks and balances, individual members of the Township Board refrain from becoming individually involved in the administrative affairs of the Township. As the Board is the policy making body and the maker of local laws, its involvement in enforcement of ordinances would only damage the credibility of the system.

Except for the purpose of inquiry, the Board and its members will deal with the administrative service solely through the Township Supervisor or designee, and neither the Board nor any committee or member of a committee shall give orders to any subordinate of the Township Superintendent. However, the Board is not prohibited from fully and freely discussing with the Township Superintendent anything pertaining to appointments and removals of Township officers and employees, and Township affairs.

It is recognized that individual Board members will have specific statutory duties or other tasks assigned by the Board that may require regular interaction and cooperation with Township employees. However, wherever there is disagreement or staff denial of a Board member's request, then the protocol described above shall be followed. At no time should any Board member disparage or otherwise undermine the authority of the Township Superintendent with staff.

2.02 Role of Board Members

Members of the Oscoda Township Board of Trustees are collectively responsible for establishing policy, adopting an annual budget, and providing vision and goals to the Township Superintendent.

The following outline is a brief description of the various duties of Board members. The description is not intended to be comprehensive, but rather it is an effort to summarize the primary responsibilities of the Board.

A. Summary of Board Duties and Responsibilities:

1. Establish Policy
 - a. Adopt goals and objectives
 - b. Establish priorities for public services
 - c. Approve/amend the operating and capital budgets
 - d. Approve purchases as required by the Purchasing Policy
 - e. Adopt resolutions
2. Enact Local Laws
 - a. Adopt ordinances
3. Supervise Appointed Officials
 - a. Appoint Township Superintendent
 - b. Evaluate performance of Township Superintendent
 - c. Establish advisory committees, sub committees, and commissions
 - d. Make appointments to advisory bodies
 - e. Provide direction to advisory bodies
4. Provide Public Leadership
 - a. Relate wishes of constituents to promote representative governance
 - b. Mediate conflicting interests while building a consensus
 - c. Call special elections as necessary
 - d. Communicate the Township's vision and goals to constituents
 - e. Represent the Township's interest at regional, county, state, and federal levels
5. Decision-Making
 - a. Study problems
 - b. Review alternatives
 - c. Determine best course of public policy

2.03 Role of the Township Supervisor

The Supervisor is frequently the first official contacted about any township business or complaint and is often perceived as the Township spokesperson. The authority of the Supervisor is limited to that provided by statutes or delegated by the Township Board.

Accordingly:

1. As a member of the Township Board, the Supervisor shall be the presiding and executive officer of the Board and shall have an equal voice and vote in the proceedings of the Board.
2. The Supervisor is the Township's agent for transacting all legal business.
3. The Township Supervisor shall carry out all statutory duties.
4. The Township Supervisor is required to comply with statutory deadlines.

A. Presiding Officer

The Supervisor serves as the presiding officer and acts as chair at all meetings of the Township Board, with all the commonly accepted power of that position (e.g., ruling, recognizing). The Supervisor may participate in all deliberations of the Board in the same manner as any other members and is expected to vote in all proceedings, unless a conflict of interest exists. The Supervisor does not possess any power of veto.

The Supervisor assures the integrity of the Board's process and that the Board behaves consistently with its own rules. Meeting discussion content will be only those issues which clearly belong to the Board to decide, not the Township Superintendent. Deliberation will be fair, open, and thorough, but also timely, orderly, and kept to the point.

B. Ceremonial Representative

Responsibility to act as the Township Board's ceremonial representative at public events and functions has been assigned to the Supervisor. The Supervisor may represent the Board to outside parties in announcing Board-stated positions and in stating chair decisions and interpretations within the area(s) delegated to him/her. The Supervisor is vested with the authority to initiate and execute proclamations.

2.04 Duties of the Elected Department Heads

The Township Clerk and Township Treasurer serve the Township in a dual capacity. In carrying out their duties within the scope of the law, these elected officials serve as elected department heads, responsible for designated department operations and other duties assumed, assigned or delegated.

Accordingly:

1. The role of the elected Township Clerk is to serve the dual role of the duties of operating the Clerk's office and voting member of the Oscoda Township Board. The Clerk's responsibilities include: voter registration and election administrator, Township records management, secretary to the Township Board, and supervisor of his/her department.
 - a. The Township Clerk is responsible for carrying out all statutory duties.

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- b. The Township Clerk is required to comply with statutory deadlines.
 - c. The Township Clerk will cooperate with the Township Superintendent with respect to administrative policies and procedures.
2. The role of the elected Township Treasurer is to serve the dual role of operating the Treasurer's office and voting member of the Oscoda Township Board. The Treasurer's responsibilities include: serving as the township tax collector, cashier, investor and supervisor of his/her department.
 - a. The Township Treasurer is responsible for carrying out all statutory duties.
 - b. The Township Treasurer is required to comply with statutory deadlines.
 - c. The Township Treasurer will cooperate with the Township Superintendent with respect to administrative policies and procedures.

2.05 Absence of Board Members

If any member(s) of the Board will be absent from the Township for an extended period of time or absent from a scheduled meeting, they shall notify the other Board members and the Township Superintendent in advance of such absence.

2.06 Appointment of Township Superintendent

The Township Board is responsible for appointing the Township Superintendent. The Township Superintendent serves at the pleasure of the Board. The Township Superintendent is responsible for all personnel within the Township organization. The Township Superintendent's appointment of all staff positions is subject to confirmation by the Township Board.

2.07 Advisory Bodies

Boards, commissions, and citizen committees provide a great deal of assistance to the Oscoda Township Board of Trustees when formulating public policy and transforming policy decisions into action. The Township has several standing boards and commissions. In addition, special purpose committees and task forces are often appointed by the Township Board to address issues of interest or to conduct background work on technical or politically sensitive issues. Special or ad hoc committees will be dissolved upon completion of the intended task.

The procedures established in this manual reflect the policy of the Township Board regarding the appointment of volunteer citizens to the various advisory bodies of the Township. The establishment of these procedures ensures that well-qualified, responsible, and willing citizens are given the opportunity to serve the Township and participate in the governing of their community.

The Township Board is specifically empowered to create certain advisory boards and commissions pursuant to the provisions of Michigan law, or such advisory boards or commissions not specifically enumerated, as the Board deems necessary or advisable.

In the exercise of this power, it is the desire of the Township Board to establish a consistent policy in its decision-making role to fairly and equitably evaluate those citizens of the community who demonstrate desire to serve on such boards or commissions.

A. Appointments

The Township Supervisor will regularly solicit interest from the public in serving on advisory bodies. The Supervisor will consider all interested candidates in making appointments or reappointments, with the confirmation of the Board.

B. Qualifications, Terms of Service, Forms

Persons wishing to be considered for appointment or reappointment will submit to the Township Superintendent's Office an application on a form provided by that office. Applications will be reviewed and appointments made according to the Board Application Process. It is the policy of the Township Board to evaluate each applicant on an objective basis, utilizing the following criteria:

1. *Residency* – Residency requirements provided by law or as the Board deems advisable.
2. *Sectional Composition* – Normally, consideration should be given toward maintaining an equitable balance of community representation on all boards and commissions. The Township Board will not appoint or reappoint multiple members from the same family or household to a single board, commission, or committee, in order to avoid the reality or appearance of improper influence or favor. The Township Board will not appoint or reappoint members of Board members' families or households to single boards, commissions, or committees to avoid the appearance of favor and to increase community representation.
3. *Occupation* – The Board will attempt to maintain a broad mix of occupational backgrounds on all boards, commissions, and committees.
4. *Knowledge of Municipal and Planning Process* – When ranking equally qualified applicants, the Board will consider background experience and knowledge of the municipal process as appropriate to the position, in reaching its decisions.
5. *Contributive Potential* – The Board will evaluate the potential contribution that each applicant may make if appointed or reappointed to a board, commission, or committee. Criteria to guide the Board in its evaluation may include:
 - a. Ability to communicate
 - b. Desire to perform public service
 - c. Ability to express ideas, concepts, or philosophies
 - d. Desire to participate in decision-making process
6. *Leadership Potential* – Since each appointee may be called upon to serve as a Chair, the Board will evaluate leadership abilities, such as:
 - a. Past or present leadership experience (current employment, special interests, etc.)
 - b. Past or present participation in community services

c. Expressed interest in a leadership role

7. *Attendance and Availability*

- a. Ability to attend regular meetings
- b. Ability to attend regular trainings
- c. Availability (currently serving on other boards or in other roles does not disqualify appointment to township boards, commissions, or committees, but may impact appointment decisions).

C. *Board Action*

1. *Application* – Whenever possible, an application from each appointee should be submitted to the Board for its review prior to confirmation.
2. *Board Interview Period* – It shall be the privilege of the Board to personally interview each applicant individually, at a time and place to be designated by the Board. However, the Board reserves the right to make appointments after reviewing applications and without conducting interviews.
3. *Board Evaluation* – After each applicant or member is evaluated, the Board will deliberate and reach a decision at its earliest convenience.
4. *Decision & Announcement* – Each applicant will be notified of the decision of the Board, as well as the Chair of the affected board, commission, or committee.

E. *Resignations*

In the interest of timely noticing of vacancies, and to minimize the impact of such vacancies on boards, commissions, and committees, the Township Board delegates to the Supervisor the authority to accept resignations. Following the Supervisor's acceptance of the resignation, the Township Clerk is authorized to advertise such vacancies according to the process set forth in Section 2.07(A).

F. *Representation by Board Members*

Board members are often requested to serve on outside boards, councils, commissions, or committees. This type of representation serves to facilitate communication and provide interaction with other governmental bodies. The Township Board appoints members to some of these groups on an as-needed or as-requested basis.

Where applicable, Board will appoint an alternate to attend outside boards, councils, commissions, or committees, if the main delegate to such group is unable to attend a meeting of the group. The main delegate will notify the alternate as soon as possible after the main delegate realizes they will be unable to attend an upcoming meeting of the outside group.

Board members participating in policy discussions at regional meetings will represent the consensus of the Board, except where regional appointment requires regional opinion. Personal positions, when given, will be identified and not represented as the position of the Township.

G. Appointment of Board Representative to the Planning Commission

One member of the Township Board shall be appointed to the Planning Commission as a member. The term of the appointed member shall expire with his or her term on the Board.

H. Appointment of Board Representative to the Economic Improvement Committee

One member of the Township Board shall be appointed to the Economic Improvement Committee as a member. The term of the appointed member shall expire with his or her term on the Board.

I. Rules of Conduct

By accepting appointment to any Township board, commission, or committee, members thereby agree to conduct themselves in accordance with the following rules of conduct.

1. All members of Township boards, commissions, and committees will abide by all applicable state laws, Township ordinances, and other doctrines relating to the conduct of board, commission, or committee members.
2. Nothing contained herein is intended to preclude a board, commission, or committee member from speaking as an individual citizen, so long as the following conditions are met:
 - a. The individual clearly identifies that he/she is speaking only as an individual citizen and is not in any manner representing or speaking on behalf of the board, commission, or committee of which he/she is a member; and
 - b. No board, commission, or committee member testifies orally or in writing as to any quasi-judicial matter being heard, or having the possibility of being heard, by the board, commission, or committee of which the person is a member.

J. Board Members' Role and Relationship with Township Advisory Bodies

1. Unless prohibited by Michigan law, Board members can be appointed to Township advisory bodies concurrent with their term of office as Board member.
2. Board members must be substantially accurate when representing the policy or position of the Board before any advisory board, commission, or committee of the Township.
3. Limitations on the conduct of Board members before the Township's advisory boards, commissions, and committees should be voluntarily undertaken in order to assure public confidence in the decision-making process and avoid the appearance of bias, prejudice, or improper influence. Toward this purpose, the following protocol should be observed:
 - a. Board members shall not testify in quasi-judicial matters pending before any advisory board or commission that will receive, or could potentially receive, future appeal or review before the Township Board. Violation of this protocol

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- may require the Board member to disqualify him- or herself from participating in any appeal or review proceedings before the Township Board.
- b. Board members, in their capacity as private citizens, should refrain from providing testimony in legislative or administrative matters pending before any advisory board that will receive, or could potentially receive, future review or other action before the Board. Where a Board member elects to provide such testimony, the following rules shall apply:
- (i) The Board member shall declare at the outset and upon the record that the Board member is present in his or her private capacity as an interested citizen, and not on behalf or at the request of the Township Board.
 - (ii) The Board member shall refrain from stating or implying that the Board member's position or opinion is that of the Township Board.
 - (iii) The Board member shall refrain from directing Township staff or the advisory body to take any action on behalf of the Board member.
 - (iv) The Board member shall observe any rules of procedure or protocol that apply to any other private citizen testifying before the advisory board.

Chapter 3. Support Provided to the Township Board

3.01 Staff / Clerical Support

Staff and administrative support to members of the Township Board is provided through the Township Superintendent's Office. Secretarial services, including receipt of telephone messages, and word processing, are available as needed. Sensitivity to the workload of support staff members in the Township Superintendent's Office is appreciated. Please note that individuals may have work assignments with high priority. Members of the Board will consult with the Township Superintendent regarding needs for staff assistance.

3.02 Office Equipment

To enhance Board members' service to the community and their ability to communicate with staff and the public, the Township provides meeting facilities and office equipment for Township business. For those members of the Board who do not have or do not wish to use personally owned computers for Township business, the Township has computers available and the necessary software with Internet and e-mail capabilities.

Training in the use of computers and related software may be available, if needed. While staff will maintain those computer applications related to Township affairs, staff cannot provide assistance for personal computer applications.

It is important to note that all letters, memoranda, and interactive computer communication (e-mail) involving Township Board members and members of advisory boards and commissions, the subject of which relates to the conduct of government or the performance of any governmental function, with few exceptions stated by the Freedom of Information Act (FOIA), are public records. These are to be considered privileged and confidential information.

When individual Board members have completed their term of office, they shall return all Township property, equipment, computers, and software to the Township Superintendent.

A. Business Use and Limited Personal Use

The Township's electronic equipment and information systems are intended for professional business use in performing the duties of a Board member. Limited personal use may be permitted, according to the following guiding principles:

1. It is incidental, occasional and of short duration;
2. It does not result in incremental expense to the Township;

3. It does not solicit for or promote commercial ventures, religious or political causes, outside organizations or other solicitations not directly related to the duties of a Board member;
4. It does not violate the other “prohibited uses” or other specific limitations outlined by state law and/or in this policy.

B. Prohibited Uses

The creation, transmission, downloading, or storage of any document, data, or message which reasonably can be construed as relating to or promoting the following, are prohibited:

1. Discrimination or harassment on the basis of age, race, color, gender, creed, marital status, national origin, disability, or sexual orientation;
2. An expression regarding personal religious beliefs;
3. An expression of rumors or gossip about any individual or group of individuals;
4. Any language and subject matter that is objectionable, offensive, obscene, threatening, or otherwise inappropriate as described in the Oscoda Township Anti-Harassment Policy;
5. Any communication unrelated to Township affairs meant to solicit for or promote commercial ventures, religious or political causes, outside organizations, or other non-job related solicitations;
6. Any information that violates copyright and/or trademark laws;
7. Copying any Township-licensed computer software for personal use;
8. See also specific prohibitions relating to individual types of system use below.

C. Internet Use: Browsing, List-Servs, Newsgroups, etc.

1. It is the policy of the Township to maximize the cost-effective use of its computer systems as a means to improve efficiency and productivity. All Board members are responsible for using the Internet resources in an effective, ethical, and lawful manner, and in accordance with this policy.
2. Using Township equipment or Township Internet connection to violate the integrity of another system (hacking) is prohibited.

D. System Security

1. *Acquisition of computer equipment.* All acquisitions of information systems components will be coordinated through the Township Superintendent.
2. *Conscientious care.* All Board members are responsible to care for the personal computer system components that they are assigned or using. Employees are responsible for promptly reporting any equipment, software, or data damage and/or destruction of which they become aware. Any damage caused by personal use, including repair costs, will be the responsibility of the Board member.
3. *Unauthorized access.* Board members are prohibited from using “loopholes” or knowledge of a special password to damage computer systems, obtain extra resources, or to gain access to systems for which proper authorization has not been given. Board members are responsible for keeping their password confidential and not sharing it with other users.
4. *Use of aliases.* Use of aliases while using the Internet or internal e-mail is prohibited. Anonymous messages and anonymous newsgroup postings are prohibited.
5. *Unlicensed or copied software is prohibited on any Township computer.* No Board member may use unlicensed or copied software on any Township computer. In addition to disciplinary penalties, the Township shall seek reimbursement from any Board member who installs, downloads, uses, or authorizes the use of any unlicensed or copied software on any Township computer, of any fines, costs, or other expenses incurred by the Township resulting from such use.

E. Computer Printers, Photocopy Machines

1. *Computers & Printers.* Board members may use Township computers for personal use if said use meets the criteria outlined in Subsection 3.02(A) above and does not violate Subsection 3.02(B) of this policy; said Board members will reimburse the Township at the current rate of FOIA per page costs for use of Township printers.
2. *Photocopy Machines.* Board members may use Township photocopy machines for personal use by paying a photocopy charge equal to the current FOIA per page cost, if said use meets the criteria outlined in Subsection 3.02(A) above and does not violate Subsection 3.02(B) of this policy.
3. *Other equipment.* Except as provided in this policy, Board members will not use or convert Township equipment for personal use. In no event shall a Board member take Township property to his or her home, except as provided herein,

Assigned, or otherwise intended to be portable (e.g. notebook computers, wireless phones/PDAs, etc.).

F. Monitoring, Enforcement, and Penalties

1. All hardware, software, programs, applications, templates, data, and data files residing on Township information systems or storage media, whether Township business or personal, are the property of Oscoda Township. This property may be accessed, copied, changed, altered, modified, destroyed, deleted, or erased without prior notice to individual Board members.
2. The Township retains the right to monitor and audit the use of e-mail and Internet use. The right to use these technologies does not include the right to privacy.
3. Deleted documents, messages and data may be retrieved from a variety of points in the network. Board members should assume that electronic evidence discovery might recover deleted or unsaved data.
4. Board members' use of a personal Internet account on Township equipment, and Board members' use of a Township Internet account on personal equipment, are subject to the provisions of this policy. Said Board members should be aware that their personal e-mail and electronic files could be monitored by the Township, and could be reviewed as part of a FOIA request.
5. Each Board member is required to read and sign this policy. In addition to any other penalty, fine or cost reimbursement required by any provision of this policy, violation of this policy may result in disciplinary actions.

3.03 Mail Deliveries

Individual mailboxes are maintained for each Board member in the Executive Secretary's office. They are encouraged to check mailboxes often. In addition, Township staff will email materials whenever appropriate.

Correspondence addressed to the Board of Trustees will be copied for all Board members.

Chapter 4. Financial Matters

4.01 Board Compensation

Oscoda Township provides for payment of a modest honorarium to members of the Township Board, as established by the Oscoda Township Compensation Plan.

4.02 Budget

The annual Township budget includes appropriations for expenses necessary for members to undertake official Township business. Funding provided includes membership in professional organizations, attendance at conferences and/or educational seminars, purchase of publications, and office supplies.

4.03 Travel Policy

Members of the Township Board, Township boards, commissions, and committees are subject to the following travel policy:

A. Travel Involving an Overnight Stay

All reasonable transportation expenses for approved travel (as defined in the following paragraphs) will be reimbursed. Any travel involving an overnight stay must have the prior approval of the Township Superintendent or Township Board. Elected and appointed officials should endeavor to attend training and conferences in the state whenever possible, if such training or conference is of comparable value to that offered out of state.

B. Pre-authorization of Travel Involving an Overnight Stay

Anyone traveling on Township business with anticipated expenses exceeding \$100 shall submit a purchase request form to the Township Supervisor. The Township Supervisor will authorize travel expenses within the legislative budget approved by the Board. In accordance with Township policies, the Township Supervisor will authorize:

- a. Overnight travel by elected or appointed officials
- b. Use of a rental vehicle by elected or appointed officials
- c. Any interpretations to the policies stated herein

If the Township Supervisor does not approve said travel expenses, the purchase request shall be forwarded to the Board for review.

C. Reimbursement of Travel Expenses

A fully itemized claim for expense reimbursement must be submitted to the Treasurer's Office within 30 days of the close of the authorized travel period.

1. *Transportation Costs* – Reimbursement costs for transportation will be at the cost of the most reasonable means of transport.
2. *Hotel / Motel Accommodations* – Reasonable expenses will be reimbursed at the rate of the single-room rate per person. Government or discount rates should be obtained wherever possible.
3. *Individual Meals - Same Day Travel* – Reasonable costs of necessary meals while conducting Township business outside of Iosco County are reimbursable when supported by receipts up to the standard CONUS (Continental United States) applicable rate established by the United States General Services Administration (GSA) for meals. If the travel destination is to a non-standard area, the applicable GSA rate for meals for that area is to be used.
 - (a) Receipts must accompany all reimbursement claims.
 - (b) The cost of meals for official functions (community or professional organizations or associations - usually include speaker and/or room rental) will be paid at full actual cost, even if the cost exceeds the rates above.
 - (c) Tips are allowable up to 15% and should be considered as a part of the maximum allowable amount.
 - (d) Reimbursement will not be paid for alcoholic beverages.
 - (e) Reimbursement will not be paid for expenses for spouses, guests, nonemployees, or other persons not authorized to receive reimbursement under this policy or state laws.
 - (f) Reimbursement may be claimed by one person for several employees or officials eating together, as long as all the names are listed on the reimbursement claim.
4. *Per Diem for Out-of-Town, Overnight Meals*. When traveling out of town overnight, officials will receive a per diem allowance for meals rather than submitting a request for individual meal reimbursements. No receipts are required for meals reimbursed under this section. The daily per diem rates for meals shall be at the standard CONUS rate established by the US GSA. If the travel destination is to a non-standard area, the GSA rate for that area is to be used. If meals are provided as part of the registration fee, no per diem will be paid for those meals. Officials can claim the daily per diem rates only for those meals they pay for directly.
5. *Incidental Expenses* – Reasonable costs for parking, taxis, buses, rental cars (if necessary), etc., will be paid if itemized on the claim form and accompanied by a receipt. Use of rental cars must have prior approval.

6. *Personal Vehicles* – Mileage for the pre-approved use of personal vehicles will be reimbursed at the IRS allowable mileage rate. Employees using their personal vehicle from home to a destination different from their usual work site are reimbursed for miles driven in excess of their usual commute to and from work. The Finance Director will publish the IRS rate by memo at the beginning of each calendar year.
7. *Reporting of Actual Expenses* – Except for those eligible expenses that qualify for petty cash reimbursement in accordance with Township policy, all actual eligible expenses should be reported on an expense reimbursement request form to be filled out by the official within 30 days after completion of travel. Receipts must be attached for all expenses claimed, with the exception of per diem for meals. Expense reimbursement requests should be signed by the same party originally approving the travel and filed with the Treasurer’s Office for processing.
8. *Trip Reports* – All officials will provide a brief trip report to the Township Board upon returning from travel, as the purpose of the report is to share with others in the organization any valuable knowledge and insights that have been gained.

Chapter 5. Communications

5.01 Overview

Perhaps the most fundamental role of a Board member is communication:

- Communication with the public to assess community opinions and needs, and to share the vision and goals of the Township with constituents;
- Communication with staff to provide policy direction and to gain an understanding of the implications of various policy alternatives.

Because the Township Board performs as a body (that is, acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking for the Board. Equally important, when members are expressing personal views and not those of the Board, the public should be so advised.

5.02 Correspondence from Board Members

Members of the Township Board will often be called upon to write letters to citizens, businesses, or other public agencies. Typically, the Supervisor or Township Superintendent will be charged with transmitting the Township's position on policy matters to outside agencies on behalf of the Township Board. Individual members of the Board will often prepare letters for constituents in response to inquiries, or to provide requested information. Uniform Township letterhead is available for this purpose. Staff can assist in the preparation of such correspondence.

On occasion, members may wish to correspond on an issue on which the Board has yet to take a position, or about an issue for which the Board has no position. In these circumstances, members should clearly indicate that they are not speaking for the Township Board as a whole, but for themselves as one member of Board. Township letterhead and office support may be utilized in these circumstances.

Board members may occasionally be asked to prepare letters of recommendation for students or others seeking employment or appointment. It is appropriate for Board members to utilize Township letterhead and their Board titles for such letters. Township letterhead and staff support cannot be utilized for personal or political purposes.

5.03 Local Ballot Measures

At times, initiatives may be placed on the ballots that affect Township Board policy. It is the policy of the Township Board to restrict what actions the Township will take on ballot measures. Specifically, the Township will not use its personnel, equipment, materials, buildings, or other resources to influence the outcome of elections. What the Township

can do is distribute informational reports or pamphlets for the purpose of informing the public of the facts of an issue.

5.04 Proclamations

Proclamations are issued by the Township Board as a ceremonial commemoration of an event or issue. Proclamations are a manner in which the Township can make special recognition of an individual, event, or issue.

5.05 Freedom of Information Act (FOIA)

To ensure that business communications submitted to and by elected and appointed officials comply with the Michigan Freedom of Information Act and the Michigan Open Meetings Act the following is set forth:

A. Communications – Generally

All letters, memoranda, and interactive computer communication involving Township Board members and members of advisory boards, commissions, and committees, the subject of which relates to the conduct of government or the performance of any governmental function, with few exceptions as stated by FOIA, are public records. Copies of such letters, memoranda, and interactive computer communication may not be provided to the public or news media without the filing of a FOIA request with the Township according to the FOIA policy.

B. Written Communications

Written letters and memoranda received by the Township, addressed to a Board member or the Board as a body, will be photocopied and provided to all Township Board members, and a copy kept according to the Township's Records Retention Schedule.

C. Electronic Communications

1. Informal messages with no retention value and that do not relate to the functional responsibility of the recipient or sender as a public official, such as meeting notices, reminders, telephone messages and informal notes, do not constitute a public record. Users should delete these messages once their administrative purpose is served.
2. All other messages that relate to the functional responsibility of the recipient or sender as a public official constitute a public record. Such records are subject to public inspection and copying.
3. Electronic communications that are intended to be shared among four or more Board members, whether concurrently or serially, must be considered in light of the Open Meetings Act. If the intended purpose of the email is to have a

discussion that should be held at an open meeting, the electronic discussion should not occur. Further, the use of e-mail communication to form a collective decision of the Board is inappropriate. In order to discourage the use of e-mail for discussion purposes, e-mails should be sent to Board members using the blind carbon copy feature, or “bcc”.

4. Electronic communication should be used cautiously when seeking legal advice or to discuss matters of pending litigation or other “confidential” Township business. In general, e-mail is discoverable in litigation, and even deleted e-mail is not necessarily removed from the system. Confidential e-mail communications should not be shared with individuals other than the intended recipients, or the attorney-client privilege protecting the document from disclosure may be waived.
5. Electronic communication between Board members and between Board members and staff shall not be transmitted to the public or news media without the filing of a FOIA request according to the FOIA Policy.
6. Board members should exercise caution with using e-mail, since Board members’ conventional e-mail addresses include the Township’s “return address”.

The complete FOIA Procedures and Guidelines can be found at oscodatwpmi.documents-on-demand.com.

Chapter 6. Conflicts of Interest and Liability of Elected Officials

6.01 Conflicts of Interest

The laws and court decisions regarding conflict of interest are some of the most complicated on the books. To understand its effect on a Board member's actions, it is suggested that members discuss the law and potential conflicts with a private attorney or the Township Attorney. It is imperative that Board members disclose their involvement with other organizations, with vendors, or any associations that might be or might reasonably be seen as being a conflict.

A. *Acts Not Constituting a Conflict of Interest*

- ✓ Receiving municipal services on the same terms and conditions as if not a Township official. Thus, when a Board member who owns a business within the Township votes for or against an increase in the business license fees, a conflict would not exist because this action would apply to all businesses in the Township.
- ✓ An officer or employee of another political subdivision or public agency unless it is the same governmental entity being served who is voting on a contract or decision which would not confer a direct economic benefit or detriment upon the officer. Therefore, a Board member who is a school teacher may vote to enter into an intergovernmental agreement with the school district, unless such agreement would confer some direct economic benefit, such as a salary increase, upon the Board member

A Township official may sell equipment, material, supplies, or services to the Township if this is done in accordance with the Township Purchasing Policy.

B. *Declaration of a Conflict*

When the Board is to decide upon an issue about which a member has a conflict of interest, that member shall:

1. Declare that a conflict of interest exists and make it known in the official records of the Township, prior to Board deliberation; and
2. Refrain from voting or in any way influencing a decision of the Township Board by leaving the meeting room.

C. *Township Attorney Opinions*

A Board member's request for an opinion from the Township Attorney concerning conflict of interest is confidential. However, formal final opinions are a matter of public record and must be filed with the Township Clerk. This filing requirement does not apply to verbal communications between Board members and the Township Attorney. Board members may seek advice from a private attorney, at their own expense, concerning potential conflicts. In such cases, no disclosure policy would apply.

D. Prohibited Acts

- ✓ No municipal officer may use his or her position to secure special privileges or exemptions for himself, herself, or others.
- ✓ No municipal officer may use his or her position to obtain regular employment in the organization for themselves, family members, or close associates. Should a board member apply for employment, he or she must first resign from the Board.
- ✓ No municipal officer may accept employment or engage in business or professional activity that the officer might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position.
- ✓ No municipal officer may disclose confidential information gained by reason of the officer's position, nor may the officer otherwise use such information for his or her personal gain or benefit.

6.02 Liability

The Township must always approach its responsibilities in a manner that reduces risk to all involved. Nevertheless, with such a wide variety of high profile services, risk cannot be eliminated. To better manage insurance and risk, the Township participates in risk-and loss-control activities.

It is important to note that violations of certain laws and regulations by individual members of the Township Board may result in the member being personally liable for damages which would not be covered by the Township's insurance. Examples may include discrimination, harassment, or fraud.

Elected and appointed officials are encouraged to participate in risk management training to reduce liability due to actions taken, especially in the areas of land use.

Chapter 7. Interaction with Township Staff/Officials

7.01 Overview

Township Board policy is implemented through dedicated and professional staff. Therefore, it is critical that the relationship between Board and staff be well understood by all parties so policies and programs may be implemented successfully. To support effective relationships, it is important that roles are clearly recognized.

7.02 Council-Manager Form of Government / Township Superintendent

Oscoda Township has a council-manager form of government. Basically, with this structure, the Township Board's role is to establish Township policies and priorities. The Board appoints a Township Superintendent to implement those policies and undertake the administration of the organization.

The Township Superintendent is appointed by the Township Board to enforce its policy directives and establish resolutions and/or matters voted upon by the Board. The Township Superintendent shall also prepare and monitor all expenditures consistent with the approved annual budget. The Township Superintendent must coordinate their activities consistent with the directives of the Township Board and in cooperation with the Township Supervisor. The Township Superintendent is to direct and coordinate the various departments. The Township Superintendent is also responsible for oversight and the hiring, firing, and other discipline of all personnel positions. These decisions regarding employment positions shall be subject to Board confirmation when same is deemed advisable by the Township Board. The Township Superintendent shall enjoy all powers as may be set up by relevant state statute.

7.03 Township Board Non-Interference

The Township Board is to work through the Township Supervisor and Superintendent when dealing with administrative services of the Township. In the event that the Township Superintendent is not able to exercise their authority pursuant to the provisions hereof, or is incapacitated due to illness, or the position of the Township Superintendent is vacant, the Township Supervisor shall act in the capacity of both the chief executive and chief administrative officer. In no manner, either directly or indirectly, shall a Board member become involved in, or attempt to influence, personnel matters that are under the direction of the Township Supervisor. Nor shall the Township Board be involved in, or influence, purchases beyond the requirements of the Township Purchasing Policy.

Except for the purpose of inquiry, the Board and its members will deal with the administrative service solely through the Township Supervisor, Township Superintendent, or designee, and neither the Board nor any committee or member of a committee shall give orders to any subordinate of the Township Supervisor or Superintendent. However, the Board is not prohibited from fully and freely discussing

with the Township Supervisor or Superintendent anything pertaining to appointments and removals of Township officers and employees and Township affairs.

7.04 Township Board/Township Superintendent Relationship

The Township Superintendent handles the administrative day to day matters of the Township, however, those powers are to be exercised in consultation with the Township Supervisor.

A. Performance Evaluation

The Township Board is to evaluate the Township Superintendent on an annual basis to ensure that both the Township Board and Township Superintendent are in agreement about performance and goals based upon mutual trust and common objectives. Board members shall routinely provide feedback.

7.05 Township Board/Township Staff Relationship

Township Board member contact with Township staff members, inclusive of the Township Superintendent, should normally be during regular business hours, except in the case of an emergency.

7.06 Code of Ethics

The Township Superintendent is subject to a professional code of ethics as a member of the International City/County Management Association (ICMA). These principles appear in Chapter 11 of this manual.

7.07 Township Board/Township Attorney Relationship

The Township Board shall make provision for obtaining legal counsel for the Township. The Township Attorney is the legal advisor for the Board, its committees, commissions and boards, the Township Superintendent, and all Township officers and employees with respect to any legal question involving an official duty or any legal matter pertaining to the affairs of the Township. The general legal responsibilities of the Township Attorney are to:

1. Provide legal assistance necessary for formulation and implementation of legislative policies and projects;
2. Represent the Township's interest, as determined by the Township Board, in litigation, administrative hearings, negotiations, and similar proceedings;
3. Prepare or approve as to form ordinances, resolutions, contracts, and other legal documents to best reflect and implement the purposes and intentions of the Township Board; and

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4. Keep Township Board and staff apprised of court rulings and legislation affecting the legal interest of the Township.

It is important to note that the Township Attorney does not represent individual members of Board, but rather the Township Board as a whole. (Exception: Unless the Board member is acting in his or her official capacity.)

7.08 Roles and Information Flow

A. Board Roles

The full Township Board retains the authority to accept, reject, or amend the staff recommendation on policy matters. Members of the Township Board must avoid intrusion into those areas that are the responsibility of staff. Individual Board members may not intervene in staff decision-making, the development of staff recommendations, scheduling of work, and executing department priorities without the prior knowledge and approval of the Township Board as a whole. This is necessary to protect staff from undue influence and pressure from individual Board members, and to allow staff to execute priorities given by management and the Board as a whole without fear of reprisal. If a Board member wishes to influence the actions, decisions, recommendations, workloads, work schedule, or priorities of staff, that member must prevail upon the Board to do so as a matter of Board policy.

B. Access to Information

The Township Superintendent is the information liaison between Board and Township staff. Requests for information from Board members are to be directed to the Township Superintendent and will be responded to promptly.

There are limited restrictions when information cannot be provided. The Township is legally bound not to release certain confidential personnel or public safety information. The Township Attorney shall review any questions about interpretation of this policy.

C. Staff Roles

The Board recognizes the primary functions of staff as executing Board policy and actions taken by the Board and in keeping the Board informed. Staff is obligated to take guidance and direction only from the Township Superintendent or Department Director. This direction follows the policy guidance of the Township Board as a whole. Staff is directed to reject any attempts of individual Board members to unduly direct or otherwise pressure them into making, changing, or otherwise influencing recommendations.

7.09 Dissemination of Information

In addition to regular, comprehensive memoranda written by the Township Superintendent directly to Township Board concerning all aspects of Township operations (exclusive of confidential personnel issues), all Board members receive copies of all correspondence received by the Township Superintendent that will assist in their policy-making role. The Township Superintendent also provides other documents

to the Board on a regular basis, such as status reports, executive summaries, and staff reports.

The primary method used to share information with the Township Board is through electronic means. Board packets are disseminated by noon Thursday preceding a meeting. Work sessions are held to provide detailed presentations of matters. The Township Superintendent's open-door policy allows individual Board members to meet with the Superintendent on an impromptu or one-on-one basis.

7.10 Magnitude of Information Request

Any information, service-related needs, or policy positions perceived as necessary by individual Board members that cannot be fulfilled based upon the above guidelines should be considered as an item for the agenda of a Township Board meeting. If so directed by action of the Board, staff will proceed to complete the work within a Board-established timeline.

7.11 Staff Relationship to Advisory Bodies

Staff support and/or assistance may be provided to advisory boards, commissions, committees, and task forces. Advisory bodies, however, do not have supervisory authority over Township employees. While staff may work closely with advisory bodies, staff members remain responsible to their immediate supervisors and, ultimately, the Township Superintendent. The members of the boards, commissions, or committees are responsible for the functions of the advisory body. The chairperson is responsible for committee compliance with Township ordinances and/or committee bylaws. Staff members are to assist the advisory body chair to ensure appropriate compliance with state and local laws and regulations.

Staff support includes: (1) preparation of a summary agenda after approval by the chairperson; and (2) preparation of reports providing a background of the issues, a list of alternatives, recommendations, and appropriate backup materials, if necessary. Advisory body members shall be provided with sufficient information to reach decisions based upon a clear explanation of the issues.

Advisory bodies should use established procedures for communicating recommendations to the Township Board and/or Superintendent.

7.12 Restrictions on Political Involvement by Staff

Professional staff formulates recommendations in compliance with Board policy for the good of the community, not influenced by political factors. For this reason, it is very important to understand the restrictions of political involvement of staff.

By working for the Township, staff members do not surrender rights to be involved in political activities. Employees may privately express their personal opinions. They may

register to vote, sign nominating or recall petitions, and they may vote in any election. In exercising these rights, staff members shall be clear that their personal opinions do not represent Oscoda Township or their office.

Chapter 8. Township Board Meetings

The Township Board's collective policy and law-making powers are put into action at the Board meetings. It is here that the Board conducts its business. The opportunity for citizens to be heard, the availability of local officials to the citizenry, and the openness of Board meetings all lend themselves to the essential democratic nature of local government.

8.01 Regular Meeting Schedule

The Township Board shall meet in regular session on dates and times for the following year as approved by a resolution of the Township Board at a regular meeting in December.

8.02 Special Meetings

The Township Board shall meet in special session at the request of the Township Supervisor, and shall be noticed of same by the Township Clerk, or by four members of the Township Board (MCL 41.72a). However, if there is to be a closed session, authorization for same must be pursuant to the Open Meetings Act and be supported by two thirds (2/3) of the Township Board.

8.03 Closed Meetings

All closed meetings shall be held pursuant to the requirements as set forth in MCL 15.267.

8.04 Work Sessions

The Township Board may meet informally in a work session. The work session is the forum used by Board to review forthcoming programs of the Township, to receive progress reports on current issues, or to receive similar information from the Township Superintendent and others. All discussions and conclusions held during a work session are of an informal nature. Except for the public comment period provided in accordance with the Open Meetings Act, no audience participation is intended during the course of any work session, unless permitted by the consent of a majority of the Board present. General consensus may be reached, but no final action is generally taken while in a work session.

8.05 Place of Meeting

Regularly scheduled meetings shall be held in the Robert J. Parks Library Conference Room at 6010 N. Skeel Ave. Oscoda, Michigan 48750, unless otherwise designated by the Board.

8.06 Time of Meetings

Regularly scheduled meetings shall begin at 7:00pm unless the Board shall, by a majority vote of the Township Board (four or more affirmative votes), set a different starting time.

8.07 Change in Schedule

Changes in the regularly scheduled meetings shall not be made except upon approval of a majority vote of the Township Board (four or more affirmative votes). In the event the Board shall meet and a quorum is not present, the meeting will not be held.

8.08 Public Notice of Meetings and Hearings

The Township Clerk shall be responsible for providing the proper notification for all meetings of the Township Board. Such notification shall include, but is not limited to, the following:

A. Regular Meetings

On or before the first Monday in January in each calendar year, notice of the times, days, and places of the Board's regularly scheduled meetings shall be permanently posted, in a publicly conspicuous place at the Township Hall.

B. Schedule Change

Whenever the board shall change its regular schedule of meetings, the Clerk shall post a notice of the change within five (5) business days following the meeting in which the change was made.

C. Special and Emergency Meetings

If the board shall reschedule a meeting or call a special meeting under Section 8.02, the Clerk shall post a notice of such change immediately. No meeting except emergency meetings and those rescheduled due to an act of God shall be held until the notice shall have been posted within the specifications of the Open Meetings Act. Emergency meetings shall be held only upon consent of two-thirds (5) of the members and only if a delay places the health, safety, or welfare of the public in severe and/or imminent danger.

D. Notification to Media and Others

The Clerk shall notify, without charge, any newspaper, radio or television station of such meeting schedule, schedule changes, or special meetings, whenever such newspaper, radio or television station shall have filed with the Clerk, a written request for such notice.

8.09 Quorum, Attendance, Call of the Township Board**A. *Quorum***

Four Township Board members shall be necessary in order to call a meeting. A majority of those in attendance shall be the required vote in order to move an item forward and/or to effect policy.

B. *Absence of Township Clerk / Treasurer*

Upon the absence of the Township Clerk and/or Township Treasurer, their respectively named deputies may act in the place of the respective elected officials for the purpose of reporting and receiving information. The deputies may not be included for the purpose of constituting a quorum and may not vote in the place of the officeholder, by proxy or otherwise.

C. *Attendance*

Regular attendance is expected and each board member is expected to notify the Clerk or Supervisor whenever absence is anticipated in a timely manner.

8.10 Placing Items on the Agenda**A. *Township Board***

A Board member may request an item be added to a future draft agenda either by making an oral request at a Township Board meeting or submitting the request in writing to the Township Supervisor or Township Superintendent at least seven (7) working days prior to the meeting for which the item is requested to be placed on the agenda. Staff professional opinions may be written to accompany the item for discussion and a vote on the matter. Supporting documents need to be provided by the Requestor to aide in the decision making process. The agenda is not final until approved or revised by vote of the Board during each meeting.

B. *Members of the Public*

A member of the public may request an item be placed on a future agenda while addressing the Township Board during a regular meeting and/or by submitting the request in writing to the Township Board, through the Township Clerk's office, who will then immediately forward the request to the Township Board and Township Superintendent. In order to allow sufficient time for Board to review and staff to research the matter, the request should be submitted at least 10 working days prior to the meeting for which the item is requested to be placed on the agenda. Once the issue has been placed on the agenda, the Township Clerk will notify the requester so that he or she may plan to attend the meeting, who will forward request to board and Superintendent.

C. *Emergency Items*

Emergency items may be added to an agenda as necessary. Emergency items are only those matters immediately affecting the public health, safety and welfare of the community, such as widespread civil disorder, disasters, and other severe emergencies. The reason(s) for adding an emergency item to the agenda shall be announced publicly at the meeting, and the issue shall be included in the minutes of the meeting.

8.11 Development of the Agenda

Staff is required to submit an agenda memorandum for each topic of discussion on the Township Board agenda. The deadline for submitting these memoranda is noon (12:00PM) on the Tuesday prior to the date of the meeting for which the item is scheduled. Each memorandum must include supporting documentation, including any information requested by the Board at the previous Board meeting.

It shall be the duty of the Township Superintendent to have transmitted via e-mail to each member of the Board a complete agenda of the items to be considered at the following meeting no later than noon (12:00PM) the Thursday preceding the next meeting. Each item on the agenda shall have sufficient explanation to indicate its intent. All questions introduced that do not appear on the agenda will be referred to a later meeting, except by suspension of these rules. The complete agenda and informational packet shall also be published on the Township website no later than 4:00pm the Friday preceding the upcoming meeting.

The Township Board schedules a standing 9:00AM work session the Friday before a Monday meeting.

8.12 Order of Business

The Township Board, by adoption of this manual, establishes the general order of meetings. This section summarizes each meeting component. The Board may, at any time by simple majority of those present, vote to consider items in a different order. The agenda shall be arranged in the following order of business:

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Closed Session (if applicable)
- E. Meeting Agenda Approval Additions
- F. First Public Comments
- G. Public Hearings (if applicable)
- H. Consent Agenda
 - a. Approval of Minutes
 - b. Approval of Finance
- I. Sub Committee Reports and Project Updates
- J. Reports
- K. Resolutions and Ordinances
- L. Other
- M. Second Public Comments
- N. Board Comments
- O. Informational
- P. Adjournment

A. Call to Order

The Supervisor presides over all meetings of the Township Board, and after determining that a quorum is present, calls the meeting to order. In the absence of the Supervisor, the Township Clerk shall call the meeting to order and entertain a motion to appoint a presiding officer for the meeting. Following the call to order, those in attendance are asked to join the Board in reciting the Pledge of Allegiance.

B. Pledge of Allegiance

C. Roll Call

The Township Clerk, or designee, takes roll and announces the presence or absence of individual Board members.

D. Closed Session

The Board may enter into closed session in accordance with Section 8.03 of this manual.

E. Meeting Agenda Approval

This is the time when Board members or the Township Superintendent may add, withdraw, or move items on the agenda. A simple majority of those present is needed to approve changes to the agenda.

F. First Public Comment Period

The First Public Comment period is limited to one (1) hour and a time limit of four (4) minutes per speaker will be enforced, unless a longer period is permitted by the presiding officer. The first Public Comment period is limited to agenda items.

No person shall be allowed to speak more than once, unless so permitted by the Board. Groups addressing the same topic are encouraged to speak through one or more representatives, so as not to be repetitive. No person can yield their comment time to another member of the public.

Each person addressing the Board will first come to the microphone and give their name in an audible tone of voice for the record. All remarks will be addressed to the Board as a body and not to any member thereof. No person other than the Board and the person having the floor will be permitted to enter into any discussion, either directly or through a member of the Board, without the permission of the presiding officer.

Other than asking questions for the purposes of gaining insight or clarification, Board members shall not interrupt or debate with members of the public during their comments.

G. Public Hearings

Public Hearings will be held after required notice has been provided. Notices shall inform recipients of possible continuations of hearings. The Township Board may upon affirmative vote of a majority of its members "continue" said hearing at a future date designated in the resolution. If the Board elects to continue the Public Hearing it will appear in the designated meeting agenda under the topic of "Public Hearings".

Individuals desiring to speak during a public hearing may do so in accordance with Section 8.12(F). Written comments are encouraged during the public hearings. When materials are presented during public hearings, they should be submitted to the Township Clerk before the public hearing is closed on the item. Written documents submitted will be entered into the record and do not need to be read aloud.

After a public hearing is closed, no member of the public shall be permitted to address the Board or the staff. In fairness to members of the public, the Township Board shall be considered to be in deliberations from that point forward.

H. Consent Agenda

Those matters of business that require action by the Board which are considered to be of a routine and non-controversial nature are placed on the consent agenda. The individual items on the consent agenda shall be approved, adopted, or enacted by one motion of the Board. Examples of such items include:

- Approval of all Board minutes;
- Approval of Consent Agenda;
- Acceptance of agenda items related to Reports;
- Approval of Bills;
- Approval of Financial Reports

No discussion shall take place regarding any item on the consent agenda beyond asking questions for simple clarification. Prior to approving the items on the consent agenda, Board members may request to withdraw (or pull) any item and take action separately on that item. Board will consider each withdrawn item during the course of the meeting after the amended consent agenda has been approved.

I. Sub Committee Reports and Project Updates

The Township Supervisor, Superintendent, and Board members may use this time to acknowledge ongoing or upcoming projects and acknowledge department directors or working groups within the township. The Board may choose to discuss or ask questions about projects or updates.

J. Reports

Members of the Board, the Township Superintendent, and the Township Attorney present action items on the agenda to be considered for approval.

K. Resolutions and Ordinances

Ordinances, resolutions, and other matters or subjects requiring action by the Board must be introduced by a member of the Board. The Township Superintendent, Township Attorney, or department directors may present ordinances, resolutions, and other matters or subjects to the Board. Any Board member may assume sponsorship thereof by moving that such ordinances, resolutions, matters, or subjects be adopted; otherwise, they shall not be considered.

All ordinances shall, before presentation to the Board, have been approved as to form and legality by the Township Attorney or the Township Attorney's authorized representative, and shall have been first referred for review to the head of the

department under whose jurisdiction the administration of the subject matter of the ordinance would devolve, and shall further have been presented to the Township Superintendent or authorized representative for review. The Township Attorney shall review all ordinances.

Ordinance Passage

(i) No ordinance shall contain more than one subject that shall be fully and clearly expressed in its title. Ordinances shall be presented to each member of the Township Board and the Township Superintendent in written form prior to any vote thereon; provided, however, that revisions and amendments may be made by voice at such meeting.

(ii) Ordinances which meet the requirements of subsection (i) of this section may be passed by having only the title read aloud and without having the full ordinance read aloud unless a motion approved by a majority of the Board members present requests that the ordinance be read aloud in full.

L. Other

Members of the Board, the Township Superintendent, and the Township Attorney present action items on the agenda to be considered for approval.

M. Second Public Comment Period

See 8.12(F) above for Public Comments description. This item of the agenda is reserved for members of the public who wish to speak on any item (agenda related or not). This is time permitting.

N. Board Comments

Board members may take this opportunity to make comments, extend compliments, express concerns, or make announcements concerning any topic they wish to share with the Board, staff, or the public.

O. Informational / Discussion

A work session within a regular meeting (see 8.04 above).

Once discussion is brought back to the Board table, persons from the audience will be permitted to speak only by invitation of the Board, through the presiding officer. After the Board makes a motion, no person will address the Board without first securing the permission of the presiding officer.

Speakers with specific questions or concerns will be encouraged by the presiding officer and/or Township Superintendent to bring it to the attention of the appropriate department(s), whenever possible. If it is felt that the matter has not been resolved satisfactorily, they are then encouraged to bring it to the attention of the Township Superintendent, and if still not resolved satisfactorily, to the Supervisor and Board.

At the discretion of the Board, the public may also be provided an opportunity to add limited comments after or during the discussion of any action on the agenda, after the board has discussed each item, but before a vote is taken. Written comments may be submitted into the record of a Board meeting by presenting the written document to the

Clerk. A copy of the document will be provided to each Board member; the document does not need to be read aloud.

P. Adjournment

8.13 General Procedures

A. Seating Arrangement of the Board

The Supervisor shall be seated in the center at the dais, flanked by the Clerk and Treasurer, with two Trustees to the outside of both the Clerk and Treasurer.

B. Signing of Township Documents

The Supervisor shall sign all Board-approved contracts and other documents which have been adopted by the Township Board and requires an official signature. In the event the Supervisor is unavailable, the Clerk may sign such documents.

C. Wire Communications Between Board Members During Any Board Meeting

All communications are subject to the Michigan Open Meetings Act, therefore members of the Township Board shall not engage in any form of wire communication, as defined by U.S. Code Title 18, Part I, Chapter 119, Section 2510, during any meeting of the Board.

8.14 Record of Meetings

A. Clerk's Responsibility

As the official record keeper for the Township, the Township Clerk shall be responsible for maintaining the official record (minutes) of each meeting of the Board. The Clerk shall maintain in the office of the Clerk, copies of the agenda, and each resolution, ordinance or other matter acted upon by the Board. The official minutes, however, may refer to those matters by an identifying number and title descriptive of the ordinance, resolution, or other matter.

B. Record of Minutes

The Clerk or the Clerk's designee shall be responsible for transcribing a written record of the action taken on all items on the agenda. The minutes shall include the following:

1. The names of the Board members in attendance
2. The name of the movers and seconds
3. Details of specific motions made and action taken, including each individual motion/action/approval adopted as part of the Consent Agenda
4. The results of all votes negative on voice votes including the names and the respective vote on roll call votes, as well as recusals and abstentions
5. The names of person representing reports
6. A notation of who made public comment and their subject
7. A listing of communications with the sender or author and subject identified

However, the Clerk shall not be responsible for maintaining a written record or summary written record of the discussion or comments of the Board members nor of comments made by members of the public. If an electronic tape recording of a meeting of the Board is made, such recording shall be maintained in the office of the Clerk until the

meeting minutes have been approved. Thereafter, the recording may be erased, unless the recording shall be pertinent to any legal proceedings then underway, pending, or expected.

C. Request for Remarks to Be Included

Any member of the Board may request to have his or her comments printed as part of the record. To ensure accuracy, such comments to be included as part of the official record should be provided in writing by the member.

D. Public Access to Meeting Records

The Clerk shall make available to members of the public the records and minutes of the Board meeting in accordance with the Freedom of Information Act. Minutes prepared by the Clerk, but not approved by the Board, shall be available for public inspection not more than eight (8) business days following the meeting. Minutes approved by the Board shall be available within five (5) business days of the meeting at which they were approved. The Clerk shall also promptly send copies to persons who have subscribed and paid the fee as established by the Township Board.

E. Publication of Minutes

The Clerk shall be responsible for publication of the minutes on the Oscoda Township website.

Chapter 9. Parliamentary Procedure

By approval of the Board Protocol Manual, the Township Board has adopted its meeting format.

9.01 Customs of Formality

The presentation and disposition of motions at a Township Board meeting involves significant interaction between the presiding officer and the members of the Board. Therefore, members should understand the customs of formality that are followed by the presiding officer and members in conformance with parliamentary procedure.

9.02 Meeting Decorum and Order

The presiding officer shall preserve decorum and decide all questions of order, subject to appeal by the Board. During Board meetings, Board members shall preserve order and decorum and shall not delay or interrupt the proceedings or refuse to obey the orders of the chair or the rules of protocol.

Any Board Member may request the presiding officer to enforce the rules of protocol. Upon motion and majority vote, the presiding officer shall be required to do so. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous while addressing the Board, shall be forthwith, by the presiding officer, shall be removed from the Board Meeting for the duration of that meeting, and possibly for future Board Meetings. The Township shall also be able to seek enforcement of various laws and/or obtain restraining orders.

9.03 Questions to Staff

A Board member may, after recognition by the presiding officer, address questions to the Township Superintendent, Township Attorney, or other staff members present.

9.04 Interruptions

Once recognized, a Board member should not be interrupted while speaking, except to make a point of order or personal privilege. If a Board member is called to order while speaking, the individual shall cease speaking until the question order is determined. Upon being recognized by the presiding officer, members of the staff shall hold the floor until completion of their remarks or until recognition is withdrawn by the presiding officer.

9.05 Basic Steps to Conducting Business

Specific requests or proposals that are presented to Board for consideration and possible action must be introduced in the form of a motion. For the proper presentation and disposition of most motions, multiple, separate steps are required. The basic steps to conducting business include:

The Presiding Officer (chair):

1. Introduces the item to be considered as presented on the agenda
2. Calls for discussion

A member of the Board:

3. Addresses the chair
4. Is recognized by the chair
5. Proposes the motion

A second member of the Board:

6. Seconds/Supports the motion

The Presiding Officer (chair):

7. Calls for any further discussion or debate
8. Puts the motion to a vote

The Township Clerk:

9. Takes the vote

The Presiding Officer (chair):

10. Announces the results

9.06 Making a Motion

Under parliamentary procedure, there are three steps required to bring a motion before the Board for its consideration:

1. A Board member makes a motion;
2. Another Board member seconds the motion; and
3. The Presiding Officer calls for any final discussion before the motion is put to vote.

9.07 Seconding a Motion

After a motion has been made, and if it requires a second, another Board member who wishes to see the motion considered says, without obtaining the floor, "I second the motion," or simply, "Second." A second merely implies that the member agrees the motion should come before the meeting, not necessarily that the member favors it. If another member of the Board does not second the motion, the chair normally asks,

“Is there a second to the motion?” If there is no second, the chair should say, “Since there is no second, the motion is not before this meeting.” If seconded, the maker of the motion should then be regarded as having the refusal of the floor in preference to all other members.

The purpose of a second is to prevent time being spent on motions that only one person wants to discuss. After the Board makes a motion, no person shall address the Board without first securing the permission of the presiding officer or Board to do so.

9.08 Stating the Question

Under parliamentary procedure, making and seconding a motion does not put it before the Board for consideration. This can be done only by the chair when the presiding officer repeats the motion and indicates that the motion is open for debate by stating: “It has been moved and seconded that ... Is there any discussion?”

A. Right to Withdraw or Modify a Motion

Until the chair has stated the question, the maker has the right to modify or withdraw the motion. After the motion has been stated, however, it can be withdrawn with the Board’s consent. If any objection is made, it will be necessary to obtain leave to withdraw by a motion for that purpose. When a motion is withdrawn, the effect is the same as if it had never been made.

B. Pending Motions

When the chair has stated a motion, it is said to be *pending*. When several motions are pending, the last one stated by the chair, and the first to be disposed of, is called the *immediately pending* question. Thereafter, other pending motions are considered in descending order of rank.

9.09 Amendment of the Main Motion

When the main motion does not exactly suit the members of the Board, it may be changed by means of amendment *before* it is finally voted upon. Once recognized by the chair, a Board member may make the motion to amend by stating, “I move to amend the motion by...” ---adding, striking out, inserting, or substituting. An amendment to the main motion requires a second; it is debatable, requires a majority vote, and must be germane – that is, closely related to or having bearing on the subject of the motion to be amended.

If the motion on the amendment passes, the chair puts the main motion, as amended, to a vote. If the motion on the amendment fails, the chair puts the main motion, as originally presented, to a vote.

The member, who offers the motion, until it has been stated by the chair, can modify the motion, or withdraw it entirely; after it is stated, he/she can do neither without the consent of the body (majority). For example, the mover may state, “With the consent of the body I will modify my motion to state as follows...” If no one objects, it shall be deemed that he/she has the consent of the body to modify his/her motion. When the

mover modifies his/her motion, the one who seconds it can withdraw his/her second.

9.10 Postponement of Business

A. Postpone to a Time Certain

Board may delay action on a pending question by making a motion to postpone the item either indefinitely or to a time certain. This motion can be made regardless of how much debate has taken place. The question may be postponed so that it may be considered at a more convenient time or because debate has shown reasons for delaying a decision.

B. Postpone Indefinitely

Board may decline to take a position on a pending question by moving to postpone the item indefinitely. Voting to postpone indefinitely kills the main motion and avoids a direct vote on the question. This motion is useful for disposing of a badly expressed main motion that cannot be either adopted or expressly rejected without possibly undesirable consequences.

9.11 Debate

The term “debate” applies to the discussion of the merits of any pending question during a Board meeting. All main motions and certain other motions are entitled to debate.

Any member of the Township Board may move to close debate by saying, “I move that debate on the motion be closed,” or “I move the previous question.” However, Board members should refrain from using the term, “call the question,” as a means to end debate. The audience better understands, “Move that debate on the motion be closed,” rather than “calling the question.” The motion must be seconded. The presiding officer immediately requests a vote, to which a two-thirds vote is required to close debate.

A motion to close debate can neither be debated nor amended. The motion to close debate effects the immediately pending question, whether it is an amendment or the main motion. Should the motion fail, debate is reopened. If the motion passes, then the Board shall vote on the motion for which debate was closed.

The presiding officer cannot close debate as long as any member who has not exhausted the right to speak desires the floor. However, after each Board Member has been given the opportunity to speak, the presiding officer then may close debate by his/her own actions.

While debate on a main motion is under way, amendments and subsidiary, privileged and incidental motions may be introduced (if they are in order), debated (if debatable) and disposed of.

In addition to the customs of formality discussed in Section 9.01, observance of the following practices will make debate smooth and orderly. Members of the Board should:

- Confine their comments to the merits of the pending question; and

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- Speakers should yield the floor to the chair whenever the chair interrupts to give a ruling or information, or to otherwise speak.

9.12 Voting Procedures

Whenever the presiding officer puts a question to the members, every member present shall vote on all questions decided by the Township Board unless there is a conflict of interest as allowed by law. No member present shall abstain from voting “yes” or “no,” unless excused upon the consent of the two-thirds (2/3) of the members present.

9.13 General Rules of Procedure

A. Standing to Question Procedures

These rules shall govern the parliamentary procedures of the members and by the members only. Procedures may be questioned only by members of the body, and then only in accordance with these rules. The decision of the presiding officer will be final and conclusive as to all, subject only to a motion by a member of the body, duly and timely made, in which case the ruling of the body shall be final and conclusive. Nothing in these rules will be construed to prevent the chairman or a member from requesting aid in the interpretation of these rules or other matters from the Township staff or officials.

B. Precedence

Motions having precedence on those that may be made while another motion is pending.

C. To Yield

Motions yield when they are pending and another matter can be considered while the yielding motion still pends.

E. Debate

Debate shall not take place until the presiding officer has stated the question. Debate shall be limited to the immediately pending question, except that the main question is also open when the following motions are pending: postpone indefinitely, or reconsider a debatable question.

F. Majority

A majority of those present shall constitute a majority of the body assuming a quorum is present. The presiding officer has the tie-breaking vote and may second a motion.

Chapter 10. Protocol Administration

10.01 Biennial Review

The Township Board will review and revise the Township Board Protocol Manual as needed.

10.02 Adherence to Protocol

- A. Each Board member shall have the duty and obligation to review this Protocol Manual and be familiar with its provisions.
- B. During Township Board discussions, deliberations, and proceedings, the Supervisor or presiding officer will be primarily responsible to ensure that the Township Board, staff, and members of the public adhere to the Board's adopted Protocol Manual.

10.03 Township Superintendent and Township Attorney as Protocol Advisors

The Township Superintendent and Township Attorney shall assist the Supervisor and Board, and serve as advisors for interpreting the Township Board's adopted Protocol Manual.

10.04 Adherence to Non-Interference Policy

The Township Board delegates to the Township Superintendent the responsibility to discuss with any Board member, on behalf of the full Board, any perceived or inappropriate interference or encroachment of administrative services. The Township Superintendent will discuss with the Board member the action and suggest a more appropriate process or procedure to follow. After this discussion, if inappropriate action continues, the Township Superintendent will report the concern to the full Board.

ICMA CODE OF ETHICS

11.01 ICMA Code of Ethics

The mission of the International City/County Management Association (ICMA) is to create excellence in local governance by developing and fostering professional local government management worldwide. To further this mission, certain principles, as enforced by the Rules of Procedure, shall govern the conduct of every member of ICMA, who shall:

- Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.
- Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.
- Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.
- Recognize that the chief function of local government at all times is to serve the best interests of all of the people.
- Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.
- Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the members.
- Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.
- Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.
- Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.
- Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.
- Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions, pertaining to appointments, pay adjustments, promotions, and discipline.
- Seek no favor; believe that personal aggrandizement or profit secured by confidential information or by misuse of public time is dishonest.