

Charter  
**Township**  
of Kalamazoo

*The mission of Kalamazoo Township is to provide government services that promote a safe, healthy, accessible, and economically viable community to live, work, learn, and play.*

Policy Manual for Officials, Employees,  
Contracted Professionals and Volunteers  
CHARTER TOWNSHIP OF KALAMAZOO

Adopted 2/22/2016

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## CHAPTER 1 – INTRODUCTION

### 1.1 PURPOSE

This policy manual is adopted to provide for the efficient and uniform application of policies and procedures in The Charter Township of Kalamazoo, where such procedures have not been provided for by law. All Township officials and personnel are bound by these policies and any deviation from established policy is prohibited.

### 1.2 EMPLOYEE PERSONNEL POLICY

Kalamazoo Township has an adopted employee personnel manual that provides an array of policies concerning our employees, their conditions of employment and responsibilities on the job. This policy manual is not intended to supplant any items within that personnel manual.

### 1.3 APPOINTED COMMITTEES

The Supervisor is responsible for appointing, with township board approval, all members of the Planning Commission. (MCL 125.321 and MCL 125.1654) The Supervisor also appoints, with township board approval, the members of the zoning board of appeals, board of review, and all other standing and special committees of the township.

Violations of township policy and procedures may be considered by the township board as just cause for removing members of township committees. Other actions may be taken by the township board according to the other provisions of this policy, depending on whether the committee member is a township board member, appointed official, township employee or volunteer.

A township board member or appointed official whose conduct does not comply with any township policy or procedure, including its Code of Ethical Conduct, may be subject to actions including, but not limited to, internal

reprimand, formal board censure, loss of a non-statutory committee assignment, or budget restriction, where such restriction is not prohibited by statute. Violations of township policy may also be considered by the township board as just cause for removing members of appointed township boards and commissions from office, where removal is authorized by law.

### 1.4 VOLUNTEERS

A township volunteer who violates township policy may be subject to dismissal by the township board from township service, depending on the severity of the policy violation, the number and frequency of policy violations, and the degree of adverse impact to the township or to the public.

### 1.5 ELECTIVE OR APPOINTIVE POSITIONS

When a township board member or appointed official questions the applicability of a provision of any township policy or procedure to a particular situation, they may apply to the township board for a decision. The township board member or appointed official will have the opportunity to present his or her interpretation of the facts at issue and the applicable provisions of the policy or procedure before such advisory decision is made. The board may modify policy in light of facts presented.

## CHAPTER 2 – CODE OF ETHICAL CONDUCT

### 2.1 COMMITMENT TO ETHICAL CONDUCT

The township board recognizes that to carry out its mission of service to the community, the township elected and appointed officials, employees, contracted professionals and volunteers must earn the full confidence of the Kalamazoo Township community. The residents and taxpayers expect, and are entitled to, a local government that conducts its affairs in a fair, ethical, transparent and accountable manner.

To maintain the high standards and traditions of Michigan townships, we embrace these dynamic principles of governance excellence to guide our stewardship, deliberations, constituent services and commitment to safeguard our community's health, safety and general welfare.

We pledge to:

- Insist on the highest standards of ethical conduct by all who act on behalf of this township;
- Bring credit, honor and dignity to our public offices through collegial board deliberations and through diligent, appropriate responses to constituent concerns;
- Actively pursue education and knowledge, and to embrace best practices;
- Treat all persons with dignity, respect and impartiality; without prejudice or discrimination;
- Practice openness and transparency in our decisions and actions;
- Cooperate in all reasonable ways with other government entities and to consider

the impact our decisions may have outside our township's borders;

- Communicate to the public township issues, challenges and successes, and welcome the active involvement of stakeholders to further the township's well-being;
- Strive for compliance with state and federal statutory requirements;
- Refuse to participate in any decisions or activities for personal gain, at the expense of the best interests of the township;
- Further the understanding of the obligations and responsibilities of American citizenship, democratic government and freedom.

These principles we pledge to our citizens, our township, our state, and to our country.

### 2.2 CONDUCT IN COMPLIANCE WITH LAWS

All elected and appointed officials, employees, contracted professionals and volunteers of the Township shall comply with the applicable provisions of state law related to conflicts of interest and state laws regulating their conduct.

### 2.3 UNIFORMITY OF ENFORCEMENT

Township ordinances, policies, procedures, rules and regulations shall be uniformly applied and enforced, unless consideration of extenuating circumstances, unintended consequences or undue hardship is explicitly authorized in the applicable ordinance, policy, procedure, rule or regulation.

### 2.4 CONFLICT OF INTEREST

All Township elected and appointed officials, employees, and volunteers shall not enter into any business relationships that would

put them into conflict with their obligations to the township.

Township elected and appointed officials, employees, and volunteers shall avoid even the appearance of conflict between public duties and personal interests and activities in all township public forums, pursuant to state law and township policies and procedures.

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## 2.5 GIFTS AND SPECIAL BENEFITS

Township officials, appointees, employees and volunteers shall refrain from accepting any gifts, favors or promises of future benefits that compromises their independence of judgment or action.

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## 2.6 USE OF TOWNSHIP RESOURCES

Township officials, appointees, employees and volunteers shall not use public resources that are not available to the public in general, such as township staff time, equipment, supplies or facilities, for private gain, private purposes, personal purposes or political benefit.

Use of public time, resources and /or personnel by an elected official for campaign purposes is a violation of Michigan Campaign Finance Law (MCL 169.257)

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## 2.7 PERSONAL OR POLITICAL BENEFIT

A member or candidate for the township board shall not solicit contributions or endorsements from township appointees, employees or volunteers. This provision is not intended to interfere with an employee's right to endorse or contribute on his/her own, or to prohibit soliciting contributions or endorsements from employee bargaining units. The Township expects all elected officials, appointees, employees, and volunteers to adhere to federal and state campaign finance rules.

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## 2.8 INCOMPATIBLE OFFICES AND RESIDENCE REQUIRED FOR OFFICE

If a Township Board member is elected or appointed to a different public office that is incompatible with their township board office they shall resign from township board office by submitting a letter of resignation to the township board stating the effective date of their resignation.

A township elected official, or appointed board or commission member who intends to reside permanently outside the township shall resign from office by submitting a letter of resignation to the township board stating the effective date of his or her resignation (the last day he or she will hold township office).

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## 2.9 TRUTHFULNESS

All information provided by township officials, appointees, boards and commissions, employees and volunteers will be truthful and complete. The township board, appointees, boards and commissions, employees and volunteers shall not knowingly make false or misleading statements, or use false or misleading information as the basis for making a decision.

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## 2.10 CONFIDENTIAL INFORMATION

Township officials, appointees, boards and commissions, employees and volunteers, shall respect the confidentiality of information concerning the property, personnel or affairs of the township. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

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### 2.11 INFORMATION ACQUIRED

Information acquired in one's public position will not be used for personal advantage.

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### 2.12 COMMUNITY DECISIONS

Township officials and appointees shall demonstrate effective approaches to solving problems. Township officials and appointees shall utilize their public forum to demonstrate how individuals with differing points of view can find common ground and seek compromises that benefit the community as a whole.

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### 2.13 QUALITY OF LIFE

Township decisions and actions shall be intended to improve the quality of life in the community and shall consider the unique needs of its residents.

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### 2.14 COMMUNITY COMMITMENT

The township's care for and commitment to its community members shall be conveyed through township decisions and actions.

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### 2.15 DEVELOPMENT OF PUBLIC POLICY

Policy decisions of board officials and appointees will be based on the merits of the issues, will consider diversity of opinions and, whenever possible, shall reflect consensus of participants.

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### 2.16 TRANSPARENCY

Board officials and appointees shall publicly share substantive information that is relevant to a matter under consideration by the board or boards and commissions, which they may have received from sources outside of the public decision-making process to provide the utmost transparency.

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### 2.17 AVOIDING UNDUE INFLUENCE ON ITS BOARDS AND COMMISSIONS

Because of the value of the independent advice of boards, commissions and committees to the public decision-making process, members of the township board shall refrain from using their position to unduly influence the deliberations, outcomes or recommendations of board, commissions and committee proceedings.

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### 2.18 PARTICIPATION IN DECISION-MAKING

Participants to policy decisions shall listen carefully to other participants and shall ask questions to gain greater understanding of the positions, views and opinions of others.

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### 2.19 MEANINGFUL PARTICIPATION

Township board members and appointees shall strive to stay informed on issues affecting the township, and shall perform their duties in accordance with the processes and rules of order established by their respective board or commission. Board members and appointees will assist new members of their respective bodies in understanding their role and responsibilities.

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### 2.20 MEETING INCLUSION

Relevant staff shall be included in all meetings that affect their respective departments.

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### 2.21 PUBLIC INPUT

In compliance with the Open Meetings Act, decisions made in an open meeting shall be accompanied by opportunities for public input.

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## 2.22 PUBLIC INVOLVEMENT

Expanded opportunities for public involvement in developing and evaluating township programs and services shall be actively considered by all boards, commissions and committees.

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## 2.23 PUBLIC/TOWNSHIP INTERFACE

Processes for public interaction with the township should not be made overly difficult or complicated.

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## 2.24 REPRESENTATION OF TOWNSHIP INTERESTS

When representing the township on a regional or multijurisdictional board or commission and confronted with an issue that pits the township's interests against the greater interests of the broader jurisdiction, the township board shall be consulted for direction and guidance. When such guidance cannot be sought, representatives of the township must consider the broader regional or statewide implications of that body's decision and issues.

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## 2.25 INTERACTIONS WITH OTHERS

Interactions with others shall demonstrate fairness, respect, impartiality and equitable treatment. Township officials, appointees, employees, and volunteers shall not engage in any form of harassment as defined by township policy. Any form of discrimination or harassment that violates policy will not be tolerated. This policy forbids any unwelcome conduct that is based on an individual's race, color, sex, age, religion, national origin, height, weight, marital status, familial status, veteran status, citizenship, handicap/disability, gender identity, sexual orientation, genetic information, or association with anyone who has, or is perceived to have, any protected characteristic, or any other basis protected by state, federal or local law.

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## 2.26 INTERACTIONS WITH CITIZENS

Preferential consideration of the request or petition of any individual citizen or groups of citizens shall not be given. No person shall receive special advantages, consideration or treatment beyond those that are available to any other citizen under similar circumstances.

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## 2.27 PROMISES

Township officials, appointees, employees and volunteers shall not make promises that one would reasonably consider as unrealistic or which there are no intentions to ultimately honor.

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## 2.28 PERSONAL CONDUCT

The professional and personal conduct of township officials, appointees, employees and volunteers must be above reproach and avoid the appearance of impropriety. While recognizing First Amendment rights, all should refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the township board, other township boards, commissions and committees, employees and volunteers.

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## 2.29 BOARD COMMUNICATION OF TOWNSHIP POSITIONS

Township board members shall represent the official policies or positions of the township board, commission or committee to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, officials shall explicitly state they do not represent the township board or the township.

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### 2.30 RESPECT FOR MODERATOR

Board, commission and appointed committee members shall honor the role of the presiding officer in maintaining order and ensuring equal opportunity to provide input on matters of public policy. Members will respect the role of the chair as moderator to focus discussion on current agenda items. Objections to the chair's actions should be voiced politely and with reason.

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### 2.31 IMPLEMENTATION

Township officials, appointees, employees and volunteers shall sign a statement affirming they have read and understood the Code of Ethical Conduct. In addition, the township board, boards and commissions shall conduct a review of the Code of Ethical Conduct in the first meeting of the calendar year.

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### 2.32 COMPLIANCE AND ENFORCEMENT

The Code of Ethical Conduct expresses standards of ethical conduct expected for township board members, appointees, boards and commissions, employees and volunteers. Each person has the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The chairs of boards and commissions, department heads, managers and the Supervisor have the additional responsibility to intervene when an individual's actions that appear to be in violation of the Code of Ethical Conduct are brought to their attention. The township board may impose sanctions on those individuals whose conduct does not comply with the township's Code of Ethical Conduct standards, such as reprimand, formal censure, loss of seniority or committee assignment, budget restriction, termination or other sanctions as identified

by the board. The township board also has the option to remove members of boards, commissions and committees as the law allows. A violation of this Code of Ethical Conduct shall not be considered a basis for challenging the validity of a township board or commission's decision-making authority.

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### 2.33 REPORTING IMPROPER ACTIONS OF ELECTED AND APPOINTED OFFICIALS

Members of the township board shall intervene when actions of elected and appointed officials are brought to their attention and appear to be in violation of the Code of Ethical Conduct. A board official who is made aware of the alleged violation shall report to the Township Supervisor who will investigate the allegation. The Supervisor shall provide a report of his findings to the involved official and the Township Board. In the event that the complaint involved the Supervisor it should be reported to the Clerk who will follow due process in investigating and reporting to the involved official and the Board.

## CHAPTER 3 – TOWNSHIP BOARD

### AUTHORITY AND RESPONSIBILITIES

#### 3.1 TOWNSHIP BOARD AUTHORITY

The township board is empowered by the Michigan Constitution and state laws to govern the Charter Township of Kalamazoo. The township board has the exclusive authority, subject to applicable laws, to determine the scope, quality and quantity of township programs and services, to establish parameters and expectations of employee performance and conduct, to establish its own style of governance, and to require information from township personnel necessary and convenient to monitor township operations and compliance with board policies and directives.

The township board may authorize appointed officials and employees to take such actions and make decisions that are consistent with applicable federal and state laws, local ordinances, and township board policies.

#### 3.2 TOWNSHIP BOARD AUTHORITY IS EXERCISED BY THE BOARD

The township board shall act only at a meeting held in compliance with the Open Meetings Act.

Township board authority shall be exercised only through official board decisions recorded as votes taken, directives given or consensus established by the township board at a township board meeting.

No individual, committee or organization shall represent its authority or action in a matter as that of the township board unless the township board has directed the individual, committee or organization to act on the township board's behalf in that matter.

#### 3.3 GOVERNANCE OF ADMINISTRATION

The township board shall govern township administration through the adoption of policies and procedures. Board policies and procedures shall define what the township is to accomplish, through the adoption of a mission statement, strategic plan, and other adopted policies and procedures, in compliance with applicable laws.

Board policies and procedures shall also define the manner in which the board will conduct its business, the relationship of the board to the township officials and employees, and limitations on the actions of township officials and employees.

#### 3.4 BOARD CONSULTANTS

The township board reserves to itself the authority to appoint the following consultants including but not limited to:

- Accountant
- General Counsel
- Auditor
- Building Official (KABA)
- IT Consultant
- Labor Attorney
- Planner
- Risk manager
- Zoning Administrator

A mutually agreed upon contract or intergovernmental cooperative agreement shall be in place, between the board and any consultant, that identifies the:

- Term/length of the agreement
- Services to be provided

- Payment method (retainer, hourly or by project)
- Payment schedule
- Documentation of services provided for payment (details to be included in statements)
- Method of resolving disputes
- Proof of liability and worker’s compensation insurance.

All appointments shall be reviewed and confirmed annually by the Township Board.

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### 3.5 CONTRACTS

All contracts entered into on behalf of the township must be authorized by the township board. As the legal agent of the township, the Supervisor has statutory authority to sign a contract that the township board has approved. The township board may direct other township board member(s), attorney, other, as appropriate, to sign a contract that the board has authorized, in addition to or instead of, the Supervisor.

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### 3.6 LITIGATION

The initiation of any lawsuit, litigation, claim for injunctive relief, writ of mandamus or other legal proceeding requires a majority vote of the township board, except when there are extenuating circumstances. The Supervisor is authorized to remedy the circumstances as defined in this section.

“Extenuating circumstances” are defined as an emergency situation that cannot wait until a special or regular meeting of the board or a situation in which a violation of any state, federal or local ordinance constitutes a public nuisance or otherwise endangers the public and in which the continued existence of such a condition, emergency or violation is detrimental to the health, safety and welfare of the township.

“Extenuating circumstances” also include any situation where the continued existence of any condition, emergency or violation may jeopardize the legal position of the township in securing the intended remedy in any lawsuit, litigation, claim for injunctive relief, writ of mandamus or other legal proceeding.

The township board reserves the authority to authorize and direct the course and conduct of any lawsuit, litigation, claim for injunctive relief, writ of mandamus or other legal proceeding, notwithstanding its initiation for extenuating circumstances.

The Township is responsible to provide legal representation at no cost to township elected officials, staff and committee members with regard to litigation claims arising from their actions within the scope of their township responsibilities.

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### 3.7 ALLOCATION OF RESOURCES

The township board shall allocate township resources through the annual adoption of the township budget and periodic budget amendments in accordance with the State of Michigan Uniform Budget Act. The board shall authorize the resources necessary to fulfill the township’s mission as required by law and shall consider providing funds to meet the goals identified in the township strategic plan.

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### 3.8 STRATEGIC PLANNING

The township board shall focus its administrative and budgetary deliberations at a strategic level through the adoption and updating of a strategic plan to provide long-range direction over three years.

The strategic plan shall:

- Define long-term outcomes that the township board wishes to achieve
- Facilitate introduction of new programs or services in a logical, rational manner

- Link program objectives to resource development
- Be adjusted annually for changes in environment
- Be reviewed as part of the budget process to align township resources with the strategic plan goals and objectives
- Establish, monitor and evaluate measurable objectives in the strategic plan that define when success has been achieved according to the metrics developed for each portion of the plan.

### 3.9 STEWARDSHIP

The township board will protect township assets (real and other property) through proper maintenance, insurance coverages, and other means, and may delegate these tasks to township officials and employees.

### 3.10 DIRECTION AND CONTROL OF ADMINISTRATION

To promote efficient administration, the township board authorizes the Supervisor or designee to provide direction and control over all township activities and functions that are not assigned by state law to another official, and to provide a liaison between the board and the various township departments unless some such duties have been assigned to another Board member.

### 3.11 BOARD MEMBER CONCERNS REGARDING TOWNSHIP EMPLOYEES

Township board members should make all inquiries, requests or complaints about department heads or employees to the Supervisor. Any directives, complaints or requests made by a board member directly to a department head or employee, other than from a board member with statutory authority over the department head or employee, must be brought to the attention

of the Supervisor prior to initiating any response.

## TOWNSHIP BOARD MEETINGS

### 3.12 BOARD MEETING NOTICES

The Clerk is responsible for all regular, special, work session and rescheduled township board meeting notice requirements in conformance with the Open Meetings Act and other state laws.

The Clerk shall be responsible for seeing that notice of the time, place and reason(s) for any special meeting of the township is given to each township board member either in person, by leaving a written notice at the member's address or place of residence, or electronic communication at least 24 hours prior to the meeting time.

### 3.13 REGULAR BOARD MEETING AGENDA

The Supervisor or designee shall be responsible for preparing an agenda and board packet for every regular township board meeting. Business items intended for board action may be placed on the agenda by any board member or department head by notifying the Supervisor at least 5 days prior to the meeting. Agenda items shall normally be accompanied by a cover letter including a copy of the recommended motion or resolution that will be placed before the board, along with background information helpful to board members for understanding the issue. The cover memo, recommended motion and supporting documentation should be made available to the Supervisor or Supervisor's assistant at least 4 days prior to the township board meeting. A copy of the proposed agenda shall be delivered or made available to every board member, along with all supporting documentation and correspondence addressed to the township board, at least 3 days prior to the board meeting.

Board members who wish to bring an issue to the board's attention, but are not seeking board action, shall bring up such issues under one of the report sections of the meeting.

When extenuating circumstances arise that require the placement of an item on the agenda after the deadline, the business item may be added to the agenda by a majority vote of the board. "Extenuating circumstances" are defined as an emergency situation that cannot wait until a special or regular meeting of the board or a situation in which a violation of any state, federal or local ordinance constitutes a public nuisance or otherwise endangers the public and in which the continued existence of such a condition, emergency or violation is detrimental to the health, safety and welfare of the township. "Extenuating circumstances" also include any situation where the continued existence of any condition, emergency or violation may jeopardize the legal position of the township in securing the intended remedy in any lawsuit, litigation, claim for injunctive relief, writ of mandamus or other legal proceeding.

Changes to the proposed agenda shall be approved by majority vote during (3) below. The agenda shall conform to the following format:

1. Call to order
2. Pledge to flag
3. Roll Call of board members
4. Additions/deletions to agenda
5. Public comment on agenda and non-agenda items
6. Approval of the consent agenda
7. Public hearings, as necessary
8. Unfinished business
9. New business

10. Items removed from the consent agenda
  11. Committee Reports
  12. Attorney Report
  13. Public Comments
  14. Board member comments
- (Closed Session as necessary)
15. Adjournment

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### 3.14 BOARD CORRESPONDENCE

Board members shall receive in the board packet a copy of any written correspondence that was addressed to the board. Correspondence not requesting board action will be received under the consent agenda. Correspondence requesting board action at a regularly scheduled meeting will be addressed under new business.

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### 3.15 CONSENT AGENDA

The Supervisor or designee shall prepare a consent agenda for the board as part of the meeting agenda. The purpose of the consent agenda is to expedite business by grouping non-controversial items together to be dealt with in one board motion without discussion. Approval of all of the items on the consent agenda shall be accomplished by a single majority vote. Any member of the public, board, or staff may ask that any item of the consent agenda be removed and placed in the items removed from consent agenda section of the agenda for full discussion. Such requests will be automatically respected. The consent agenda shall contain all routine items of business on which no disagreement or debate is anticipated, such as, but not limited to, the following:

- Approval of the prior meeting minutes
- Approval of attendance of board members and department heads to

appropriate educational workshops, seminars and conferences within budget

- Approval to pay bills
- Receipt of departmental reports
- Receipt of budget reports
- Receipt of committee reports
- Receipt of affiliated agency reports
- Receipt of correspondence (where no board action is required)

### 3.16 PUBLIC PARTICIPATION

**Public Comment on Agenda and Non-Agenda Items:** Two public comment periods are provided at each Board meeting, one at the beginning of the meeting and one at the end. Each person may use three minutes for remarks. If remarks extend beyond the three-minute time period, it is asked that comments be provided in writing and they will be distributed to the board. The public comment period is for the Board to listen to comments. It is asked that comments begin with the speaker's name and address. A board member may take time during board member time to respond to comments made by the public.

**Public Hearings:** Members of the public may also address the board during a public hearing for up to three minutes at the time the item is taken up by the board. The board may suspend the time limitation when warranted. When all persons who wish to address the public hearing have been heard, the Supervisor shall announce that public comment on the agenda item is concluded.

Members of the public are expected to conduct themselves in a mature fashion.

### 3.17 CLOSED SESSIONS

**PROCEDURE:** The Township Board may enter closed session from a public meeting of the Board per the Open Meetings Act, PA 267 of 1976. The roll call vote on the motion to enter closed session and the purpose or purposes for calling the closed session shall be recorded in the minutes of the meeting at which the decision to hold a closed session was made (MCL15.267).

**PURPOSES:** The Township Board shall enter closed sessions only for the following purposes:

- To consider the dismissal, suspension or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of a public officer, employee or staff member, or individual agent, if the named person requests a closed hearing. A person requesting a closed hearing may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open sessions (simple majority sufficient to enter).
- Strategy and negotiation sessions connected with the negotiation of a Collective Bargaining Agreement (simple majority sufficient to enter).
- To consider the purchase or lease of real property prior to the time that an option to lease or purchase such real property is secured (requires two-thirds affirmative vote of members elected and serving to enter).
- To consult with legal counsel regarding trial or settlement strategy in connection with specific pending litigation only when an open meeting would have a detrimental effect on the Township Board's litigating or settlement position (requires two-thirds affirmative vote of members elected and serving to enter).

- To review and consider the specific contents of an application for employment or appointment to a public office if a candidate requests that the application remain confidential. Whenever the Township Board shall meet to interview an applicant it shall be an open session (requires two-thirds affirmative vote of members elected and serving to enter).
- To review other matters exempt from disclosure by state or federal law (requires two-thirds affirmative vote of members elected and serving to enter).

**MINUTES:** At each closed session, the Clerk shall keep a separate record. This record of minutes shall not be disclosed to the public except upon court order. These minutes may be destroyed one year and one day after approval of the minutes of the regular meeting at which the closed session was held.

### 3.18 BOARD WORK SESSION MEETINGS

Board work sessions may be held for the purpose of more lengthy discussion of issues before the board and presentations on topics that may come before the board.

Work sessions are for discussion. Decisions generally are not to be made at a work session.

Work sessions must comply with the Open Meetings Act. One public comment period must be provided.

### 3.19 SPECIAL BOARD MEETING NOTICE/AGENDA CONSIDERATIONS

The purpose(s) for which a special meeting is called shall be stated in the special meeting notice.

If all township board members are present at a special meeting of the township board, then

the board may add any lawful business to the special meeting agenda.

If any township board member is not present at a special meeting of the township board, then the business shall be limited to the purpose(s) in the special meeting notice. No other agenda items may be added.

### 3.20 BOARD MEETING LOGISTICS

- The Clerk or designee shall be responsible for determining that the township hall and the board meeting room is properly set up for a public meeting. This includes, but is not limited to, ensuring that:
  - The parking lot, sidewalks and ramps are clear of snow and ice during winter weather.
  - The meeting room temperature has reached a reasonable temperature.
  - The outside entry and meeting room doors are unlocked and then locked after the meeting.
  - Directional signs are in place as needed.
  - Audio-visual equipment that may be used during the meeting is set up and tested.
  - Adequate seating is available for the anticipated audience.
  - Nameplates of township board members are placed on the board table.
  - Copies of the proposed agenda and any other public materials are placed on a table along with any sign-in sheet and pens.
  - The gavel is placed at the Supervisor's seat.

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### 3.21 QUORUM

A quorum of the township board is four members. (MCL 42.7) (However, a member abstaining on an issue due to a conflict of interest (2.31) may not be counted to establish a quorum to consider that matter. (OAG, 1981-1982, No 5916, p 218)) If a quorum of the township board is present, a board meeting shall be called to order promptly at the time announced for the meeting.

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### 3.22 BOARD MEMBER MEETING CONDUCT

Each board member shall fully participate in board meetings by doing the following:

- Attend all board meetings unless there is a conflict or unforeseen emergency
- In the case of a meeting conflict notify the Clerk and/or the Supervisor in advance of the meeting
- Prepare for board meetings by reading their packets ahead of time in order to fully participate in discussions
- Help the chair keep the meeting moving
- Limit remarks to the issue being considered
- Ask questions for clarification
- Respect colleagues' rights
- Refrain from interrupting other speakers, except for Point of Order or Call for the Orders of the Day (see 2.26, Rules of Procedure below)
- Actively listen
- Listen courteously and attentively to all public discussions before the board
- Explain reasons behind significant decisions during the discussion before voting

- Raise concerns and objections at a meeting, rather than after
- Express disagreement verbally, rather than non-verbally
- Criticize constructively and in private
- Vote with a clear audible voice

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### 3.23 CHAIRING BOARD MEETINGS

The Supervisor, if present, shall be the presiding officer (chair) of the board and shall have an equal voice and vote in the proceedings of the board. If the Supervisor is absent from a meeting of the township board, the board shall appoint one of its members president pro tem for that meeting. (MCL 42.5(2))

All board members will be treated with equal dignity and respect, and board members shall have equal access to speak and to make motions.

The chair is charged with ensuring that the will of the board majority prevails on decisions, while giving board members who hold to a minority view an adequate opportunity to present their positions to the other board members.

The chair will:

- Keep discussions focused on the agenda items.
- Relinquish the gavel when he or she has a personal conflict of interest or is sufficiently conflicted on an issue that impartiality cannot be assured.
- Maintain proper decorum among board members and the public audience.
- Open the meeting at the specified time
- Explain meeting procedures and decision-making processes so that board members and the audience may appropriately participate

- Protect members and staff from inappropriate comments
- Keep track of amendments to motions
- Adjourn the meeting

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### 3.24 RULES OF PROCEDURE FOR TOWNSHIP BOARD MEETINGS

Only one member may speak (“have the floor”) at a time. A member requests the floor by saying “Mr. chair” (“Madam chair”) or less formally by raising his or her hand when no one else is speaking. The chair normally assigns the floor to the first member who requests it when no one else is speaking.

Discussion of an agenda item is in order when that item comes before the board, even if no motion has been made. Experience has shown that some preliminary discussion is helpful in framing the motion most likely to be supported by the board.

During discussion of an agenda item, the only main motions which are in order are those addressing that agenda item. (Privileged and Incidental motions are in order, however.) Only one main motion may be before the board at a time.

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### 3.25 HANDLING MOTIONS

A member makes a motion relating to the current agenda item. The motion must precisely state what is to be done. The Clerk must record the motion in the minutes, and the chair must state the question, so either may request the motion be repeated or reduced to writing by the maker if unclear. In some cases, the exact motion will already be contained in the board packet, or the motion will simply be to pass a resolution contained in the board packet. In case of a resolution, the Clerk or another member may be requested by the chair to read relevant portions of the resolution.

Another member seconds the motion if the member thinks the motion is worthy of further discussion or vote. (If not, the motion dies for lack of second.)

The chair must state the question, that is say the exact words of the motion. The chair may ask the maker of the motion for clarification of the motion. In stating the question, the chair gives the question to the board for consideration. It is the chair’s duty to determine that the motion is in order at the time it is made, and also that members understand exactly what the question before the board is at all times.

Full debate among board members is allowed before the vote on a main motion (except see “Previous Question”, below). The maker of a motion has the right to speak first. During debate, the chair will assign the floor to a member who has not yet spoken to the question in preference to a member who has.

When no member appears to be seeking the floor during debate, the chair will ask, “Are you ready for the question?” or “Is there any further debate?” If no member speaks, the chair then “puts the question”: “The question is on adoption of the motion (or resolution) that...”, and repeats the exact wording of the motion under consideration (except for a lengthy resolution, or passage of the consent agenda). The chair then calls for a voice vote or for a roll call vote.

Most motions are voted on by voice vote. A roll call (recorded) vote will be taken on passage of a resolution, or whenever a member requests a vote be taken (or repeated, in case of doubt) by roll call. A request for a roll call vote will automatically be granted. Resolutions are required by state law for the following, among others:

- adoption of an ordinance
- issuance of bonds or other indebtedness
- budget adoption
- calling an election

- acquiring, leasing, or disposing of real property
- determining the schedule of regular meetings
- designating the depositories of township funds
- setting the salaries of township board members
- approving a special assessment district and assessment roll
- moving into closed session
- approving an Act 198 district or tax exemption district
- approving an Act 425 conditional transfer

The minimum number of votes required to pass a motion are as follows:

- Most actions: simple majority of members present and voting – not counting vacant positions, or members absent or abstaining.
- Approve a 425 agreement for Conditional Transfer of Land (MCL 124.24): majority of members serving – not counting vacant positions or abstaining members, but counting members absent.
- Enter a closed session (for certain purposes, see 2.18; MCL 15.267, 15.268) or Reject the recommendation of an officials’ compensation commission (MCL 41.95, 42.6a(b)): two-thirds of members elected and serving – not counting vacant positions or abstaining members, but counting members absent.
- Adopt or amend a zoning ordinance (MCL 125.3401, 125.3404): majority of the membership – not counting vacant positions, but counting absent or abstaining members.
- Adopt or amend a non-zoning (“police power”) ordinance (MCL 41.181) or grant a public utility franchise (MCL 460.602):

majority of the board – counting vacant positions and absent or abstaining members.

- Previous Question (close debate), or Suspend the Rules: two-thirds of members present and voting – not counting vacant positions, or members absent or abstaining.

Following the vote, the chair announces the result, consisting of:

- reporting which side “has it”;
- declaring that the motion is adopted (or lost);
- indicating the effect of the vote, if needed or appropriate; and
- announcing the next item of business.

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### 3.26 SUBSIDIARY MOTIONS

The following motions may be made while a main motion is pending, and apply to it. Each must go through the standard steps in handling a motion, before debate resumes on the main motion, including second, chair stating the motion, debate (except for undebatable motions), chair putting the question, and vote. A higher ranking subsidiary motion (appears higher in the list below) may be made while a different subsidiary motion on this list is already under consideration; for instance, a motion to Refer or to Postpone the main motion may be made while a motion to Amend is pending.

**PREVIOUS QUESTION:** This has the effect of closing debate and proceeding to a vote either on the current motion, or the main motion and all adhering subsidiary motions. If it is unclear which of these is intended, the chair should ask the member making the motion. If the motion applies to a main motion and subsidiary motions and the Previous Question is adopted, a series of votes without debate will be held in normal order, ending with a vote on the main motion. A member may say instead “Call the

question!" or "I call for the question!" or "Move to close debate." The chair should interpret any of these as a motion of the Previous Question. This motion is not debatable, and requires a second and a two-thirds vote in the affirmative to close debate. In general, full debate on every motion before the board should be allowed, and this motion should be used only as a last resort.

**POSTPONE** (the current main motion, and its associated agenda item) to a Certain Time: Typically, this will be a later scheduled meeting of the township board. (A motion to Postpone all further business on the agenda would be equivalent to a motion to Adjourn.)

**REFER** (the current main motion to a committee for further work): If adopted, has the effect of ending consideration of the motion (and its associated agenda item) for the current meeting. The committee may be a different board, commission, or standing committee of the township, or it may be an ad hoc committee. In the latter case, the motion to Refer should specify the members of the proposed committee, or how they are to be named. Failing that, the chair may call for nominations or a procedure to be suggested to complete the motion. The motion to Refer is debatable and amendable.

**AMEND**: A motion to change a main motion by striking out and/or inserting individual words, striking out and/or inserting a paragraph, or substituting an entire paragraph. A proposed amendment must in some way involve the same question as the main motion, otherwise it is not germane and must be ruled out of order.

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### 3.27 PRIVILEGED MOTIONS:

These may interrupt consideration of a main or subsidiary motion.

**CALL FOR THE ORDERS OF THE DAY**: a reminder to the Chair to return the meeting to the proper place in the agenda, in case discussion has wandered from the topic at

hand. May interrupt a speaker, does not require a second, not debatable or amendable. No vote necessary, unless a member or the Chair immediately moves to continue the present discussion, in which case a two-thirds vote is required to continue in spite of the agenda.

**RAISE A QUESTION OF PRIVILEGE**: Relates to the conditions of the meeting (noise, lighting, safety etc.) or to a question of personal privilege, for instance a fact about a member incorrectly recorded or stated. If the situation can be addressed by instructions from the Chair, that is done.

**RECESS**: To take a short intermission (typically, of a few minutes, stated in the motion). Not debatable. Usually unnecessary, unless a meeting is unusually protracted.

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### 3.28 INCIDENTAL MOTIONS:

Most of these deal with situations that arise in the course of the meeting that must be dealt with immediately, before business can proceed.

**POINT OF ORDER**: A member notices a deviation from proper procedure, and uses this form to call the chair's attention to it. May interrupt a speaker, no second required, not debatable, and not voted on. The chair rules whether or not the point is well taken, and applies corrective action if warranted. The point must be timely; for example, if debate has already begun on a motion, and a member realizes that the motion was not seconded, it is too late for a Point of Order, debate must be allowed to continue. A Point of Order may be made later only in the circumstance where the violation would be ongoing, for instance, a motion is passed which violates state law.

**APPEAL FROM THE DECISION OF THE CHAIR**: In case the chair makes a ruling on a Point of Order or any other ruling with which members do not agree, a member may Appeal, and with a second may submit the

question to the board. The chair states the question: "Shall the decision of the chair be sustained?" During debate of the Appeal, the chair is entitled to give his or her reasons for the ruling first; other members may then speak once, and the chair may speak again prior to putting the question. A tie vote sustains the decision of the chair. If the decision of the chair is not sustained, the opposite of his ruling determines the situation from that point.

**SUSPEND THE RULES:** A motion to allow the board to take an action that would otherwise be prevented by one of these rules of order. The rule being suspended is not mentioned in the motion, but the desired action is. The motion to Suspend the Rules is not debatable, requires a second and a two-thirds vote in the affirmative. Example: "Mr. Chair, I move to Suspend the Rules and take up Agenda item 6.E immediately." Provisions in these rules arising out of state law may not be suspended.

**PARLIAMENTARY INQUIRY:** Requests the chair to give his or her opinion on the parliamentary situation or effect of a proposed motion. The chair answers, or may defer to the Attorney or another member.

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### 3.29 BOARD MEMBER CONFLICT OF INTEREST

A township board member shall vote upon all matters that require a vote of the township board unless the board member has a conflict of interest regarding a matter on which the township board is required to vote, the board member will disclose that interest, and the township board shall vote on whether to allow the board member to abstain. A unanimous vote of the other board members present is required to allow the board member to abstain. If so voted, the township board member shall recuse him- or herself, and refrain from participation in all deliberations, discussions and voting on that matter.

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### 3.30 MINUTES

The Clerk shall ensure that minutes of board meetings are prepared in accordance with the Open Meetings Act including but not limited to recording the:

- Time, date and place of the meeting
- Board members present and absent
- Decisions made by the board at a meeting open to the public
- Roll-call votes taken at the meeting
- The purpose or purposes for which a closed session is held

The board shall make any necessary corrections in the minutes at the next meeting after the meeting to which the minutes refer. Corrected minutes shall be available to the board at or before the next subsequent meeting after correction. The corrected minutes shall show both the original entry and the correction.

## CHAPTER 4 - FINANCIAL ADMINISTRATION

### 4.1 FINANCIAL ADMINISTRATION

The township adopts the Michigan Department of Treasury's Accounting Procedures Manual and shall comply to the extent possible with both the required policies and the best practices identified in that manual.

The following policies are intended to represent compliance with the Accounting Procedures Manual and Kalamazoo Township's administrative structure and procedures. No policy manual can anticipate all possibilities that may be encountered when administering the finances of the township. The following policies establish a framework for adequate controls over the financial administration processes. When questions arise, township personnel must refer to this manual and agree to a solution to the question, and the Board may amend this manual accordingly.

### 4.2 FUND BALANCE

The township board shall budget for a general fund balance that equals at least 20% to 25% of projected annual expenditures.

### 4.3 AUDIT

The township board shall contract with a certified public accountant to annually audit the financial systems of the township.

### 4.4 EMPLOYEE FIDUCIARY BONDS

The township shall provide a surety bond for all township officials required by law to be bonded.

The township shall acquire a public employee dishonesty bond for all employees authorized to handle money.

## BUDGET

### 4.5 BUDGETING FOR RESULTS AND OUTCOMES

The township board shall link the budget to strategic planning, long-range financial planning, performance measures, and evaluation. The use of resources shall be linked to objectives established or reaffirmed at the beginning of the budget development process. The township board shall routinely monitor, evaluate and adjust budget allocations to align township resources with the strategic plan goals and objectives.

### 4.6 MULTI-YEAR PLANNING

The township board shall incorporate multi-year planning in considering its budgeting and strategic planning processes.

### 4.7 EVALUATING PROGRAMS AND SERVICES

The township board shall establish, monitor and evaluate measurable objectives identified in its strategic plan that define when strategies have been achieved. At a minimum, on a quarterly basis, the township board shall track progress toward the successful implementation of its strategic plan and, if necessary, to modify strategies or to identify the financial resources to be reallocated to successfully achieve the unaccomplished strategies.

### 4.8 DEVELOPMENT

The township shall use the following approaches to develop the budget.

- The budget shall be based on expected revenues, including base revenues, any new revenue sources and the potential use of fund balance.
- The results or outcomes that matter most to citizens will be identified, and based on

that, in accordance with the adopted strategic plan, the township board shall determine what programs are most important to their constituents.

- The budget allocations shall be made in a fair and objective manner.
- The board shall budget available dollars to the most significant programs and activities to maximize the benefit of the available resources.

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#### 4.9 TIMETABLE

The proposed budget shall be developed according to the following schedule:

May-July: Develop proposed six-year Capital Improvement Plan (CIP)

July: Notify Department Heads of Budget calendar & provide budget worksheets

01 August: Department Heads submit proposed budget requests

Early August: Planning Commission considers and adopts Township's six-year CIP

2nd Week of August: During this week, meetings are held with each department regarding budget requests

Mid-August: Supervisor and Assessor prepare Special Assessment District (SAD) roll and submit to Clerk for the following:

- Fire Protection (Capital) – 1 mill (tentative)
- Police Protection (Capital) – 0.6 mill (tentative)
- Police Protection (Operating) – 1.4 mills (tentative)
- Street Lighting - 0.62 mill (tentative)
- Solid Waste Collection, Disposal and Recycling - \$60/parcel (tentative)

Late August: Publish Notice and schedule hearing on the rolls for the Board's first regular meeting in Sept.

1st Meeting in September: Board holds public hearings on SAD assessment rolls. Possibly adopt resolution approving SADs.

Mid-September: Board holds Budget workshop (Third Monday – special meeting)

Late September: Board adopts six year CIP

30 September (at the latest): Assessor & Treasurer submit form L-4029 millage levy to County

Mid October: Board holds Budget workshop (Third Monday – special meeting)

Late October: Publish Notice and schedule hearing on the proposed budget for the Board's first regular meeting in November.

Late October: The proposed budget to be available for public inspection.

1st Meeting in November: Board holds public hearing on proposed budget. Possibly adopt budget resolution.

2nd Meeting in November: Board adopts budget resolution (back-up date)

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#### 4.10 METHODS

The township board shall use the line item approach to develop its proposed budget on a functional basis of accounting.

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#### 4.11 FORMAT

The proposed and adopted budgets shall provide financial data on revenues, other resources and expenditures for at least a three-year period, including prior year actual, current year budget and/or estimated current year actual, and proposed budget.

The proposed and adopted budgets shall also include a narrative that:

- Summarizes the major changes in priorities or service levels from the current year and the factors leading to those changes
- Identifies the priorities and key issues for the new budget period
- Identifies and summarizes major financial factors and trends affecting the budget, such as economic factors; long-range outlook; significant changes in revenue collections, tax rates or other changes; current and future debt obligations; and significant use of or increase in fund balance or retained earnings.

#### 4.12 ADOPTION

Prior to the beginning of each fiscal year, the township board shall annually adopt a budget using a functional method of adoption unless otherwise directed in the General Appropriations Act.

The board shall monitor and amend the budget as needed to approve and control all expenditures.

#### 4.13 TOWNSHIP FISCAL OFFICER

The Clerk or designee shall be the township fiscal officer and shall be responsible for the development and administration of the township budget.

#### 4.14 TRANSFER AUTHORITY

The fiscal officer shall have the authority to make transfers among departments without prior board approval, if the amount to be transferred does not exceed 25% of the appropriation item from which the transfer is to be made. The board shall be notified at its next meeting of any such transfers made, and reserves the right to modify, amend or nullify any such transfers made. Under no circumstances may the total general fund budget be changed without prior board approval.

#### 4.15 BUDGET MONITORING

The township shall use the following approaches to monitor the budget, as recommended by the Government Finance Officers Association:

- The board shall establish measures of annual progress. These measures should spell out the expected results and outcomes and how they will be measured.
- The board shall use periodic financial reporting and performance measures to compare actual versus budgeted results.
- The board shall communicate performance results so that township personnel and the public will be informed of the results in an understandable format.

#### CAPITAL IMPROVEMENT PLANNING

#### 4.16 CAPITAL IMPROVEMENT PLAN (CIP)

The township planning commission shall be responsible for the development and updating of the township capital improvement plan, subject to final approval of the township board. The capital improvement plan will be reviewed annually, with such review completed at least two months prior to initiating the development of the proposed township operating budget.

#### 4.17 SCOPE

The CIP shall address the medium- and long-range needs of the township regarding building, lands, major equipment and infrastructure. The capital improvement plan shall prioritize such needs for the next 6 years beyond the current fiscal year.

A capital improvement is defined as a major project or purchase that is generally not recurring, has a long life expectancy, costs

more than \$5,000 and generally fits into one of the following categories:

- Acquisition, lease or development of land
- Construction of new buildings and facilities and/or additions, including design, engineering and other pre-construction costs. This includes major building improvements that are not routine expenses and that substantially enhance the value of a structure by adding capacity or square footage.
- Construction or extension of sewer and/or water systems
- Construction or extension of roads, sidewalks or pathways
- Acquisition of large vehicles/equipment (fire truck, police cars, etc.)

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#### 4.18 BUDGET

The capital improvement budget shall constitute those projects programmed for the first fiscal year of the six-year CIP. The capital improvement budget is enacted as a part of the annual budget adopted by the township board and will be the basis upon which funds are appropriated during the budget year for identified projects.

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#### 4.19 PROJECT REQUESTS

Department heads and elected officials shall submit any suggested projects to be included in the capital improvement plan to the planning commission staff support person who shall develop a capital improvement plan that includes the following information on each project:

- Priority of need within the requesting department
- Justification for priority ranking
- Estimated year project to commence

- Estimated year project should be completed
- Total estimated acquisition or construction cost
- Proposed method of financing acquisition or construction
- Annual debt service requirements of the project
- Estimated annual operating expenses after completion
- Method of financing operating expenses

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#### 4.20 PUBLIC HEARING

The planning commission shall hold a public hearing on the capital improvement plan prior to submitting the capital improvement plan to the township board. The township board may hold additional hearings on the capital improvement plan.

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#### 4.21 ADOPTION

Prior to beginning the development of the proposed township budget for the ensuing fiscal year, the township board shall adopt the capital improvement plan as recommended or following any alterations the township board deems advisable. All parties involved in the development of the proposed township budget shall address any implications of the capital improvement plan in the proposed budget.

### FINANCIAL REPORTS

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#### 4.22 PERIODIC EXPENDITURE AND REVENUE REPORT

The Clerk or designee shall prepare a monthly financial report for the board. The report will be current through the last day of the previous month, and shall be presented to the board at its first meeting of each

month. The financial report for each fund will show the following information for revenues and expenditures:

- Account number
- Description
- Amended budget
- Current period
- Year to date
- Budget balance

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#### 4.23 PERIODIC BALANCE SHEET REPORT

The Clerk or designee shall prepare a quarterly balance sheet showing the assets, liabilities and equities for each fund.

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#### 4.24 INVESTMENT PERFORMANCE REPORT

The Treasurer or designee shall prepare a quarterly report of all interest-bearing activities, including the name of the financial institution, type of investment, anticipated yield and date of maturity.

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#### 4.25 SUMMARY REPORT OF CASH ACTIVITY BY FUND

The Treasurer or designee shall provide the township board with a monthly summary report of cash activity by fund and a summary report of cash activity by bank account, certificate of deposit and investment account.

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#### 4.26 FINANCIAL REPORTS REVIEW

The fiscal officer (as defined by the Budget Resolution) shall review the financial reports prior to the board meeting, and shall recommend to the board any necessary budget amendments or fund transfers.

## INTERNAL CONTROLS

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#### 4.27 FINANCIAL EMPLOYEE TRAINING

The township shall provide education and training for township officials and other personnel involved in financial administration on accounting procedures, investments, budgeting and fraud prevention as annually approved in the township budget.

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#### 4.28 SEGREGATION OF DUTIES

The functions of authorizations, recordkeeping and processing financial transactions shall be segregated where possible.

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#### 4.29 CROSS TRAINING

Bookkeeping duties shall be periodically shifted between two or more employees (e.g., during vacations, etc.).

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#### 4.30 RECONCILIATIONS

The cash balances of the various fund ledgers shall be reconciled to the bank statements monthly. The Treasurer or designee must keep track of the total cash and investments allocable to each fund and must reconcile these amounts to each month's bank statements.

A listing of all cash and investments, along with a copy of the bank reconciliations, must be provided to the Clerk or designee.

The Clerk or designee must reconcile the cash and investments recorded in the general ledger to either the Treasurer's reconciliation or to the bank statements directly.

Bank statements and reconciliations shall be retained for audit purposes.

## CASH HANDLING AND RECEIPTING

### 4.31 AUTHORIZATION TO RECEIVE CASH

The following employee positions are authorized to receive cash:

Treasurer

Deputy Treasurer

Administrative Clerk in the Treasurer's Department

Deputy Clerk

Elections Specialist, Clerk's Department

Planning and Zoning Department Assistant

Police Department employees

### 4.32 CHANGE DRAWER

The Treasurer or designee shall maintain a cash drawer to exchange currency in order to make change for a cash financial transaction.

### 4.33 IMPREST CASH

The Treasurer shall maintain a petty cash fund of \$300 to provide for the immediate purchase of emergency materials, supplies or service only. Routine or other non-emergency purchases shall not be made from the petty cash fund. The purchase requisition/purchase order procedure is required for all normal purchases.

Loans, cash advances, making change and personal check cashing are prohibited. Cash refunds shall not be issued for overpayments at the time of occurrence (i.e., either a credit should be issued or a check refund generated through accounts payable).

The police chief shall maintain a petty cash fund of \$300 to provide for minor purchases (shipping, meals during training, minor

repairs, etc.) and an investigative operations fund of \$500.

### 4.34 RECEIPTING OF CASH RECEIPTS

The Treasurer or designee is responsible for all cash receipts. There must be a computer record of all individual cash transactions. All cash transactions must be recorded using a sequentially computer-numbered document (Police Department (PD) pre-numbered triplicate form). The receipt shall include the amount received, method of payment, name of the payer, purpose and ID of staff receiving payment.

All invoices received shall be attached to a duplicate computer-numbered document (PD, pre-numbered triplicate form). Checks must be stamped for "deposit only" at the point and time of collection. Checks returned for insufficient funds or closed accounts should be forwarded to the Treasurer for reconciling.

On a daily basis, authorized individuals who receive cash shall turn over all cash and a copy of all issued receipts to the Treasurer or designee intact. The amount turned over should equal the total of the cash drawer receipts for the day. The Treasurer or designee shall issue a receipt to the person/department for all cash received. Each cash register should be closed out or cleared at the register every time a deposit is made.

### 4.35 POSTING OF CASH RECEIPTS

The Treasurer or designee shall provide the Clerk or designee a record of all money received and the purpose of the amount received (i.e., the budgeted revenue account or the receivable account). The clerk shall be provided with a copy of voided or canceled receipts marked "voided."

The authorized person will post each receipt to the receipts journal in numerical order to

the proper bank account, fund and revenue account.

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#### 4.36 CASH RECEIPT REPORT

A cash receipt report shall be run by the Treasurer or designee of each day's activity batched by deposit. A cash receipt report shall contain the detail of all daily transactions and a summary by general ledger line item, and shall agree with the day's deposits.

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#### 4.37 DEPOSIT PROCEDURES

Total cash collected shall be reconciled to the sum of the computer-numbered and triplicate form receipts. Deposits shall be made intact, with no reductions to deposits made for expenditures, and must be reconciled to official receipts. Deposit tickets (or attached listing) shall list checks by name or number, and amount. Total cash collected shall be deposited at least once a week, in the appropriate township bank account. Undeposited funds shall be secured in a locked safe.

### DEPOSITORIES

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#### 4.38 BANK ACCOUNTS

All bank accounts shall be in the name of the township and the Treasurer. The use of the township's tax ID number shall be strictly controlled by the Treasurer, and it shall not be used to open non-township bank accounts.

Tax collections shall be deposited in a separate bank account in the name of the Treasurer.

Bank signature cards shall be kept current and the authorized signers limited to the Clerk, deputy clerk, Treasurer and deputy treasurer.

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#### 4.39 AUTHORIZED DEPOSITORIES

The Treasurer or designee is authorized to manage funds belonging to the township, including depositing funds in approved financial institutions and administration of investments in conformance with MCL 41.77, P.A. 20 and the Township Investment Policy.

The Treasurer or designee shall annually recommend for approval by the township board financial institutions for the safekeeping of township funds based on an evaluation of the performance and solvency of the institution, as well as past performance in exercising due care and prudence in managing the custody of township funds held in trust, if applicable. The Treasurer shall periodically evaluate approved and potential financial depositories and shall make recommendations as to appropriate changes in approved depositories when warranted.

The procedure for identifying approved depositories shall be in conformance with applicable state statute.

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#### 4.40 CONTROL OF CASH AND INVESTMENTS

All cash and investments shall be under the control of the Treasurer. No other individual shall hold cash of the township or open a bank account to hold township cash or investments.

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#### 4.41 AUTHORITY TO MAKE BANK DEPOSITS

The Treasurer or designee is responsible for making all bank deposits. The Treasurer may authorize other township personnel to make deposits if the township board has agreed to incorporate that function in the job description for that position.

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#### 4.42 NOTICE OF INVESTMENT POLICY

All investments of township funds shall be in accordance with the Township Investment Policy.

### ACCOUNTS RECEIVABLE

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#### 4.43 ACCOUNTS RECEIVABLE

The Treasurer's department shall be responsible for processing all accounts receivable.

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#### 4.44 INVOICE PREPARATION

The Treasurer's department shall be responsible for preparing invoices for revenues due to the township:

All invoices shall include a remittance advice or duplicate invoice to be returned to the township with payment. The remittance advice or invoice shall include the name, amount invoiced, purpose and that payment is to be made to the township and mailed to the Treasurer.

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#### 4.45 POSTING AND DISTRIBUTION OF ACCOUNTS RECEIVABLE

A copy of all invoices or bills for money owed the township shall be given daily to the Treasurer or designee and Clerk or designee.

The Treasurer or designee will use the invoice copy as verification when payment is received.

The Clerk or designee will use the invoice copy to record the receivables in the general ledger. Invoices are to be reconciled to the general ledger control on a monthly basis.

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#### 4.46 ACCOUNTING FOR ACCOUNTS RECEIVABLE

For all payments received, the Clerk or designee shall credit the receivable. A monthly listing of all amounts invoiced but not yet received shall be prepared and reconciled to the general ledger.

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#### 4.47 CREDIT CARD, DEBIT CARD AND OTHER ELECTRONIC PAYMENTS

In addition to payments made by cash or check, the township will accept payments made via debit cards, electronic fund transfers and certain credit cards (an additional fee may apply to the use of debit or credit cards).

Payments that may be made to the township by a financial transaction device in accordance with the terms of the Resolution for the Acceptance of Payments by Financial Transaction Device shall include all real and personal property taxes, special assessment payments, permit fees and any other type of payment due the township.

### ACCOUNTS PAYABLE

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#### 4.48 ACCOUNTS PAYABLE

The Clerk or designee shall be responsible for processing all accounts payable.

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#### 4.49 PROCESSING OF CLAIMS

Requests for payments to vendors shall be documented in writing by a vendor invoice or, in the few instances where no invoice is forthcoming, by a written request by the department head requesting payment. With rare exceptions, only original invoices shall be processed for payments, as statements or copies of invoices may result in duplicate payments. Appropriate documentation (supporting invoices) shall be attached for all disbursements.

Employee expense reimbursements shall be documented on an expense voucher signed and dated by the employee. All invoices, departmental check requests and expense vouchers shall include the following:

1. Vendor name
2. Purpose of payment request
3. Unit price and units delivered (if applicable)
4. Date goods delivered or services rendered
5. The related purchase order (if applicable)

All requests for payments shall be approved by the department to which the expense shall be posted by initialing the document.

All requests for payment shall be submitted to the authorized person at least 6 days prior to the board meeting at which claims will be approved and the authorized person shall verify the payee, amount, purpose and the disbursing fund (account) of each request.

After verification, the Clerk or designee shall prepare an Invoice Register Report which itemizes the invoices, subtotaled by vendor, includes general ledger distribution number, and date the warrant is to be issued and journalized to the general ledger. A copy of the warrant is made for township records.

The Invoice Register Report is submitted to the Township Board requesting its approval at a regular meeting.

Invoices and bills supporting the report shall be available for board member review the day of the board meeting. Board members are responsible for scrutinizing the bills prior to board approval.

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#### 4.50 REPORTS TO THE BOARD

In addition to the regular submission of the Invoice Register Report, the Clerk or designee shall prepare a Monthly Check Disbursement Report. The Monthly Check

Disbursement Report includes an itemization of the checks (and includes invoice numbers, payees, invoice descriptions, general ledger numbers and check amounts) issued during the prior month. The Monthly Check Disbursement Report is to include the invoices approved for payment by the Board at its regular meeting and payments made pursuant to Section 4.52 during the prior month.

The Monthly Check Disbursement Report is to be included in the board packet. Generally, the Monthly Check Disbursement Report is to be accepted as part of the Board's regular meeting consent agenda.

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#### 4.51 BOARD APPROVAL REQUIRED FOR ALL CLAIMS

All claims shall be approved by the township board prior to payment, with the exception of tax collection disbursements and claims authorized in the budget resolution or board policy.

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#### 4.52 CERTAIN AUTHORIZED CLAIMS

Only the following types of claims may be paid by disbursements made prior to board audit and approval:

1. Bills that are subject to a penalty for late payment or a discount for early payment where such payment is necessary to take advantage of such discount or to avoid such penalty.
2. Re-occurring routine township expenses regularly incurred in the operation of the township such as, but not limited to utility expenses, insurance premiums, publication costs, operating supplies, necessary operating repairs, established salaries and wages of township employees and officials and established per diem compensation of township officials
3. Distribution of escrow funds, trust or agency funds, intra-governmental service

funds, enterprise funds or special assessment funds in accordance with the purposes for which such funds have been received, and the statutory or local regulations governing the same.

4. Purchases for the benefit of the Township costing less than \$5,000.

5. The Supervisor or designee may authorize emergency expenditures when deemed essential due to the imminent threat to the health, safety and welfare of the township.

Any claims authorized under this policy prior to board approval shall be confirmed at the next board meeting.

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#### 4.53 CHECK CONTROLS

Numerically controlled, pre-numbered checks shall be used. Checks shall not be signed prior to being completely filled out. Cleared checks must be returned to the township or electronically stored.

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#### 4.54 CHECK PROCESSING

Each draft shall be signed by the Clerk or designee to document board authorization of that payment and forwarded to the Treasurer by the next business day following the board meeting at which they were approved.

The Treasurer or designee shall verify that the funds are available, sign the check and distribute it.

The Clerk and Treasurer may not designate the same person for the above two roles.

A check-signing machine shall be limited to use by authorized designee, and shall be locked when not in use.

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#### 4.55 ELECTRONIC PAYMENTS

Following township board approval, the Clerk or designee shall initiate electronic

payments and the Treasurer or designee shall review and accomplish.

Electronic payments are authorized if in compliance with the board's policy provisions and the written procedures and internal control adopted by the Treasurer and presented to the township board. (See Township policy on electronic payments)

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#### 4.56 CREDIT CARD USE POLICY

The Clerk or designee is responsible for issuing, accounting for, monitoring, retrieving and generally overseeing compliance with the township's credit card policy. (See Township credit card policy)

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#### 4.57 TAX ACCOUNT DISBURSEMENTS

The Treasurer or designee shall create a separate bank account and shall account for the tax fund separately from other township funds, as per state statute and accepted accounting principles.

#### EXPENSE REIMBURSEMENTS

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#### 4.58 EXPENSE REIMBURSEMENTS

The township shall reimburse all officials and employees for necessary expenses incurred in performing their duties. Department heads and officials will obtain authorization for any travel or business expense from the board prior to incurring the cost. All other employees must obtain authorization from their department head. In exceptional cases, the Supervisor or designee may approve time-sensitive requests.

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#### 4.59 EXPENSE DOCUMENTATION AND REQUESTS

Expenses requested for reimbursement shall be substantiated with actual detailed receipts or other documentation such as a mileage log. All requests for expense

reimbursement shall be made on the proper expense reimbursement form and within a reasonable time after the expense has been incurred.

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#### 4.60 ALLOWED EXPENSES

All expenses requested for reimbursement shall be for amounts that a reasonable, prudent person would conclude benefits the township. Personal expenses that are unnecessary in conducting township business, such as entertainment and alcohol consumed, shall not be eligible for reimbursement. Commuting from residence to the township hall or the official or employee's official work location shall not be eligible for reimbursement. Board and commission members shall not receive mileage reimbursement to attend board meetings that are a statutory duty of their office/position or meetings being held in Kalamazoo County.

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#### 4.61 TRAVEL REIMBURSEMENT

Travel shall be reimbursed at the IRS mileage rate when the employee uses his or her own vehicle to conduct township business.

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#### 4.62 TRAVEL ADVANCES

Travel advances may be requested from the Supervisor or designee. Receipts of all expenses incurred shall be submitted within three business days after concluding the trip, and any excess travel advance shall be reimbursed to the township at that time.

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#### 4.63 EXPENDITURE AUTHORIZATION

The township shall not be responsible for any obligations incurred by an official or employee that is contrary to the provisions of these administrative policies and procedures or any other financial administration policies adopted by the township board.

Department heads shall not consider appropriations contained in the budget as a mandate to expend township funds. No obligations shall be incurred against, and no payment shall be made from, any appropriation classification unless there is a sufficient balance to meet the obligation.

The township board shall exercise supervision and control to ensure that expenditures are within appropriations, and department heads shall not make any purchases that exceed appropriations.

Expenditures must follow the procedures set forth in the township's expenditure control, purchasing or bidding policies.

## CHAPTER 5 – PERSONNEL ADMINISTRATION

### 5.1 AUTHORITY FOR PERSONNEL MATTERS

The township board reserves all authority to hire, supervise, provide direction, discipline and terminate employees. The Supervisor or designee, as personnel officer, will implement and enforce all personnel-related policies within the parameters established by the township board. The Supervisor or designee shall supervise, provide direction to and discipline employees, and shall make recommendations to the township board on hiring and terminating employees.

### 5.2 SUPERVISOR'S DUTIES

The Supervisor or designee shall do all of the following:

- Develop job descriptions for all township positions
- Update job descriptions as needed, and review the accuracy and currency of all job descriptions at least once every three years
- Recruit applicants for position vacancies
- Provide all new employees with a current copy of the township Personnel Policy.
- Monitor changes in state and federal law that impact on township personnel practices
- Recommend to the township board necessary changes in the Personnel Policy, and provide all employees with copies of amendments to the Personnel Policy.
- Provide interpretations of the township personnel policies and procedures when requested by department heads or

employees. The interpretation of the Supervisor or designee shall be considered final, unless an appeal of the interpretation is filed with the township board.

- Recommend appropriate pay grade or compensation for all employees, subject to board policies and appropriations
- Authorize department heads to impose employee sanctions that exceed the severity of a verbal or written warning
- Develop and implement a standard employee evaluation form for use by department heads in periodically evaluating the performance of employees under their supervision
- Authorize the use of extended leave by employees pursuant to the Personnel Policy
- Monitor township and union compliance with collective bargaining agreements
- Conduct exit interviews of all terminating employees following a voluntary separation from township employment

### 5.3 COLLECTIVE BARGAINING

The township board will appoint a bargaining team to represent the township board in collective bargaining negotiating sessions. Prior to beginning negotiations, the township board may meet in closed session to develop negotiation strategy regarding wages, hours, conditions of employment and any non-mandatory topic to which the township board agrees to negotiate. Any proposed agreement shall be brought to the township board for its ratification or rejection.

### 5.4 POLICY MANUALS

The Supervisor and the Policy and Administration Committee shall develop and

periodically provide recommended updates to its Personnel Policy to help guide the board, employee Supervisors and managers in the implementation of all employee workplace issues.

The provisions of the Personnel Policy may be changed at the sole discretion of the township board. Township board members, officials and employees may submit any suggested changes or additions to these policies and procedures to the Supervisor.

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### 5.5 AUTHORIZED STAFFING

The township board, by means of the annual budgetary appropriations, shall determine the number of full-time and part-time employees assigned to the various township offices/locations.

The township board assigns its Policy and Administration Committee to review and make recommendations to the township board for all changes to an employee's grade reclassification, an employee's change from part-time to full-time status (or vice versa), a request for a new position or elimination of a current position.

The following process is to be used to make employee changes as noted above:

1. The department head shall discuss the need for the change with the Supervisor.
2. The department head shall submit a draft job description and written justification for the change to the Policy and Administration Committee. The Policy and Administration Committee may support, modify or reject the draft job description and written justification.
3. If the Policy and Administration Committee supports the change, the matter will be referred to the township board for further consideration.
4. If the Policy and Administration Committee modifies or rejects the requested

change, the department head may request that the matter be referred to the township board for further consideration or may make changes and resubmit the request to the Policy and Administration Committee.

5. The township board may accept, modify or reject the implementation of the proposed change. The township board may not make any change that increases the costs for the township without prior adoption of any necessary budget amendments.

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### 5.6 SERVICE PROVIDERS

The township may hire service providers to provide specialized or requested services on a project or as-needed basis. All service providers will have the following (such will be in accordance with IRS standards):

- A written contract between the township and the service provider
- A federal identification number or Social Security number if a sole proprietor
- Proof of liability and worker's compensation insurance
- A completed W-9 form

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### 5.7 VOLUNTEERS

The township board may use volunteers to provide services for civic, charitable or humanitarian reasons without promise, expectation or receipt of compensation for the services rendered.

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### 5.8 EQUAL OPPORTUNITY EMPLOYMENT

The Charter Township of Kalamazoo is an Equal Opportunity Employer and shall employ, promote and transfer all employees and job applicants without regard to race, color, sex, age, religion, national origin, height, weight, marital status, familial status, veteran status, citizenship, handicap /

disability, gender identity, sexual orientation, genetic information or as otherwise in accordance with all Federal or State law, or local regulations.

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## 5.9 EMPLOYEE SELECTION

The township shall employ, promote and transfer all employees and job applicants on the basis of merit, qualifications and competence in compliance with all applicable employment laws.

The Supervisor shall ensure that the following procedures are used in filling any vacant employment positions:

- A notice of position vacancy shall be developed, based on the current job description and discussions with the department head. The posting shall provide the position title, brief description, education and experience requirements, current pay grade, application deadline, and the township's Equal Employment Opportunity policy.
- The position vacancy notice shall be published on the township website, and disseminated as widely as feasible to local media, community organizations, and other specialized networks.
- The applications or resumés submitted will be reviewed by the department head and Supervisor, and a list of qualified candidates will be developed.
- Interviews will be conducted with the department head's participation. At least three non-related references shall be contacted.
- The department head shall select the candidate who best meets the job prerequisites for education, experience and management style, if appropriate.
- The candidate will be offered the position, pending the satisfactory completion of

department specific requirements and township board approval.

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## 5.10 EMPLOYMENT OF RELATIVES

The township is committed to equal opportunity. However, in cases where the most qualified applicant is related to a current township employee, the township permits the employment of qualified relatives of officials and employees.

The department head and Supervisor or designee are responsible for, and will exercise sound business judgment in the placement of related employees in accordance with current law and utilizing best practices.

Relatives are permitted to work in the same facility, provided minimal direct reporting or supervisory/management relationship exists.

An applicant for township employment shall notify the township on the application for employment, and a current employee shall notify the Supervisor or designee in writing if a relationship exists.

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## 5.11 EMPLOYEE CLASSIFICATION

Employees will be assigned to a particular job classification with its corresponding job description, pay grade assignment (if applicable), and pay range.

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## 5.12 EMPLOYEE COMPENSATION

The township board shall establish an equitable compensation system for township employees. The township shall use a compensation system that will determine the value of all jobs based on the skills, knowledge and behaviors required. The system will be designed to maintain control over compensation costs and to be objective and non-discriminatory in application and practice.

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### 5.13 BENEFITS

The township board, in its sole discretion, will determine what employment benefits may be provided to township officials or employees, unless employees are covered under a collective bargaining agreement. Township board members, officials, department heads or employees may submit suggested changes or additions to the benefits to the Supervisor or designee as part of the annual budgeting process.

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### 5.14 EMPLOYEE SUPERVISION

Department heads shall provide direction to employees in a manner that complies with the provisions of the township's Policy Manual, Personnel Policy, as well as all federal and state laws, and township ordinances.

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### 5.15 EMPLOYEE RECOGNITION

Department heads may bring to the attention of the township board any conduct of merit by any township employee, volunteer or appointed official deserving of recognition. The township board may recognize meritorious conduct through the adoption of a resolution of tribute.

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### 5.16 EMPLOYEE SAFETY

The township shall provide a workplace in compliance with recognized standards to address hazards that may cause or are likely to cause death or serious physical harm to employees. The township shall provide an effective safety strategy that includes both leadership and employee involvement, will conduct worksite analysis, and will provide employee training.

The Supervisor or designee is hereby appointed as the township safety officer. It shall be the duty of the safety officer to assess the general working conditions of the township on a continual basis. Any

conditions that create a safety hazard shall be corrected immediately. The safety officer shall report to the township board any unsafe condition that will require a modification of any board-adopted policy or procedure.

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### 5.17 NON-RETALIATION

The township shall not tolerate retaliation against any employee or other person who, in good faith, reports a violation or perceived violation of township policies, or retaliation against any employee or other person who participates in any investigation as a witness or otherwise. Retaliation is a serious violation of this policy and is subject to discipline up to and including discharge. An employee must promptly report any acts of retaliation to his or her department head or to the Supervisor.

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## PAYROLL

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### 5.18 PAYROLL

The township shall comply with Michigan wage and hour laws that regulate the method of payment of wages, the payment of wages upon termination of employment, allowable deductions, income tax withholding and payment of employment taxes, wage garnishments, recordkeeping and maintenance of payroll records.

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### 5.19 PAYMENT ON TERMINATION

An employee who voluntarily terminates employment or is discharged will be paid all wages earned and due as soon as the amount can be determined, or at the latest, on the next regularly scheduled payday.

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## 5.20 TIME SHEETS

All completed time sheets for non-exempt employees shall be submitted to the Clerk on the (day) following the end of each pay period. Time sheets will be signed by both the employee and the employee's department head.

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## 5.21 DEDUCTIONS AND WITHHOLDINGS

The township shall comply with federal and state laws regarding income tax and Social Security deductions. All voluntary deductions shall be authorized in writing. The Clerk or designee shall be notified at least three days prior to the end of the pay period of any changes in voluntary deductions or withholding allowances desired by an employee.

The township shall make appropriate deductions to satisfy any court orders for garnishments or for child or spousal support orders.

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## 5.22 PAYROLL CHANGES

A payroll change order or other documentation shall be used to make any employee changes (e.g., setting or changing compensation, and deductions or withholdings) or to add a new employee to payroll. A payroll change order or other documentation must be signed by the Supervisor, and department head.

A new employee change order shall also be accompanied by the following:

- New Hire Reporting Form
- I-9 Form
- W-4 Form
- Direct deposit authorization and any other voluntary deduction forms

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## 5.23 PAY ADVANCES

Pay advances shall not be authorized under any circumstances.

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## 5.24 PAYROLL PROBLEMS

Employees shall immediately notify the Clerk or designee of any problems or errors on their paychecks. A written account of the problem and its resolution shall be created by the Clerk or designee.

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## PERSONNEL RECORDKEEPING

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### 5.25 PERSONNEL FILES

The Supervisor or designee shall maintain a permanent personnel record of each township employee. The personnel records shall be kept complete and accurate in compliance with federal and state laws and any applicable general record retention schedules adopted by the State of Michigan.

Each employee's personnel file contains the following:

- Personnel data, including full name, Social Security number, current address, resumé or application submitted and physical examination (if required)
- Performance evaluations
- Use of authorized leaves
- Commendations or disciplinary actions
- Tax withholding information
- Beneficiary information
- Record of positions held
- Insurance and pension records

A personnel file shall not include:

- Employee references supplied to an employer if the identity of the person making the reference would be disclosed.
- Materials relating to the employer's staff planning with respect to more than one employee, including salary increases, management bonus plans, promotions and job assignments.
- Medical reports and records made or obtained by the employer if the records or reports are available to the employee from the doctor or medical facility involved.
- Information of a personal nature about a person other than the employee if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
- Information that is kept separately from other records and that relates to an investigation of the employee by the employer regarding criminal activity that may result in loss or damage to the employer's property or disruption of the employer's business operation.
- Records limited to grievance investigations that are kept separately and are not used for the purposes provided in this subdivision.
- Records kept by an executive, administrative or professional employee that are kept in the sole possession of the maker of the record, and are not accessible or shared with other persons. But a record concerning an occurrence or fact about an employee may be entered into a personnel record if entered not more than six months after the date of the occurrence or the date the fact becomes known.

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#### 5.26 EMPLOYEE ACCESS TO PERSONNEL FILE

Upon written request that describes the personnel record, any employee may examine the contents of his or her personnel file under the direct supervision of the Supervisor or designee. If an employee demonstrates that he or she is unable to review his or her personnel record at the township, then the township, upon that employee's written request, shall mail a copy of the requested record to the employee.

An employee may obtain a copy of the information or part of the information contained in the employee's personnel record.

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#### 5.27 EMPLOYER ACCESS TO PERSONNEL FILES

Department heads and the Supervisor or designee shall be allowed to view any personnel file when necessary within the scope of their authority and responsibility. Information contained in a personnel file shall be considered confidential and released to others only with written authorization of the employee.

The contents of an employee's personnel file shall not be removed from the township hall by anyone.

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#### 5.28 RELEASE OF PERSONNEL RECORDS TO A THIRD PARTY

The Supervisor or designee shall not release information to a third party except when the release is ordered in a legal action or arbitration to a party in that legal action or arbitration.

When notice is required by law, the Supervisor or designee shall provide written notice to an employee or former employee of a release of the employee's personnel records.

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## 5.29 FREEDOM OF INFORMATION REQUESTS FOR PERSONNEL RECORDS

Copies of documents contained in the personnel files that are requested pursuant to the Freedom of Information Act may be released only after information that is exempt from FOIA disclosure that may be contained on the document is redacted. The FOIA coordinator may contact the township attorney for advice in responding to a FOIA request involving personnel records.

## CHAPTER 6 - RECORDS MANAGEMENT

### 6.1 APPLICABILITY

This records management policy shall apply to all officials, appointees, employees, agents, independent contractors and volunteers of the township. Each individual who creates, sends or receives official records is responsible for retaining those records in accordance with this policy. The township shall comply with all applicable state statutes for retention and inspection of public records.

### 6.2 RECORDS MANAGEMENT RESPONSIBILITIES

The Clerk or designated employee shall be responsible for coordinating all records management procedures and activities for township offices, departments or services. Duties include the:

- Distribution of state-approved general record retention schedules
- Distribution of policies, guidelines and standards published by the State of Michigan, the township and other parties
- Arranging off-site storage facilities for inactive records, if necessary
- Arranging digital imaging services
- Arranging the destruction of confidential records
- Coordinating all litigation holds to prevent the destruction of records that are relevant to a Freedom of Information Act request, investigation or litigation

### 6.3 RESPONSIBILITY TO ENFORCE

The Clerk or designated employee shall ensure that township officials, appointees

and employees are aware of and implement the township's record management policies. They shall ensure that the township has the most current record retention schedules that cover all records (regardless of form or format) that are created and used by the township.

The Clerk or designated employee shall ensure that the digital files and email (and other records) of former officials, appointees, employees, volunteers and consultants are retained in accordance with approved record retention schedules.

### 6.4 SEPARATION FROM TOWNSHIP

Township officials, appointees, employees, volunteers and consultants/contractors shall not take public records with them when they terminate office, employment or contract with the township, and they shall not destroy records that have not yet fulfilled their approved retention period. The Clerk or designated employee is responsible for ensuring that the records, including email and other digital records, of employees who are separating from the township are retained in accordance with the township's record retention policies.

### 6.5 FAILURE TO ADHERE TO THIS RECORDS MANAGEMENT POLICY

Failure to adhere to the township's records management policies may result in applicable discipline, up to and including discharge from employment, termination of the contractor status, or termination of the volunteer relationship. Further, the removal, mutilation or destruction of public records may result in civil and criminal liability as per applicable state statute.

### 6.6 RECORD RETENTION SCHEDULES

All township records shall be retained in accordance with the appropriate state-approved record retention schedule. Records

not listed on the record retention schedule are considered permanent records and may not be disposed of until a schedule is approved by the State Archives and State Administrative Board.

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#### 6.7 RECORDS ARE MAINTAINED AND STORED TO ENSURE TOWNSHIP COMPLIANCE WITH LAW

Township officials, appointees, employees, volunteers and consultants/contractors shall create, develop, organize, maintain, retain and store all township records to accommodate public inspection, FOIA compliance, and record retention requirements.

The Clerk or designated employee and Supervisor or designated employee shall develop procedures to accommodate access by the FOIA coordinator for the purpose of public inspection of records, FOIA requests, and discovery or other litigation-related requests, when:

- Specific records are required by law or township policy to have limited access
- Specific records contain information exempt from disclosure

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#### 6.8 FREEDOM OF INFORMATION ACT PROCEDURES, GUIDELINES AND FORMS

See Kalamazoo Township Freedom of Information Act Policy

#### DIGITAL FILES AND EMAIL RETENTION

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#### 6.9 EMAIL DEFINED

Electronic mail (email) is a means of exchanging messages and documents using telecommunications equipment and computers. A complete email message not

only includes the contents of the communication, but also the metadata (dates and times that messages were sent, received, opened, deleted; path, routing and server information, digital signatures, as well as aliases and email addresses of sender and all recipients), and any attachments and links.

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#### 6.10 DIGITAL FILES AND EMAILS MAY BE PUBLIC RECORDS

A digital file or email is a public record if it is prepared, owned, used, in the possession of or retained by a public body in the performance of an official function, from the time it is created.

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#### 6.11 DIGITAL FILES AND EMAIL ARE PUBLIC PROPERTY

All digital files and emails that are created, received or stored by the township are the property of the township. They are not the property of the township officials, appointees, employees, volunteers, consultants/contractors, vendors or customers. Email accounts are provided to township staff for conducting public business. No one should have an expectation of privacy when using the township's computer/electronic resources.

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#### 6.12 DIGITAL FILES AND EMAIL RETENTION AND DISPOSAL SCHEDULES

All digital files and emails shall be retained according to the applicable record retention schedule for the type of record the digital file or email represents. Individual employees or consultants are responsible for deleting digital files and email in accordance with the appropriate record retention schedule. The clerk shall ensure that messages deleted in compliance with the appropriate record retention schedule are rendered unrecoverable.

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### 6.13 DIGITAL/ELECTRONIC FILES AND EMAIL STORAGE AND MAINTENANCE

The township shall retain its digital files and email as required by applicable state statute.

## RECORD STORAGE AND MAINTENANCE

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### 6.14 RECORD STORAGE

Township officials, appointees, employees, volunteers, consultants/contractors and departments shall organize records to promote fast and efficient retrieval of information. Appropriate and cost-effective office equipment, indexes and tools shall be used to maintain records as funding allows.

The Clerk or designee shall periodically evaluate and make recommendations to the township board on the methods to be used to maintain and store records for their minimum retention periods. Records that will be retained for more than 10 years shall be stored in an environment that facilitates the security and stability of the storage media.

The Clerk or designee shall work in conjunction with the appropriate staff, consultants and contractors to determine the most cost-effective and reliable method of maintaining digital and electronic records for their full retention period, so technology changes do not render them inaccessible and unusable. When reproducing township records for storage purposes, the township shall comply with the applicable State of Michigan standards and best practices for record reproduction, as authorized by the Records Reproduction Act, MCL 24.401, et seq.

Records containing sensitive or confidential information shall be protected against unauthorized access, especially records that are protected by state or federal laws, records containing private information,

financial information, background checks, medical information and Social Security numbers. Individuals and offices shall employ appropriate locks, passwords and other devices to protect the privacy of this information.

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### 6.15 RECORD DISPOSAL

Public records that have reached their minimum retention period, and which are no longer required for the efficient operation of the township, may be disposed of. All township offices shall routinely review all records (regardless of format) to identify those that have fulfilled their retention requirements.

Disposal shall be made by a method that is guaranteed to ensure the privacy of sensitive or confidential information. Records that contain confidential information will be disposed of in a manner that ensures they cannot be reconstructed.

Some records possess permanent or historical value. These records may be designated for eventual transfer to the Archives of Michigan or WMU Archives and Regional History Collections for permanent preservation. The township shall follow the Archives' procedures for transferring records.

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### 6.16 DISASTER PREVENTION AND RECOVERY

Township records, books and papers shall not be kept where they will be exposed to an unusual hazard, fire, theft or other damage.

In the event of damage to township records, township personnel, at the direction of the Clerk or designated employee shall:

- Contact the township's risk manager and insurance agent

- Determine the type of damage to records (fire, smoke, chemical, clean water, dirty water, heat, humidity, etc.)
- Determine which records have been damaged
- Determine the types of materials that have been damaged (paper, film/microfiche, computer files, CDs/DVDs, etc.)
- Begin salvage according to applicable State of Michigan standards and best practices for document salvage

## CHAPTER 7 – PUBLIC COMMUNICATIONS

### 7.1 PUBLIC INFORMATION OFFICER

The Supervisor or designee shall be the public information officer for the township. At their discretion, the Supervisor or designee can delegate certain specific items listed below to other board members and /or township staff.

The public information officer shall be responsible for supervising the content disseminated as approved by the township board through the township newsletter, website, public service announcements and press releases on township government events, and responding to inquiries from the media or referring contact to other appropriate township officials. The public information officer shall review the content of these materials for:

- Potential violations of the Campaign Finance Act
- Political preference or support
- Promotion of private interests
- Misrepresentation of township board actions or policy
- Statements that could expose the township to legal liability

The public information officer is authorized to determine in his or her sole discretion, whether such content will be removed or edited out, submitted to the township legal counsel for a further opinion, directed to the township board for a final determination, or returned to the author for revision.

The public information officer shall advise township board members and other appropriate staff of all media releases at the time of release.

Township officials and employees such as the Police Chief, Fire Chief and Fire Marshal will notify the public information officer, in a timely manner, of all media contacts made in their township capacity. They will be expected to take into consideration the impact of their statements in light of the criteria listed above. Other Township employees (except elected officials) and volunteers will notify the public information officer prior to making any statement to the news media in their township capacity.

### 7.2 PUBLIC NOTICE

The Clerk or designee shall be responsible for seeing that public notice of all meetings of all public bodies (e.g. Zoning Board of Appeals, Planning Commission) of the township is given in conformance with the Open Meetings Act and other state laws.

The support staff of each public body shall notify the Clerk or designee of that body's regular meeting schedule within 7 days after it is adopted, and of any special or rescheduled meeting at least 24 hours (at a minimum) prior to that meeting.

The Clerk or designee shall also be responsible for publishing and mailing all public notices required by state law. The support staff shall notify the Clerk or designee when a public notice is required to be mailed or published with sufficient lead time for the notice to be provided in compliance with applicable laws.

### 7.3 INCOMING MAIL

The Clerk or designee shall receive all incoming mail, and shall open and date-stamp the letter or cover letter of all correspondence. Correspondence shall be sorted and distributed immediately to the various township offices. Mail addressed to the township board shall be forwarded to the Supervisor or designee, who shall provide a copy to each board member. Incoming mail to the Police Department shall be opened by

Police Department under procedures promulgated by the Police Chief.

Correspondence addressed to the board, but requiring action typically handled by a particular official (such as a Freedom of Information Act request or subpoena), shall be immediately forwarded to that official, as well.

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#### 7.4 TOWNSHIP LETTERHEAD

Because statements made on township stationery may be construed as the official position of the township, all officials, appointees and employees shall not make written statements representing the township outside of the scope of their authority when using township stationery. All correspondence should be considered a public document, unless the contents are specifically excluded from disclosure by state law.

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#### 7.5 COURTESY AND CUSTOMER SERVICE

The primary goal of the township is to serve the public. All officials and employees will respond to requests for township information from members of the public with courtesy and efficiency.

All officials and employees shall communicate with the public in such a way as to portray the image of the township government as friendly, courteous and efficient.

All visitors to the township hall shall be greeted in a friendly, helpful manner. All personnel, when encountering the public, shall assist the public by directing them to the appropriate official, employee or department.

Phone calls to the township shall be answered, "Kalamazoo Township, how may I direct your call?" Phone calls transferred to township official or employees shall be

answered by providing your name and stating, "How may I help you?"

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#### 7.6 COMPLAINTS AND PROBLEMS

If an official or employee receives a citizen complaint that is outside their authority or responsibility, the official or employee shall direct the citizen to the appropriate official, employee or department or to the Supervisor or designated employee. Complaints or other concerns received from a citizen shall be received with courtesy. The official or employee will make every effort to resolve a complaint or problem, within the official's or employee's scope of authority. The respective department head will be notified of all complaints.

## CHAPTER 8 - PROPERTY MANAGEMENT

### 8.1 IDENTIFYING TOWNSHIP ASSETS

Assets that have a value of at least \$250 shall be identified and inventoried, and safeguarded to prevent loss.

### 8.2 INVENTORY OF ASSETS

The Clerk or designee shall maintain an inventory of the township's assets, and shall add or remove assets from the inventory at the time of acquisition or disposal. Department heads shall inventory all assets assigned to their department, at least annually and at the time of acquisition, and shall submit the inventory to the Supervisor or designated employee.

The inventory of assets shall include the following information on each asset:

- Acquisition date
- Name and address of vendor
- Description of asset
- Responsible department
- Location
- Acquisition cost
- Fund or cost center from which it was purchased
- How acquired (purchase, lease/purchase, construction, condemnation, tax foreclosure, gift)
- Estimated life
- Date and method of authorized disposition
- Permanent identification number

### 8.3 INVENTORY TAGGING

All assets shall be tagged with a label or marked with a permanent marker that includes the permanent identification number.

### 8.4 LOST OR DAMAGED TOWNSHIP PROPERTY OR EQUIPMENT

Any lost or damaged equipment shall be reported immediately to the employee's department head. The department head shall notify the Supervisor or designee within a reasonable time period.

### 8.5 DISPOSAL OF FIXED ASSETS

Annually department heads shall, as a component of the budgeting process, notify the Supervisor or designee of any equipment that would be appropriate for disposal, replacement or trade. The Supervisor or designee shall prepare a list of all such equipment recommended for disposal and shall submit the recommended disposal of fixed assets list to the board of trustees for approval. For non-capitalized assets the Supervisor or designee shall be authorized to solicit bids or quotes from the public for purposes of selling said asset. For capitalized assets (4.17) the Supervisor or designee shall submit the recommended disposal to the township board for approval. The items the Supervisor or designee shall recommend and the township board shall determine, on a case-by-case basis, the method of disposal, which may include sealed bids, public auction, negotiated sale or disposal.

The township shall not make a gift or donation of township property with any remaining value.

Township officials and employees are not eligible to purchase township fixed assets by negotiated sale without the approval of the board.

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## 8.6 INTELLECTUAL PROPERTY

Documents and files written or otherwise created by township officials, appointees, employees, volunteers and consultants/contractors in connection with performing their township duties, or for the township's use, are the creative and intellectual property of the township.

## PROPERTY MAINTENANCE

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### 8.7 RESPONSIBILITY FOR MAINTENANCE

The Supervisor or designee shall be responsible for monitoring the need for repairs and improvements to township property.

The Supervisor or designee shall use the township purchasing and bidding procedures for procuring the following services as applicable:

- Cleaning
- Non-routine repairs or maintenance
- Non-emergency repairs to township buildings, land, equipment and vehicles
- Other services as determined by the township board

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### 8.8 EMERGENCY REPAIRS

The Supervisor or designee is authorized to contract for emergency repairs up to a cost of \$10,000 without prior board approval, when a delay in initiating a repair will have a significant impact on township operations or finances.

## TOWNSHIP FACILITIES

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### 8.9 TOWNSHIP BOARD AUTHORITY FOR TOWNSHIP FACILITIES

Township facilities are public property, but they are not open to public use unless the township board has so directed. The township board shall determine which township facilities will be open to public access and use, and the degree of public access and use. The Supervisor or designee shall establish procedures for opening, closing and the security of township facilities.

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### 8.10 HOURS OF BUSINESS

The township office shall be open to the public at 8:00 a.m. and shall be closed at 4:30 p.m. on every normal business day. The township office will be open to the public ten minutes prior to any public meeting being held at the office.

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### 8.11 EMERGENCY CLOSING

The Supervisor or designee shall have the authority to close the township office in an emergency. Emergency situations include, but are not limited to, severe weather, failure of heating/mechanical systems, electrical failure, or any unusual situation that would either prohibit the normal operation of the township offices, or jeopardize the safety of the officials, employees or public. The township office will be closed any time that Western Michigan University is closed for weather related emergency or as directed by the Supervisor.

If a closing is deemed necessary prior to normal business hours, the Supervisor or designee shall notify the officials and employees by the township website at least one-half hour prior to the usual starting time, or as soon as possible. Emergency closures do not apply to police or fire operations.

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## 8.12 KEYS

Keys may refer to metal keys, key fobs or ID cards containing electronic key chips.

The Supervisor or designee shall designate which officials, employees or others are authorized to receive a key.

If a key is lost, the Supervisor or designee shall be informed immediately. A replacement key shall be issued. If the Supervisor or designee has reason to believe that the missing key may be used for unauthorized use, new locks may be installed.

Upon termination of employment, the employee shall return their office keys to the township Supervisor or designee or department head.

No person shall duplicate a key without authorization from the township Supervisor or designee or make a key available to any unauthorized person.

Each department head shall determine who shall be issued keys to any secured facilities, such as a safe, cash drawer or filing cabinet within the department.

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## 8.13 VALUABLES

Township officials, appointees, employees, volunteers and consultants/contractors shall not keep money or other valuables in their desks or at their work stations. The township shall not be responsible for the loss of any personal property.

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## 8.14 SAFETY

All township facilities will be maintained for compliance with MIOSHA and liability insurance standards as they apply to fire hazards, flammable materials and other safety hazards.

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## PUBLIC USE OF TOWNSHIP FACILITIES

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### 8.15 AVAILABILITY

Township facilities that are open to public use shall be used only in compliance with township policies, procedures and rental agreements.

The township board authorizes limited public access to and use of the following township community rooms:

#### Fire Station Community Rooms

- Northwood Community Room and kitchen, 2617 N. Burdick
- Eastwood Community Room and kitchen, 2703 East Main St.
- Westwood Community Room and kitchen, 1310 Nichols Rd.

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### 8.16 DENIAL OF FACILITIES

The township board reserves the right to refuse use of the facilities for cause.

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### 8.17 RESERVATIONS (COMMUNITY ROOMS)

Township community room facilities are available for use by any individual or non-profit organization located in the township on a first-come, first-served basis. The Clerk or designee shall record each reservation on a facility calendar, on a first-come, first-served basis.

Rental application/agreement forms shall be used to secure use of township facilities and to establish the terms such reservations are subject to. The rental application/agreement form shall include a waiver that will hold the township harmless for any actions related to the event. This agreement may be amended from time to time as determined appropriate by the township board.

Rental application/agreement forms shall be made available at the township office and online.

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### 8.18 FEES AND DEPOSITS (COMMUNITY ROOMS)

The township board reserves the right to establish a fee schedule and periodically adjust the fees as necessary for use of township facilities by township board resolution.

For a listing of fees, deposits and rules please see the current room rental application / agreement form in Appendix E of this policy.

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### 8.19 DAMAGES

A damage deposit shall be required as per the terms of rental as established by the township board.

If damage to the facility has occurred, the township shall use the deposit to repair the damage. If damage has occurred, the renter shall be notified. The township shall repair the damage, and if damages exceed the deposit, an invoice covering the cost of the repairs shall be submitted to the renter for payment.

Failure to reasonably clean the facility after use shall result in forfeiture of a portion of the damage deposit to pay for cleaning expenses.

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### 8.20 PARKS

Township parks are open to the public during daylight hours on a first-come, first-served basis. No reservation is required. Each park may have its own posted rules and regulations. It is expected that park users will be respectful of neighbors and leave the park in the same or better condition than it was found.

The township board authorizes limited public access to and use of the following township parks:

- Stroud Park on Grand Prairie
- Rynbrandt Park on Edna Blvd
- Jenks and Grand Pre
- Lakewood Park on Lake St.
- Sheid Park off Pinehurst Blvd.
- Academy and Grand
- Wilson Recreation Area on Coy, Gayle and Lum

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### 8.21 ALCOHOLIC BEVERAGES

Alcoholic beverages are not permitted in any township facility.

#### USE OF TOWNSHIP PROPERTY BY TOWNSHIP PERSONNEL

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### 8.22 PERSONAL USE OF TOWNSHIP PROPERTY

The personal use of the township premises, equipment, machines, tools, supplies, office supplies, postage or personal use of township labor, shall be prohibited. This is not to prevent township employees or officials from renting township facilities as per the policy regulating public rentals.

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### 8.23 PERSONAL MAIL

The township is a business address, and all mail and deliveries received at township facilities are subject to township policies regarding how mail and deliveries will be received and whether mail or deliveries will be opened by the township.

The township is a public entity, and mail and deliveries received at township facilities may be subject to public disclosure if they

constitute public records. Township officials, appointees, employees, volunteers and consultants/contractors shall have no expectation of privacy regarding personal mail or deliveries at township facilities.

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#### 8.24 TOWNSHIP OWNED VEHICLE POLICY

See Appendix I in the Personnel Policy

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#### 8.25 BULLETIN BOARDS

Public notices from non-profit organizations or other government entities that are intended or incidentally promote or support the goals of the township, as stated in the Board's strategic plan, or that are legally required to be displayed, will be submitted to the Supervisor or designated employee for consideration for posting.

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#### 8.26 USE OF CELL PHONE AND SIMILAR DEVICES

See Appendix III in the Personnel Policy

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#### 8.27 DAMAGED OR LOST PHONE

The theft, damage to or loss of a township-issued phone must be reported to the department head as soon as possible. In the event of a lost or damaged township-issued phone, the township may repair or replace the phone if there is no employee negligence.

### COMPUTER AND EMAIL USE

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#### 8.31 COMPUTER USE

The township's computer systems (including all hardware and software) are the exclusive property of the township and are provided for creating and transmitting business-related information. The township treats all computer files, including email sent or received, as business information belonging to the township. In that regard, the township

has the capability and reserves the right, with or without notice, to access, monitor, review, copy or delete any computer files, including email sent or received, and all website communications and/or transactions. All computer users have the responsibility to use these resources in a professional, ethical and lawful manner.

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#### 8.32 EMAIL USE

Employees may have access to the township's email system for township-related purposes. When transmitting messages via email, employees should consider that email messages can be read by persons other than the addressee and that the message may be later disclosed to outside parties or a court in connection with litigation. The public may have a right to request a copy of email sent or received via the township email system. Employees shall maintain the highest standards of courtesy and professionalism when transmitting email.

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#### 8.33 INTERNET

Some employees may have access to the township's Internet connection for township-related purposes. Any incidental use of the Internet for personal use must be conducted with the highest levels of professionalism.

Employees should be mindful of their use of streaming music or videos which may limit the band width available for important township business and slow down the functioning of township computers.

The public may have a right to request a record of the sites an employee has visited. The township has the capability to review website access. Employees should not have any expectation of privacy regarding the websites accessed through the computer system.

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### 8.34 INFORMATION SYSTEMS AND SOCIAL MEDIA POLICY

Refer to Appendix VIII in the Personnel Policy.

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### 8.35 TOWNSHIP ACCESS TO EMPLOYEE COMMUNICATIONS

Generally, electronic information created and/or communicated by an employee using email, word processing, utility programs, spreadsheets, voicemail, telephones, Internet and bulletin board system access, and similar electronic media is not reviewed by the township. However, the following conditions should be noted:

Electronic communications generated by township resources are potentially subject to Freedom of Information Act requests.

The township reserves the right to gather logs for most electronic activities or monitor employee communications directly, e.g., telephone numbers dialed, websites accessed, call length, and time at which calls are made, for the following purposes:

- Cost analysis
- Resource allocation
- Optimum technical management of information resources
- Detecting patterns of use that indicate employees are violating township policies or engaging in illegal activity

The township reserves the right, at its discretion, to review any employee's electronic files and messages to the extent necessary to ensure electronic media and services are being used in compliance with the law, this policy and other township policies.

Employees should not assume electronic communications are completely private. Accordingly, if they have sensitive

information to transmit, they should use other means.

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### 8.36 SOFTWARE

The unauthorized use of township software is prohibited. Employees shall not make or use unauthorized copies of software programs. Employees shall not install or run outside software on township computers unless approved by the Supervisor or designated employee. All outside software or documents must be virus-scanned before being installed or run on township equipment.

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### 8.37 PASSWORDS AND ENCRYPTION

All passwords shall be disclosed to the department head or designee. Security passwords do not imply confidentiality.

Employees may use encryption software supplied to them by the department head for purposes of safeguarding sensitive or confidential business information. Employees who use encryption on files stored on a township computer must provide the department head or designee with a sealed hard copy record to be retained in a secure location of all of the passwords and/or encryption keys necessary to access the files.

## CHAPTER 9 – PURCHASING POLICY AND PROCEDURES

### 9.1 PURCHASING PROCEDURES

Purchasing is an administrative function requiring an awareness of good procedures providing proper accountability and use of public funds. The following outlines the established policy and procedures concerning purchasing authorization, awarding of contracts, and receiving of goods. The responsibility for administration falls within the scope of each department's general responsibilities.

### 9.2 AUTHORIZATION TO PURCHASE

Department heads, supervisors and their designated employees are authorized to purchase supplies, materials, equipment and services within the provisions of the budgeted appropriations and these specific purchasing procedures. Staff and employees shall not consider budgeted appropriations as a directive or mandate to expend township funds.

Elected officials, department heads, Supervisors, employees, and appointees shall obtain prior authorization and/or budget confirmation before obligating the township for expenditures of the following nature:

- Memberships
- Seminars, conferences and out-of-state travel
- Professional and contractual services
- Property, plant and major equipment

### 9.3 DUTIES OF STAFF AND EMPLOYEES

- To adhere to the purchasing procedures outlined in this policy.

- To purchase or contract for supplies, materials, equipment and services to the overall best interest of the township, procuring the highest quality at the least expense to the township.
- To seek to obtain as full and open competition as possible on all purchases.
- To seek volume, cash and other discounts when available.
- To timely process all invoices for payment for which materials and/or services have been received, so that cash discounts may be received.
- To use due diligence to obtain sales tax exemption status for goods and services for township use.
- To not structure purchases in such a manner as to circumvent these purchasing procedures.
- To purchase from local vendors when evaluation criteria are deemed to be equal among two or more providers.
- To seek environmentally preferable products and services when a choice is available.

### 9.4 BUDGETED PURCHASES

The department heads and supervisors, subject to approval by the Supervisor or designee and approved budgetary appropriations, are authorized to make purchases for supplies, materials, equipment and services up to \$5,000. At least two written price quotations shall be obtained for such purchases between the costs of \$1,000 and \$5,000. There may be some materials or services for which there is only one known supplier or which are effectively purchased from one supplier for consistency of replacement parts or for ongoing maintenance. In such cases, the requirement for written price quotations may be waived with approval of the Supervisor or designee.

For items which are included within the approved Township budget and where the estimated costs range from \$5,000 to less than \$10,000, the department heads shall solicit competitive bids and submit the same with a recommendation to the Supervisor or designee. This section should not be construed as to prevent or preclude sealed bids for items less than \$5,000 if the Supervisor or designee deems it to be in the best interest of the Township.

For all items of an estimated cost of \$10,000 or greater, the Supervisor or designee shall authorize the procurement of sealed bids and submit said bids with a recommendation by the Supervisor or designee for approval by the Board of Trustees. Publication or communication of proper notice of the need for bids shall be arranged for in the manner which will bring the information to the attention of the greatest number of individual professionals, contractors or vendors.

The department heads and supervisors shall solicit bids from all responsible prospective suppliers who have requested their names to be added to the bidders' lists, by sending them a copy of the request for bids. In addition, requests for bids shall be sent to such prospective bidders as shall represent a sufficient number of qualified bidders. Bidders' lists should be maintained by the Clerk, Supervisor or designee, or designated department supervisor or designee, and/or by a designated project consultant.

All bids must be sealed and submitted to the office or official designated in the bid document. The bids shall be opened in public at the time and place stated in the bid document. Bids will be handled and contracts awarded in accordance with 9.8.

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## 9.5 NON-BUDGETED PURCHASES

Non-budgeted purchases, not included in the current budget, are to be reviewed and approved by the Clerk or designee. The Clerk

or designee is responsible to process budgetary appropriation amendments to the Board of Trustees as necessary. Purchasing procedures detailed in Section 5 are to be followed.

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## 9.6 EXCEPTIONS FROM FORMAL BID/BOARD APPROVAL

- Routine operational purchases provided they are within the approved budget. Recurring examples include fuel, routine operating supplies, postage, and the like.
- Routine contractual services provided they are within the approved budget. Recurring examples include utilities, telephone, and the like.
- Bids for professional and technical services, or insurance, shall be requested periodically either as required by law or at the request of the township board or Supervisor or designee.
- Purchases and contractual services associated with emergency maintenance and repairs.
- For specialized vehicles and equipment, and services, the Supervisor or designee may request approval from the township board to solicit specific proposals as an exception to the formal bid process. Staff members and the Supervisor or designee will then solicit, analyze and make a recommendation for purchase of a specific vehicle or equipment to the township board for approval. Examples of specialized vehicles and equipment include those used for firefighting, emergency response, excavation, sewer cleaning, path and trail way maintenance and the like.

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## 9.7 AWARD OF CONTRACTS AND PURCHASES

Contracts and purchases shall be awarded to the lowest responsible bidder, subject to the exceptions identified in Section 9.6. In considering the award of a bid or contract to the lowest responsible bidder, in addition to price, all pertinent information shall be considered, including without limitation, all of the following:

- The ability, capacity and skill of the bidder to perform the contract or provide material, equipment or services required.
- Whether the bidder can perform the contract or provide the material, equipment, or services promptly, or within the time specified, without delay or interference.
- The demonstrated character, reputation, experience and efficiency of the bidder.
- The quality of performance of previous contracts or services.
- The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service.
- The sufficiency of financial resources and abilities of the bidder to perform the contract or provide the service.
- The quality, availability and adaptability of the supplies and/or contracted services to the particular use required.
- The ability of the bidder to provide further maintenance and service for the use of the subject of the contract.
- The number and scope of conditions attached to the bid.
- The requirements of state statute regulating the awarding of public contracts.

- Bidders for contracts involving construction, maintenance or repair of facilities, public works or public buildings, or professional services may be required to qualify for bidding.
- The township reserves the right to accept or reject any or all bids, to negotiate with any bidder, to waive any errors or irregularities in the bids, and to accept any bid deemed to be in the best interest of the township, including accepting a bid that is not the lowest price.
- Bid extensions to an awarded vendor may be granted for 12 additional months (unless otherwise provided in the original contract) if the price remains unchanged and if in the best interest of the township.

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## 9.8 CONTRACTS

The Board of Trustees shall determine which purchases of materials, supplies, equipment and contractual services shall be by written contract. All contracts will be submitted to the Board of Trustees and when approved shall be signed by the Supervisor and/or other designated officials. Contracts and purchase agreements may be subject to legal review as recommended by the Supervisor or designee or requested by the Board of Trustees.

No contracts are to be made for a period more than the useful life of the property, improvements or equipment to be acquired.

The Township may, at its discretion, require a bidder to tender a proposal guarantee, surety bond or letter of credit for the full amount or any partial amount of any prospective award.

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## 9.9 RECEIPT OF GOODS AND INSPECTION

The department head, Supervisor or designated employee shall be responsible for the inspection of all delivery of supplies, materials, equipment, or services, to determine conformance with the specifications set forth in the order for purchase or contract. The request for payment shall be documented in writing by vendor invoice or contractor payment request and any related receiving documentation. The department head or supervisor who is responsible for the budgetary cost center(s) to which the expense will be charged shall initial the invoice document. Initialing the payment request shall indicate that all of the following are true:

- The goods have been delivered or the services have been rendered to the township.
- The expenditure complies with the procedures outlined in this policy.
- All prices and units agree with the order to purchase or contract.
- The payment request is mathematically accurate and correct.
- The general ledger expense account number(s) being charged have appropriate budgetary allocations for this expenditure.

The Clerk or designee, prior to payment by the township, shall approve all invoices, contract payment requests and other payment requests.

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## 9.10 MISCELLANEOUS

Requests for reimbursement for purchases paid for by township employees shall be submitted with receipts showing pertinent information on the vendor, amount, date, and

item purchased and departmental budgetary expense accounts. Such purchases should be for only minor, budgeted items for purposes of convenience or emergency needs.

For change orders exceeding an authorized budget appropriation and if such a change order is \$10,000 or greater, then such change order shall require the approval of the Board of Trustees. Change orders that are the result of adjusting estimated quantities to final construction quantities upon completion and final inspection of a construction project do not require the approval of the Board of Trustees.

If the Board of Trustees has prohibited a purchase for a specific good or service, then a future purchase of such a good or service shall only be authorized upon the approval of the Board of Trustees.

Employees shall at all times conduct themselves in a professional manner which will avoid any conflict of interest with any vendor who is currently doing business with or for whom it is anticipated that they will be doing business with the township. In the event an employee has a conflict of interest, the conflict shall be disclosed to the Supervisor or designee. Consult Chapter 2 Code of Ethical Conduct.