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YATES TOWNSHIP

Board and Administrative Policies Manual

Introduction

1.1 Purpose

This policies manual is adopted to provide for the efficient and uniform application of policies and procedures in YATES TOWNSHIP, where such procedures have not been provided for by law.

Compliance With and Enforcement of Township Policies

1.2 Elected or Appointed Positions

When a township board member or other elected 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 other elected 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.

A township board member or other elected or appointed official whose conduct does not comply with any township policy or procedure, including its ethical code of 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.

1.3 Non-statutory committees

Violations of township policy and procedures may be considered by the township board as just cause for removing members of non-statutory 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, other elected or appointed official, township employee or volunteer.

1.4 Employees and volunteers

A township employee or volunteer who violates township policy may be subject to any of the following actions, 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:

- Counseling
- Verbal warning, accompanied by a written memo for the file
- Written reprimand
- Suspension without pay
- Termination of employment or termination of the volunteer position

1.5 Approval

The policies included in this manual were approved as official policy of YATES TOWNSHIP on 19th day of August, 2014. All township officials and personnel are bound by these policies, and any deviation from established policy is prohibited.

Roll Call Vote:

A Geraldine S Walker, Clerk

Y Jacqueline Patterson, Treasurer

Y Marilyn Burns, Trustee

N Charles Atkins, Trustee

Y Ronald Griffin, Supervisor

Township Board

2.1 Township Board Authority

The township board is empowered by the Michigan Constitution and state laws to govern YATES TOWNSHIP. 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.

2.2 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.

2.3 Allocation of Resources

The township board shall allocate township resources through the annual adoption of the township budget and periodic budget amendments. The board shall authorize the resources necessary to fulfill the township's mission as required by law and defined in the goals identified in the township strategic plan.

2.4 Budgeting for Results and Outcomes

The township board shall budget for results and outcomes by linking strategic planning, long-range financial planning, performance measures, budgeting, 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.

2.5 Multi-Year Budgeting

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

2.6 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 a four (4) year period and review the plan every November so that it can be discussed in February. 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

2.7 Evaluating Programs and Services

The township board shall establish, monitor and evaluate measurable objectives in the strategic plan that define when success has been achieved. The township board shall use (*surveys, forums, benchmarking, customer satisfaction surveys, complaint reporting, direct solicitation of stakeholder views and opinions, internal reviews, etc.*) to evaluate the township's programs and services.

2.8 Responsibilities of Township Board Members

Township board members shall:

- Keep current on issues affecting the township
- Attend all board meetings unless there is a conflict or unforeseen emergency
- Vote upon all questions unless there is a conflict of interest present
- Encourage the free expression of opinion by all board members
- Assist new members in understanding their role and responsibilities as board members
- Take no individual action that will compromise the township and respect confidentiality of privileged information
- It is highly recommended that all newly elected officials attend the MTA Training sessions for their positions

2.9 Board Consultants

The township board reserves to itself the authority to appoint the following consultants:

1. Attorney
2. Auditor
3. Engineer
4. Planner
5. Risk manager
6. Accountant

A letter of agreement will be executed between the board and any consultant that identifies the:

1. Term/length of the agreement
2. Services to be provided
3. Payment method (*retainer, hourly or by project*)
4. Payment schedule
5. Documentation of services provided for payment (*details to be included in statements*)
6. Method of resolving disputes
7. Township officials/employees authorized to direct work or assign tasks to consultant

2.10 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 and the township clerk have statutory authority to sign a contract that the township board has approved. The township board may direct other township board member(s), as appropriate, to sign a contract that the board has authorized, in addition to or instead of, the supervisor.

2.11 Property

A township board resolution adopted by a majority of the board members serving is required for the township to acquire property for public purposes by purchase, gift, condemnation, lease, construction or otherwise, or to convey or lease township-owned property or any part of township-owned property not needed for public purposes.

A “majority of the board members serving” is calculated by taking the total number of board members and subtracting vacant positions and any member(s) abstaining on the vote. Members who are absent are counted.

2.12 Stewardship

The township board delegates to township officials and employees the responsibility to protect the township’s assets, through such means that include insurance, and which include its land, buildings and property, as well as protecting its image through positive public relations.

2.13 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 township clerk with authorization of the board members 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.

Township Administration

2.14 Board 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.

2.15 Direction and Control of Administration

To promote efficient administration, the township board authorizes the supervisor and another board member 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 within the parameters established by the township board.

2.16 Board Member Concerns Regarding Township Employees

Township board members should direct all inquiries, requests or complaints about department heads or employees to the township board. 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 township board prior to initiating any response.

Township Board Meetings

2.17 Board Meeting Notices

The township clerk and deputy clerk are responsible for all regular, special and rescheduled township board meeting notice requirements in conformance with the Open Meetings Act and other state laws.

The township 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 or by leaving a written notice, phone call or by email at the member's address or place of residence, at least 24 hours prior to the meeting time.

2.18 Regular Board Meeting Agenda

The township supervisor with the assistance of the clerk's office shall prepare the draft agenda and make it available to the township board seven (7) prior to the board meeting. The clerk's office shall prepare board packet at least by the Thursday before every township board meeting. Business items intended for board action may be placed on the agenda by any board member by notifying the supervisor at least nine (9) days prior to the meeting. Agenda items shall normally be accompanied by a copy of any resolution that will be placed before the board, along with background information helpful to board members for understanding the issue.

A department head requesting to have any business placed on the proposed agenda shall notify the supervisor with a cover memo and supporting documentation at least nine (9) days prior to the township 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 a need to place an item on the agenda arises after the deadline, the business item may be added to the agenda by a board member with a majority vote of the board.

The proposed agenda shall be approved by majority vote following the roll call of board members at each board meeting. The agenda shall conform to the following format (*arrange as appropriate*):

1. Call to order
2. Pledge to flag
3. Roll call
4. Approval of consent agenda (to accept the minutes, clerk & treasurer's financial reports and to pay the bills)
5. Approval of meeting agenda (may add or delete from the agenda), by motion.
6. Reports from department heads
7. Correspondence
9. Old business

10. New business

11. Public Comment (limited to 3 minute per person)

12. Adjournment

2.19 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.

2.20 Board Correspondence

Board members shall receive with the board packet a copy of any written correspondence that was addressed to the board requesting board action at a regularly scheduled meeting. A motion may be made to consider the correspondence request under new business. If no motion is made to consider the request, the correspondence will be received and filed.

Informational written correspondence that does not require board action shall be summarized on the consent agenda as correspondence received, and copies shall be available to board members at the board meeting.

2.21 Consent Agenda

The supervisor shall prepare a consent agenda for the board, which shall be provided to each board member prior to the meeting, as part of the meeting agenda. 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:

1. Approval of the prior meeting minutes
3. Receiving correspondence (where no board action is required)
4. Financial reports
5. Approval to pay bills

Upon the request of any board member, an item shall be removed from the consent agenda and be placed on the regular agenda under new business.

Approval of all of the items on the consent agenda shall be accomplished by a single majority vote to approve the items on the consent agenda.

2.22 Board Meeting Logistics

The supervisor and maintenance 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, ramps and stairs are clear of snow and ice during winter weather.
- The meeting room temperature has reached 68 degrees (*or other temperature*).
- 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.

2.23 Board Member Meeting Conduct

All board meetings shall be conducted as recommended by MTA (Michigan Township Association).

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.

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

- Prepare for board meetings by reading their packets ahead of time in order to fully participate in discussions
- **Help the chair keep meeting moving**
- Limit remarks to issue being considered
- Ask questions for clarification
- Respect colleagues' rights
- Refrain from interrupting other speakers
- 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

2.24 Chairing Board Meetings

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 person chairing/ supervisor 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 person chairing/supervisor will keep discussions focused on the agenda items.

The person chairing/supervisor will 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.

The person chairing/supervisor will maintain proper decorum among board members and the public audience.

The person chairing/supervisor will:

- **Open the meeting at the specified time**
- Explain meeting procedures and decision-making processes so that board members and the audience may appropriately participate
- **Restate audience questions**
- **Apply time limits consistently**
- **Recognize and deal with procedural objections**
- Protect members and staff from verbal attack unrelated to official duties
- **Keep track of amendments to motions**
- **Restate motions before they are voted upon**
- **Call recesses during long meetings**
- Reconvene at specified time
- Adjourn the meeting

2.25 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.

If a township 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 member shall recuse him- or herself, and refrain from participation in all deliberations, discussions and voting on that matter.

2.26 Public Participation

Single Public Comment Period): Members of the public shall have an opportunity, under Public Comment, to address the board for no more than **three (3) minutes** on any matter. Members of the public shall not distribute any written materials of any kind during the meeting.

2.27 Minutes

The clerk shall ensure that minutes of board meetings record:

- 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

**** In addition to the minutes contents listed above that are required by the Michigan Open Meetings Act, the minutes shall list persons who addressed the board under general public comment periods and the topic of their remarks. ****

The content of minutes shall reflect the collective will of the township board as expressed in official board decisions. **Minutes shall not include personal comments or opinions of individuals unless authorized by a two-thirds vote of the township board members present.**

The board shall make any 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.

Ethics

3.1 Code of Ethical Conduct

The township board recognizes that to carry out its mission of service to the community, the township board, officials, employees and volunteers must earn the full confidence of the YATES 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 accomplish these ends, the township board expects compliance with the following Code of Ethical Conduct:

- In conducting their official duties, township officials and employees shall observe both the spirit and intent of all applicable laws, township ordinances, and township policies and procedures.
- Township officials shall act in a fair, impartial manner.
- Actions of officials and employees shall be consistent with the township's best interests, rather than for personal gain.
- The township shall practice transparency in its affairs, unless there is a legal necessity for confidentiality.
- Civility and respect will be demonstrated in all governance processes and in the delivering township programs and services.

3.2 Applicability

The Code of Ethical Conduct includes the following policies that shall apply to all elected and appointed officials, employees and volunteers.

3.3 Implementation

As an expression of the standards of conduct for elected and appointed officials, employees and volunteers expected by the township, the Code of Ethical Conduct is intended to be self-enforcing. It therefore becomes most effective when everyone is thoroughly familiar with it and embraces its provisions. For this reason, ethical standards shall be included in the regular orientation for township board candidates, board and commissions applicants, newly elected and appointed officials, employees and volunteers. Township officials, appointees, employees and volunteers shall sign a statement affirming they have read and understood the Code of Ethical Conduct. In addition, the Code of Ethical Conduct shall be annually reviewed by the township board, boards and commissions, appointees, employees and volunteers. The township board shall consider recommendations for updates to the Code of Ethical Conduct and will update it as necessary.

3.4 Compliance and Enforcement

The Ethical Code of 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 Ethical Code of Conduct standards, such as reprimand, formal censure, and loss of seniority or committee assignment, budget restriction, termination or other sanctions as identified by the board. *The township board may also have the option to remove members of boards, commissions and committees as the law allows.* A violation of this Ethical Code of Conduct shall not be considered a basis for challenging the validity of a township board or commission's decision-making authority.

3.5 Reporting Improper Actions

Suspected improper actions shall be reported to the supervisor and/or clerk.

3.6 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 the complaint to the supervisor or clerk. The supervisor or clerk will investigate the allegation and shall provide a report of their findings to the involved elected or appointed official. The report shall be presented to the township board at a public meeting. The township board will accept testimony on the matter and determine whether a violation of the code has occurred.

3.7 Conduct in Compliance with Laws

Township officials, employees and volunteers shall comply with the applicable provisions of state law related to conflicts of interest and state laws regulating the conduct of public officials, employees and volunteers.

3.8 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.

3.9 Actions Not for Personal Gain

The township board, appointees, boards and commissions, employees, and volunteers shall act in the best interest of the township, rather than for personal gain.

3.10 Actions on Behalf of Third Parties

As stewards of the public interest, members of the township board, appointees, members of boards and commissions, employees and volunteers shall not appear on behalf of the private interests of third parties before the township board, or any board, commission, committee or proceeding of the township, nor shall members of boards and commissions, or committees appear before their own bodies or before the township board on behalf of

the private interests of third parties on matters related to the areas of service of their bodies.

3.11 Conflict of Interest

Township officials, appointees, boards and commissions, employees and volunteers shall not enter into any business relationships that would put them into conflict with their obligations to the township.

3.12 Disclosure of Conflict of Interest

When a decision or action would create a personal financial impact, the official, appointee, employee or volunteer shall promptly disclose the conflict of interest and shall not, directly or indirectly, participate in the decision or in any manner influence others who participate in the decision or action.

3.13 Conflict of Interest

Township officials, appointees, 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.

3.14 Gifts and Special Benefits

Gifts and special benefits will not be accepted from vendors or others who are in a position to benefit from township decisions.

3.15 Gifts and Special Benefits

Township officials, appointees, employees and volunteers shall refrain from accepting any gifts, favors or promises of future benefits that might compromise their independence of judgment or action, or give the appearance of being compromised.

3.16 Financial Relationships

Township officials, appointees, employees and volunteers shall disclose any personal transactions, in excess of \$0, entered into with any vendor that also does business with the township.

3.17 Township Resources

Township resources will be utilized efficiently and effectively, with waste avoided.

3.18 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 or personal purposes.

3.19 Personal or Political Benefit

Township resources will not be used for personal or political benefit.

3.20 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.

3.21 Maintaining the Integrity of Office

A township board member who intends to enter into an office or position that is incompatible with his or her township board office shall resign from township board 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*).

A township board member who intends to reside permanently outside the township shall resign from township board 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*).

3.22 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.

3.23 Confidential Information

Confidential information shall not be disclosed without legal authorization.

3.24 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.

3.25 Information Acquired

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

3.26 Community Decisions

Community service is the prevailing role and responsibility in deciding matters of public policy and conducting township operations. All decisions shall consider the greater good of the entire community. The needs and concerns of the public, township officials and staff shall be monitored and considered in deliberations and decisions.

3.27 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.

3.28 Community Role Models

Township officials, appointees, boards and commissions, employees and volunteers shall conduct themselves as role models for residents, business people and other stakeholders involved in public debate. Township board members shall support the maintenance of a positive and constructive workplace environment for township employees, and for citizens and businesses dealing with the township. Officials shall recognize their special role in dealings with township employees and shall in no way create the perception of inappropriate direction to staff.

3.29 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 the less fortunate.

3.30 Community Commitment

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

3.31 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.

3.32 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.

3.33 Avoiding Undue Influence on Other Township 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.

3.34 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.

3.35 Meaningful Participation

Township board members and appointees shall perform their duties in accordance with the processes and rules of order established by their respective board or commission while governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the township board.

3.36 Meeting Inclusion

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

3.37 Public Input

Decisions made in an open meeting shall be accompanied by opportunities for public input as stated in policy and in compliance with the Open Meetings Act.

3.38 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.

3.39 Public Interactions

Interactions by the public with township processes shall be as made as stress-free as possible.

3.40 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.

3.41 Interactions with Others

Interactions with others shall demonstrate fairness, respect, impartiality and equitable treatment.

To provide an environment that is free from unlawful discrimination, including discrimination or harassment that is based on any legally protected status, township officials, appointees, employees, and volunteers shall not engage in any form of harassment 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 age, race, religion, sex, national origin, ancestry, marital status, veteran status, physical or mental disability, legally protected medical condition 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.

3.42 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.

3.43 Responsibility of Actions

Township officials, appointees, employees and volunteers will take responsibility for their own actions and decisions.

3.44 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.

3.45 Commitments

Township officials, appointees, employees and volunteer commitments shall be followed through, they will keep others informed, and requests for information shall be promptly responded to.

3.46 Credit

Township officials, appointees, employees and volunteers will give proper credit to those who contribute to the township's successes and accomplishments.

3.47 Discussions

Township officials, appointees, employees and volunteers' discussions shall focus on the merits of positions, and shall not include attacks on the motives, character or personality of others.

3.48 Discussions

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.

3.49 Communication of Township Positions

Individuals authorized to do so will, to the best of their abilities, accurately communicate official positions of the township. Personal opinions will not be misrepresented as the official position of the township.

3.50 Communication of Township Positions

Township officials, appointees, employees and volunteers shall represent the official policies or positions of the township board, or other township boards, commissions or committees to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, it should be explicitly stated that they do not represent their board, commission or committee or the township, nor will it be inferred that they do.

3.51 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.

3.52 Meeting Attendance

Township officials, appointees, employees and volunteers shall come to meetings on time and be prepared to deliberate and make decisions.

3.53 Meeting Attendance—Decorum in Debate

Township officials, appointees, employees and volunteers shall practice civility and decorum in discussions and debate. Difficult questions, tough challenges to a particular point of view, and criticism of the ideas and information are legitimate elements of a free

democracy in action. Township officials, appointees, employees and volunteers will be respectful of diverse opinions.

3.54 Meeting Attendance—Respect for Supervisor/ Chairperson

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

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 YATES 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, the township board must refer to this manual and agree to a solution to the question, and add, delete or amend this manual.

Budget

4.2 Development

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

- 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, 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.

4.3 Timetable

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

Date	Activity
<u>January</u>	Budget policies developed by township board
<u>January</u>	Informational meeting for department heads
<u>Dec. or Jan.</u>	Department heads submit proposed revenue and expenditure plans to budget officer
<u>January</u>	Budget officer meets with department heads
<u>Feb. Reg. Bd. Mtg.</u>	Budget officer presents proposed budget to township board
<u>Feb. Reg. Bd. Mtg.</u>	Township board adopts tentative budget
<u>Mar. Reg. Bd. Mtg.</u>	Budget public hearing held by township board
<u>Last Sat. of Mar.</u>	General Appropriations Act adopted and Annual Meeting

4.4 Methods

The township board shall use the line item approach when developing the proposed budget.

The budget shall be adopted at the revenue by source and expenditures by activity level.

4.5 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.

Budget Adoption

4.6 Adoption

Prior to the beginning of each fiscal year, the township board shall annually adopt a budget using an (*activity, departmental, program*) 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.

4.7 Designation of Budget Officer

The supervisor shall be the township budget officer and shall be responsible for the development and administration of the township budget.

4.8 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.

Monthly budget reports shall be given to the supervisor and Quarterly budget reports to all board members.

Fund Balance

4.9 Fund Balance

The township board shall budget for a general fund balance that equals at least 100% of projected expenditures or twelve (12) months of operating revenues.

Capital Improvement Planning

4.10 Capital Improvement Plan

The township planning commission, township board and supervisor 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.

4.11 Scope

The capital improvement plan 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 four (4) 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 \$2,000 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 or pathways
- Acquisition of large vehicles/equipment (fire truck, ambulance, backhoe, etc.)

4.12 Budget

The capital improvement budget shall constitute those projects programmed for the first fiscal year of the four-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.

4.13 Program Forms

One completed Project Request Form shall be submitted for each project being recommended for the CIP.

Departments are to prioritize their proposed projects and complete a Project Request Form for each one. The Project Request Form will be used as a tool to select projects for the draft CIP.

4.14 Project Requests

Department heads and elected officials shall submit any suggested projects to be included in the capital improvement plan to the supervisor to bring before the board, which shall develop a capital improvement plan that includes the following information on each project:

1. Priority of need within the requesting department
2. Justification for priority ranking
3. Estimated year project to commence
4. Estimated year project should be completed
5. Total estimated acquisition or construction cost
6. Proposed method of financing acquisition or construction
7. Annual debt service requirements of the project
8. Estimated annual operating expenses after completion
9. Method of financing operating expenses

4.15 Public Hearing

The township board shall also hold a public hearing on the capital improvement plan prior to adopting the plan.

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

4.16 Adoption

Prior to beginning the development of the proposed township budget for the ensuing fiscal year, the township board and planning commission shall adopt the capital improvement plan as recommended or following any alterations the township board and/or planning commission 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.

Audit

4.17 Audit

The township board shall contract with a certified public accountant to annually audit the financial systems of the township. The audit contract may be for a period up to three years, but shall not exceed the current board's term of office.

Fiduciary Bonds

4.18 Fiduciary Bonds

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

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

Review annually to make sure our surety bond is adequate and that old employees are removed and new employees are added.

Financial Reports

4.19 Periodic Expenditure and Revenue Report

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

1. Description
2. Amended budget
3. Current period
4. Year to date
5. Budget balance

4.20 Periodic Balance Sheet Report

The clerk and treasurer shall prepare a monthly balance sheet showing the assets, liabilities and equities for each fund.

4.21 Investment Performance Report

The treasurer 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.

4.22 Summary Report of Cash Activity by Fund

The treasurer 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.

4.23 Financial Reports Review

The supervisor 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

4.24 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.

4.25 Segregation of Duties

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

4.26 Cross Training

Bookkeeping duties shall be periodically shifted between two deputies (deputy treasurer and deputy clerk).

4.27 Reconciliations

The cash balances of the various fund ledgers shall be reconciled to the bank statements monthly. The treasurer 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 and treasurer each month.

The clerk and treasurer 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

4.28 Authorization to Receive Cash

The following employee positions are authorized to receive cash: Treasurer and Deputy Treasurer and Zoning Officer.

4.29 Imprest Cash (Change Drawer)

The township treasurer shall maintain an imprest cash fund (cash drawer) of \$200.00 to exchange currency in order to make change for a cash financial transaction. The Henrietta Summers Senior Center shall have a petty cash fund in the amount of \$20.00 in order to make change for a cash financial transaction.

4.30 Receipting of Cash Receipts

The treasurer or deputy treasurer are responsible for all cash receipts (the zoning officer is responsible for turning in all monetary transactions to the treasurer's office on a daily basis as received). There must be a record of all individual cash transactions, including receipts in triplicate form. All cash transactions must be recorded using a sequentially pre-numbered document. The receipt shall include the amount received, method of payment, name of the payer, purpose and name of staff receiving payment.

All remittance advices received shall be attached to a duplicate pre-numbered document. 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 deputy treasurer intact. The amount turned over should equal the total of the cash drawer receipts for the day. The treasurer or deputy treasurer shall issue a receipt to the person/department for all cash received.

4.31 Posting of Cash Receipts

The treasurer or deputy treasurer shall provide the clerk or deputy clerk 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 clerk or deputy clerk will post each receipt to the receipts journal in numerical order to the proper bank account, fund and revenue account.

4.32 Cash Receipt Report

A cash receipt report shall be run 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.

4.33 Deposit Procedures

Total cash collected shall be reconciled to the sum of the pre-numbered 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 weekly (during tax season deposits will be made more frequently) in the appropriate township bank account. Undeposited funds shall be secured in the safe or lockable file cabinet.

Depositories

4.34 Bank Accounts

All bank accounts shall be in the name of the township and the township 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 township clerk, deputy clerk, treasurer and deputy treasurer.

4.35 Authorized Depositories

This policy is applicable to all public funds belonging to the township and in the custody of the township treasurer. The treasurer is authorized to deposit funds in approved financial institutions and administration of investments in conformance with state and federal law and policies as set forth in this resolution.

The township board authorizes the following financial institutions as depositories of township funds: Lake Osceola State Bank and Huntington Bank.

The treasurer shall recommend financial institutions for approval 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 to the township board as to appropriate changes in approved depositories when warranted.

In determining safekeeping and custody qualifications, financial institutions document a minimum capital requirement of at least \$10,000,000 and at least five years of operation. All financial institutions and brokers/dealers shall be pre-qualified by supplying the following:

- Audited financial statements
- Proof of NASD certification, or FDIC or NCUA insurance
- Proof of state registration
- Certification of having read, understood and agreement to comply with the YATES Township investment policy.

The treasurer shall annually examine the financial condition and registrations of qualified financial institutions and brokers/dealers by obtaining annual updates of the information listed above.

4.36 Control of Cash and Investments

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

4.37 Authority to Make Bank Deposits

The township treasurer 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.

The following positions are authorized by the treasurer to make bank deposits: Deputy Treasurer

Investments

4.38 Notice of Investment Policy

The senior management of any firm, dealer, broker or financial institution shall be given a copy of the township's investment policies prior to the treasurer investing or depositing any township funds in such institution.

Simplified Version of Township Investment and Depository Policy

The following sample resolution is intended for townships that prefer a very basic investment policy consisting primarily of certificates of deposit. The policies provide minimal delegation of discretion and responsibility to the township treasurer.

Depositories

The following financial institutions may be used as depositories of township funds: Lake Osceola State Bank and Huntington Bank.

Investments

The treasurer may invest township funds in certificates of deposit, savings accounts, deposit accounts or depository receipts of a bank, but only if the bank, savings and loan association, or credit union meeting all criteria as a depository of public funds contained in state law. The standard of prudence to be used shall be the "fiduciary" standard and shall be applied in context of managing an overall portfolio.

The prior approval of the township board shall be required for the treasurer to invest in any other lawful investment instruments. The township board's standard of prudence shall be the "fiduciary" standard, which shall be applied in context of managing an overall portfolio.

The township board may authorize the treasurer to invest in the following:

Certificates of Deposit

Levels of Risk

Decisions and actions involving the township's investment portfolio shall meet the following criteria:

Safety: Safety of principle is the foremost objective of the township's investment practices.

Diversification: The investments shall be diversified by avoiding over concentration in securities from a specific issuer or business sector (excluding U.S. Treasury securities and insured certificates of deposits).

Liquidity: The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.

Return on Investment: Return of investment is of secondary importance compared to safety and liquidity objectives. Investments shall be selected to obtain a market average rate of return. The core of investments is limited to relatively low-risk securities.

The treasurer may elect to have certificates and other evidence of investments held by a financial institution, provided that the financial institution presents to the township treasurer on a quarterly basis, sufficient documentation and acknowledgment of the investment instruments held on behalf of the township.

The treasurer shall provide on a quarterly basis a written report to the township board concerning the investment of township funds.

Compliance with State and Federal Laws

The township shall comply with all applicable statutes related to public fund investments. Any provisions of this resolution in conflict with applicable statutes is void.

Accounts Receivable

4.39 Accounts Receivable

The treasurer's office shall be responsible for processing all accounts receivable.

4.40 Invoice Preparation

The following positions shall be responsible for preparing invoices for revenues due to the township:

Official	Revenue Source
Zoning Officer	Construction code (building, electrical, plumbing, mechanical)
Clerk	Business licenses
Clerk	Cemetery lots and grave openings
Clerk	Freedom of Information Act requests, miscellaneous income
Clerk	Intergovernmental contracts
Clerk	Parks and recreation activities
<i>Sewer Dept</i>	Sewer bills
Zoning Officer	Zoning-related activities: special use permits, site plan reviews, rezoning requests, variances

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

4.41 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 and clerk.

The treasurer or deputy treasurer will use the invoice copy as verification when payment is received.

The clerk 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.

4.42 Accounting for Accounts Receivable

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

4.43 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 the following credit cards:

- Visa
- MasterCard
- Discover
- American Express

The following types of payments may be made by credit card, debit card or other electronic fund

- Real and personal property taxes
- Special assessments payments

The following payments shall not be made by credit card, debit card or other electronic fund transfer:

- Permits (sewer, permit fees)
- Cemetery Lots Payment

The following position is authorized to accept credit card, debit card or electronic fund transfer payments: Treasurer and Deputy Treasurer.

Accounts Payable

4.44 Accounts Payable

The township clerk/deputy clerk shall be responsible for processing all accounts payable.

4.45 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. Except for 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. Original bills, not copies, must be used for documentation.

Employee expense reimbursements shall be documented on an expense voucher prepared 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 clerk at least eight (8) days prior to the board meeting at which claims will be approved.

The clerk shall verify the payee, amount, purpose and the disbursing fund of each request. After verification, the clerk shall prepare a warrant, enter it into the general ledger and make a copy for township records.

4.46 Claims Reports

The clerk shall prepare a claims report to the board showing the fund, vendor name, nature of the expense, invoice number and warrant number (i.e., check number). Any items paid prior to board audit shall be noted on the warrant report or on a separate report.

Invoices and bills supporting the claims report shall be available for board member review in board packets. Board members are responsible for scrutinizing the bills prior to board approval.

4.47 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 (*add if applicable: and claims authorized by policy for post-auditing by the township board*).

4.48 Board Post-Audit Authorized for Certain Claims

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

1. Payroll
2. Utility bills – individual checks per account number when possible
3. Invoices with penalties that would be incurred if payment is not received prior to the board meeting where claims will be approved
4. The supervisor 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 post-audited at the next board meeting.

4.49 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.

4.50 Authorized Check Signers

The following officials are the only persons authorized to sign checks:

- Clerk or deputy clerk (to signify board approval)
- Treasurer or deputy treasurer (to make it a check)

4.51 Check Processing

Each warrant/check shall be signed by the clerk or deputy clerk to document board authorization of that payment and forwarded to the treasurer by the next business day (*or other time frame*) following the board meeting at which they were approved. If payment is made in compliance with the board-adopted post audit policy, the signed warrant/check shall be forwarded to the treasurer not later than the next business day after the warrant/check is signed by the clerk or deputy clerk.

The treasurer or deputy treasurer shall verify that the funds are available, sign the warrant/check and distribute it. Checks shall not be returned to the clerk or the originating office for distribution. Payroll will be distributed by the clerk's office.

4.52 Electronic Payments

Following township board approval, the clerk or deputy clerk shall initiate electronic payments and the treasurer or deputy treasurer shall review and accomplish.

Electronic payments or ACH agreements are authorized if in compliance with the following policy provisions.

4.53 Electronic Payment (ACH) Definitions

“Automated clearing house” or “ACH” means a national and governmental organization that has authority to process electronic payments, including, but not limited to, the national automated clearing house association and the Federal Reserve System.

An “ACH arrangement” means the agreement between the originator of the ACH transaction and the receiver of an ACH transaction.

An “ACH transaction ” means an electronic payment, debit or credit transfer processed through an automated clearinghouse.

An “ACH policy ” means the procedures and internal controls as determined under this written policy developed and adopted by the township treasurer.

4.54 Authority to Enter into ACH Arrangements and Electronic Transfers of Public Funds

The township treasurer may enter into an ACH arrangement.

4.55 Responsibility for ACH Agreements

The treasurer is responsible for the township’s ACH agreements, including payment approval, accounting, reporting and generally for overseeing compliance with the ACH policy.

The treasurer shall submit to the township board documentation detailing the goods or services purchased, the cost of the goods or services, the date of the payment, and the department levels serviced by each payment of public funds made by electronic transfer. This report may be contained in the township’s electronic general ledger software system or in a separate report to the township board.

4.56 Internal Accounting Controls to Monitor Use of ACH Transactions Made by Township

The following system of internal accounting controls will be used to monitor the use of ACH transactions made by Yates Township:

The treasurer shall prepare a list of vendors authorized to be paid by ACH transaction and provide that list to the clerk.

The clerk initiates the transaction upon receipt of an invoice included on the authorized ACH list approved by the appropriate township official. ACH invoices must be approved before payment. The clerk signs the ACH invoice, which then acts as the warrant.

The clerk presents the warrant/check, a list of bills for payment, and a separate list of the electronic payments for township board approval. The board approves all transactions prior to disbursement. *(If applicable, list the specific types of payments pre-authorized for post-audit by the board.)*

Following board approval, the treasurer signs the ACH warrant, initiates the electronic transaction with the vendor and makes the actual transfer of funds.

The treasurer shall retain all ACH transaction documents for audit purposes.

The clerk shall retain all invoices for audit purposes.

A township should use a separate imprest bank account for EFTs. A township may wish to consider using a separate bank account to accomplish ACH electronic transactions, effectively creating a “firewall ” between the township’s funds and outsiders. Include in the ACH policy the list of specific types of payments pre-authorized for post-audit by the board.

- Recommend disbursement accounts
- Accounts payable (small dollar, limited individual transactions)
- Accounts payable (larger transactions)
- EFT account
- Payroll account
- Property tax

Tax Account Disbursements

4.57 Tax Account Disbursements

The township treasurer shall create a separate bank account in the name of the treasurer and shall account for the tax fund separately from other township funds. The treasurer shall provide the clerk with summaries of tax receipts and copies of all checks written from the tax account so the clerk can enter the information into the township’s accounting system.

Expense Reimbursements

4.58 Expense Reimbursements

The township shall reimburse all officials and employees for necessary expenses incurred in performing their duties. Authorization for any travel or business expense (such as training) by any township official shall be obtained prior to incurring the cost.

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.

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 to attend board meetings that are a statutory duty of their office/position.

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. Commuting from residence to the township hall or the employee's official work station shall not be eligible for reimbursement. Township board and committee members shall not receive mileage to attend board meetings that are a statutory duty of their office.

Meals will only be paid if travel is greater than 50 miles from the township hall. Breakfast expenses will be paid only if travel commences before 6:30 a.m. and dinner will be paid only if travel extends beyond 7 p.m.

Reasonable meals and lodging expenses shall be reimbursed up to the following amounts:

Breakfast	<u>\$10.00</u> (must have receipts)
Lunch	<u>\$10.00</u> (must have receipts)
Dinner	<u>\$22.00</u> (must have receipts)
Mileage	<u>\$0.55</u> per mile (must have recorded mileage)

Any reimbursement in excess of these amounts shall be approved by the township board prior to incurring the expenses.

Identity Theft Prevention

Social Security Number Privacy Policy

4.62 Social Security Number Privacy Policy

It is the policy of the township to protect the confidentiality of Social Security numbers obtained in the ordinary course of township business from employees, vendors, contractors, customers or others. No person shall knowingly obtain, store, transfer, use, disclose or dispose of a Social Security number that the township obtains or possesses except in accordance with the Michigan Social Security Privacy Act (Public Act 454 of 2004) and this privacy policy.

Social Security numbers shall be collected only where required by federal and state law or as otherwise permitted by federal and state law for legitimate reasons consistent with this privacy policy.

Legitimate reasons for collecting a Social Security number include, but are not limited to:

- Applicants may be required to provide a Social Security number for purposes of a pre-employment background check.
- Copies of Social Security cards may be obtained for purposes of verifying employee eligibility for employment.
- Social Security numbers may be obtained from employees for tax reporting purposes, for new hire reporting or for purposes of enrollment in any township employee benefit plans.

- Social Security numbers may be obtained from creditors or vendors for tax reporting purposes.

4.63 Public Display

The township shall not place more than four sequential digits of a Social Security number on identification cards, badges, time cards, employee rosters, bulletin boards, permits, licenses, or any other materials or documents designed for public display.

Documents, materials or computer screens that display all or more than four sequential digits of a Social Security number shall be kept out of public view at all times.

4.64 Account Numbers

The township shall not use all or more than four sequential digits of a Social Security number as a primary account number for an individual.

4.65 Computer Transmission

The township shall not use or transmit all or more than four sequential digits of a Social Security number on the Internet or on a computer system or network unless the connection is secure or the transmission is encrypted.

4.66 Mailed Documents

Township documents containing all or more than four sequential digits of a Social Security number shall be sent only in cases where state or federal law, rule, regulation, or court order or rule authorizes, permits or requires that a Social Security number appear in the document. Documents containing all or more than four sequential digits of a Social Security number that are sent through the mail shall not reveal the number through the envelope window or otherwise be visible from outside the envelope or package.

4.67 Freedom of Information Act

Where all or more than four sequential digits of a Social Security number are contained within a document subject to release under the Freedom of Information Act, the Social Security number shall be redacted (blacked out) or otherwise rendered unreadable before the document or copy of a document is disclosed.

4.68 Storage

All documents containing Social Security numbers shall be stored in a physically secure manner. Social Security numbers shall not be stored on computers or other electronic devices that are not secured against unauthorized access.

4.69 Access to Social Security Numbers

Only personnel who have legitimate business reasons to know shall have access to records containing Social Security numbers. The department heads having access to records containing Social Security numbers shall determine which other personnel within their departments have a legitimate reason in the township's ordinary course of business to have access to such Social Security numbers. Personnel using records containing Social Security numbers must take appropriate steps to secure such records when not in immediate use.

4.70 Disposal

Documents containing Social Security numbers shall be retained in accordance with the requirements of state and federal laws. At such time as documents containing Social Security numbers may be disposed of, such disposal shall be accomplished in a manner that protects the confidentiality of the Social Security numbers, such as shredding.

4.71 Unauthorized Use or Disclosure of Social Security Numbers

The township shall take reasonable measures to enforce this privacy policy, and to correct and prevent the reoccurrence of any known violations. Any employee, who knowingly obtains, uses or discloses Social Security numbers for unlawful purposes or contrary to the requirements of this privacy policy shall be subject to discipline up to and including discharge. Additionally, certain violations of Public Act 454 of 2004, the Michigan Social Security Privacy Act, carry criminal and/or civil sanctions. The township will cooperate with appropriate law enforcement or administrative agencies in the apprehension and prosecution of any person who knowingly obtains uses or discloses Social Security numbers through the township for unlawful purposes.

Red Flags Rule Policy

4.72 Purpose

To establish an Identity Theft Prevention Program designed to detect, prevent and mitigate identity theft in connection with the opening of a covered account or an existing covered account and to provide for continued administration of the program in compliance with the Federal Trade Commission's Red Flags Rule (Part 681 of Title 16 of the Code of Federal Regulations) implementing Sections 114 and 315 of the Fair and Accurate Credit Transactions Act (FACTA) of 2003.

4.73 Definitions

"Identifying information" means any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including: name, address, telephone number, Social Security number, date of birth, government-issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number, unique electronic identification number, computer's Internet Protocol address, or routing code.

"Identify theft" means fraud committed or attempted using the identifying information of another person without authority.

A "covered account" means:

- An account that a financial institution or creditor offers or maintains, primarily for personal, family, or household purposes that involves or is designed to permit multiple payments or transactions. Covered accounts include credit card accounts, mortgage loans, automobile loans, margin accounts, cell phone accounts, utility accounts, checking accounts and savings accounts; and
- Any other account that the financial institution or creditor offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the financial institution or creditor from identity theft, including financial, operational, compliance, reputation or litigation risks.

A "red flag" means a pattern, practice or specific activity that indicates the possible existence of identity theft.

4.74 Identification of Red Flags

The township identifies the following red flags, in each of the listed categories:

Suspicious Documents

- Identification document or card that appears to be forged, altered or inauthentic
- Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document
- Other document with information that is not consistent with existing customer information (such as if a person's signature on a check appears forged)
- Application for service that appears to have been altered or forged

Suspicious Personal Identifying Information

- Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates)
- Identifying information presented that is inconsistent with other sources of information (for instance, an address not matching an address on a credit report)
- Identifying information presented that is the same as information shown on other applications that were found to be fraudulent
- Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address)
- Social Security number presented that is the same as one given by another customer
- An address or phone number presented that is the same as that of another person
- A person fails to provide complete personal identifying information on an application when reminded to do so (however, by law Social Security numbers must not be required)

- A person's identifying information is not consistent with the information that is on file for the customer

Suspicious Account Activity or Unusual Use of Account

- Change of address for an account followed by a request to change the account holder's name
- Payments stop on an otherwise consistently up-to-date account
- Account used in a way that is not consistent with prior use (example: very high activity)
- Mail sent to the account holder is repeatedly returned as undeliverable
- Notice to the township that a customer is not receiving mail sent by the township
- Notice to the township that an account has unauthorized activity
- Breach in the township's computer system security
- Unauthorized access to or use of customer account information

Alerts from Others

- Notice to the township from a customer, identity theft victim, law enforcement or other person that it has opened or is maintaining a fraudulent account for a person engaged in identity theft

4.75 Detecting Red Flags

New Accounts: In order to detect any of the Red Flags identified above associated with the opening of a new account, township personnel shall take the following steps to obtain and verify the identity of the person opening the account:

- Require certain identifying information, such as name, date of birth, residential or business address, principal place of business for an entity, driver's license or other identification
- Verify the customer's identity (for instance, review a driver's license or other identification card)
- Review documentation showing the existence of a business entity
- Independently contact the customer

Existing Accounts: In order to detect any of the Red Flags identified above for an existing account, township personnel shall take the following steps to monitor transactions with an account:

- Verify the identification of customers if they request information (in person, via telephone, via facsimile, via e-mail)
- Verify the validity of requests to change billing addresses
- Verify changes in banking information given for billing and payment purposes

4.76 Preventing and Mitigating Identity Theft

In the event township personnel detect any identified Red Flags, such personnel shall take one or more of the following steps to prevent and mitigate identity theft, depending on the degree of risk posed by the Red Flag:

- Continue to monitor an account for evidence of identity theft
- Contact the customer
- Change any passwords or other security devices that permit access to accounts
- Not open a new account
- Close an existing account
- Reopen an account with a new number
- Notify the township manager for determination of the appropriate step(s) to take
- Notify law enforcement
- Determine that no response is warranted under the particular circumstances

4.77 Protect Customer Identifying Information

In order to further prevent the likelihood of identity theft occurring with respect to township accounts, the township shall take the following steps with respect to its internal operating procedures to protect customer identifying information:

- Ensure that its website is secure or provide clear notice that the website is not secure
- Ensure complete and secure destruction of paper documents and computer files containing customer information
- Ensure that office computers are password protected and that computer screens lock after a set period of time
- Keep offices clear of papers containing customer information
- Request only the last four digits of Social Security numbers (if any)
- Ensure computer virus protection is up to date
- Require and keep only the kinds of customer information that are necessary for utility purposes

4.78 Program Updates

This program shall be periodically reviewed and updated to reflect changes in risks to customers and the soundness of the township from identity theft. The supervisor and clerk shall consider the township's experiences with identity theft situations, changes in identity theft methods, changes in identity theft detection and prevention methods, changes in types of accounts the township maintains and changes in the township's business arrangements with other entities. After considering these factors, the supervisor and clerk shall determine whether changes to the program, including the listing of Red Flags, are warranted. If warranted, the supervisor and clerk shall present the township board with his/her recommended changes and the board shall make a determination of whether to accept, modify or reject those changes to the program.

4.79 Program Administration

Responsibility for developing, implementing and updating this program lies with an identity theft committee, supervisor and clerk for the township. The supervisor and clerk will be responsible for the program administration, for ensuring appropriate training of township staff on the program, for reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating identity theft, determining which steps of prevention and mitigation should be taken in particular circumstances, and considering periodic changes to the program.

4.80 Staff Training and Reports

Township personnel responsible for implementing the program shall be trained either by or under the direction of the supervisor and clerk in the detection of Red Flags, and the responsive steps to be taken when a Red Flag is detected. Township personnel shall provide reports to the program administrator on incidents of identity theft, the township's compliance with the program and the effectiveness of the program.

4.81 Specific Program Elements and Confidentiality

For the effectiveness of identity theft prevention programs, the Red Flags Rule envision a degree of confidentiality regarding the township's specific practices relating to identity theft detection, prevention and mitigation. Therefore, under this program, knowledge of such specific practices is to be limited to the supervisor and clerk of the identity theft those employees who need to know them for purposes of preventing identity theft. Because this program is to be adopted by a public body and thus publicly available, it would be counterproductive to list these specific practices here. Therefore, only the program's general Red Flag detection, implementation and prevention practices are listed in this document.

Expenditure Authorization

4.82 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 account unless there is a sufficient unencumbered balance in the appropriation and sufficient funds are or will be available to meet the obligation.

The township board shall exercise supervision and control to ensure that expenditures are within appropriations, and shall not issue any purchase order for expenditures that exceed appropriations.

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

Department heads shall obtain authorization from the township board before obligating the township for expenditures of the following nature:

1. Training, Seminars, Conferences in state or out of state (**must be approved by the township board prior to the event**)
2. Memberships
3. Professional services
4. Any expense over \$1,000 (in an emergency the supervisor must call 2 other township board members for approval for expenses exceeding \$1,000)
5. Any board member cannot approve his or her expenses.

4.83 Expenditure Control

The purchase requisition and purchase order system is designed to provide a method to screen purchase requests (*purchase requisitions*), to account for the disbursement of funds, and keep track of purchases to be delivered (*purchase orders*). Purchase requisitions and purchase orders are to be used for all purchases, except petty cash purchases and emergency needs as authorized by supervisor or clerk and treasurer.

Bids and Quotes

4.84 Dollar Threshold Requiring Written Quotations

Any purchase for goods or services exceeding a cost of \$1,000 shall require the department head to obtain at least three written quotes prior to issuing a purchase order.

Separating the work of vendors into smaller invoices is a violation of this policy.

4.85 Dollar Threshold Requiring Sealed Bids or Request for Proposals (RFPs)

Any purchase for goods or services exceeding an estimated cost of \$2,000 shall require the solicitation of sealed bids. The supervisor in consultation with the department head shall develop bid specifications. Bid specifications for purchases that will exceed \$2,000 shall be approved by the township board. A department head may request permission from the township board to waive the bidding requirements when there is only one known supplier or there is some other compelling reason to waive the bid procedures.

Separating the work of vendors into smaller invoices is a violation of this policy.

4.86 Exceptions

Quotes and competitive bids are not required for the following purchases

- Small purchases up to \$1,000
- Sole source procurement (where only a single source is available or when the township is participating in a purchasing pool, such as the "Buy Michigan First" or MiDEAL programs provided by the State of Michigan)
- Emergency purchases - The supervisor is required to call 2 township board members when cost is over \$1,000.

4.87 Request for Sealed Bids or RFPs

The invitation to bid or the request for proposals for services shall be published in 1 local newspaper (or more as necessary), posted on other appropriate media at least once, 15 days prior to the due date, and shall be

(mailed, e-mailed) to known vendors or other parties who have notified the township of their interest in submitting bids on the goods or services being purchased.

4.88 Specifications for Requests for Proposals

In order to receive comparable and informative bids and proposals, the township shall prepare comprehensive specifications for prospective candidates.

The request should state the following items:

- The length of the contract period
- Any required qualifications, such as a certified public accountant license
- If attendance is required at township board or other meetings, and the number of meetings per year
- The amount of anticipated consultation time (*such as time for phone consultations included in bid, etc.*)
- The anticipated nature and number of the activities required, such as the average number of ordinance enforcement prosecutions for an attorney, the number and type of funds to be audited for an accountant, or the number of parcels for an appraiser
- The titles of the township official(s) authorized to direct or request services
- Whether the activity, such as auditing or appraisal, is to be performed at the township hall
- That all documents and records created in a governmental function are property of the township and will be subject to the Freedom of Information Act

As appropriate, a request for proposals will ask each candidate to describe:

- The individual or firm's municipal and township experience
- Specific experience with the service or project
- The names, credentials and references of the specific individuals who will be assigned to work with the township
- Specific certification, such as certified public accountant, or memberships in an appropriate association, such as the Public Law Section of the Michigan Bar Association
- Potential conflicts of interest, such as township property owned, interest owned in businesses located in the township, or other clients who may have interests that are potentially adverse to the township
- Services to be billed above the retainer amount, including the amount charged per hour, with a maximum amount for specific types of services such as additional meetings not covered under the retainer or whether the meetings are to be billed on a per diem or hourly basis
- The individual or firm's policy regarding reimbursement for travel time, phone bills, mileage, copying, postage and other incidental expenses
- The services the township requires and if those services are to be included in a retainer

4.89 Opening of Bids or RFPs

Sealed bids or RFPs shall be opened by person(s) identified in the invitation to bid or the request for proposals at the stated time and place, and any interested party may be present for the bid or RFP opening.

4.90 Award of Bids

Bids or requests for proposals for services exceeding this amount shall be awarded by the township board.

The criteria for awarding bids or requests for proposals shall be as follows (*select and prioritize the following as desired by the township board*):

- Cost
- Experience
- Reliability
- Sufficiency of equipment
- Insurance
- References

- Good communication

4.91 Board Member Interest in Bidder

Any board member or department head who has any ownership or other interest in a company submitting a bid shall disclose the conflict of interest to the board, and that official shall not participate in awarding the bid.

Personnel Administration

5.1 Authority for Personnel Matters

General Law:

The township board reserves all authority to hire, supervise, provide direction, discipline and terminate employees as collectively determined by the board of trustees.

5.2 Policy Manual

The township board shall develop, periodically review, update and implement a personnel policies and procedures manual to help guide the board or its designated personnel officer, employees supervisors and managers in the implementation of all employee workplace issues.

The provisions of the personnel policies and procedures manual 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 township board.

The township board shall also develop and periodically update an employee handbook to answer employees' questions and to advise them on township policies.

The provisions of the employee handbook may be changed at the sole discretion of the township board. Employees may submit any suggested changes or additions to these policies and procedures to the township board.

5.3 Authorized Work Force

The township board shall determine the number of employees assigned to the various township offices.

The following procedure shall be used to authorize **new positions**:

The department head shall discuss the need for the **new position with the supervisor**.

If the supervisor agrees that the proposed position should be recommended to the board, the department head shall submit a draft job description and written position justification to the supervisor, who may approve, modify or reject the draft job description or position justification.

If the supervisor does not agree to recommend creating the proposed position, the department head may appeal the decision to the township board. The board may concur with the recommendation of the supervisor, or may approve creating the new position and direct the supervisor to develop a job description for the position.

The township board may accept or reject the implementation of the new position. The board shall not create any new position without prior adoption of any necessary budget amendments.

5.4 Independent Contractors

The township board may hire independent contractors to provide specialized or requested services on a project or as-needed basis. All independent contractors will have the following:

- A written contract between the township and the contractor
- 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
- Evidence of a business (e.g., business card or current advertisement or license)

5.5 Volunteers

The township board may hire volunteers to provide services for civic, charitable or humanitarian reasons without promise, expectation or receipt of compensation for the services rendered. Township volunteers shall be reimbursed for (*mileage, reasonable expenses incurred, other*) at the expense reimbursement rates and expense reimbursement policies adopted by the township board.

5.6 Equal Opportunity Employment

The township is an equal opportunity employer and shall employ, promote and transfer all employees and job applicants without regard to religion, race, national origin, ancestry, sex, disability, age, marital status, height, weight, arrest record, genetic information, medical condition, requests for a protected leave, or any other protected characteristic under local, state or federal law.

5.7 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 township board shall utilize the following procedures 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 in the local newspaper, township website and other appropriate media.
- The applications or resumés submitted will be reviewed by the department head, and a list of qualified candidates will be developed.
- Interviews will be conducted with the department head's participation. Any additional screening procedures, such as employment testing, shall require prior board approval. At least three non-related references shall be contacted.
- The township board shall select the candidate who best meets the job prerequisites for education, experience and management style, if appropriate.
- The selected candidate shall be submitted to the township board. The board may or may not schedule an interview with the candidate at a board meeting.
- Following board concurrence, the candidate will be offered the position.

5.8 Employment of Relatives

The township permits the employment of qualified relatives of officials and employees.

For purposes of this policy, "relative" is defined as the following, including in-law, step or adopted relations):

- Spouse
- Child
- Parent
- Sibling
- Grandparent, grandchild
- Aunt, uncle
- First cousin, niece, nephew

The township board is responsible for, and will exercise sound business judgment in the placement of related employees in accordance with the following guidelines:

Relatives are permitted to work in the same facility, provided no direct reporting or supervisory/management relationship exists. No employee is permitted to work within the chain of command or supervision of a relative such that one relative's work responsibilities, salary, discipline or career progress could be influenced by the other relative.

No relatives are permitted to work in the same department or any other positions in which the township board believes an inherent conflict of interest may exist.

Employees who marry while employed are treated in accordance with these guidelines. If, in the opinion of the township board, a conflict or apparent conflict arises as a result of the marriage, one of the employees will be transferred at the earliest practical time.

An applicant for township employment shall notify the township on the application for employment, and a current employee shall notify the township board in writing if a relationship identified in this policy exists.

5.9 Employee Classification

Each employee will be assigned to a particular job with its corresponding job description, pay grade assignment (if applicable), pay range, and classification as follows: Exempt or Nonexempt; Full-time, Part-time, Temporary or Seasonal.

5.10 Employee Compensation

The township board shall establish an equitable compensation system for township employees. The board shall determine a pay range for all township positions. 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.

5.11 Employee Supervision

Department heads shall provide direction to employees in a manner that complies with the provisions of the township's policies and procedures manual, employee handbook, as well as all federal and state laws, and township ordinances.

5.12 Employee Safety

The township shall provide a workplace free from recognized hazards that may cause or are likely to cause death or serious physical harm to employees. The township shall provide an effective safety management program that includes both leadership and employee involvement, will conduct worksite analysis, and will provide employee training as necessary.

The supervisor 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 or the expenditure of funds exceeding \$100 to eliminate that condition.

5.13 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 township supervisor or the township board to approve it.

Payroll

5.14 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.

5.15 Payment on Termination

An employee who voluntarily terminates employment 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.

Discharged employees will be paid as soon as the correct amount is determined, or within four days of termination.

5.16 Time Sheets

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

5.17 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 shall be notified at least 7 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.

5.18 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 clerk.

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 (*optional*)

5.19 Pay Advances

Pay advances shall not be authorized under any circumstances.

5.20 Payroll Problems

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

Personnel Recordkeeping

5.21 Personnel Files

The township clerk 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 shall contain the following:

1. Personnel data, including full name, Social Security number, current address, resumé or application submitted and physical examination (if required)
2. Performance evaluations
4. Commendations or disciplinary actions
5. Tax withholding information
6. Beneficiary information
7. Record of positions held

A personnel file shall *not* include:

1. Employee references supplied to an employer if the identity of the person making the reference would be disclosed.
2. 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.
3. 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.
4. 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.
5. 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.
6. Records limited to grievance investigations that are kept separately and are not used for the purposes provided in this subdivision.
7. 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.

5.22 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 clerk or supervisor. 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

5.23 Employer Access to Personnel Files

Board members shall be allowed to view any personnel file when necessary within the scope of their authority and responsibility. Confidential information contained in a personnel file shall be 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 office by anyone.

The contents of the employee personnel files shall be considered confidential.

5.24 Release of Personnel Records to a Third Party

The clerk or supervisor shall review an employee or former employee's personnel record before releasing information to a third party and, except when the release is ordered in a legal action or arbitration to a party in that legal action or arbitration, shall delete disciplinary reports, letters of reprimand or other records of disciplinary action that are more than four years old.

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

5.25 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 (deleted or edited out). The FOIA coordinator may contact the township attorney for advice in responding to a FOIA request involving personnel records.

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.

6.2 Records Management Responsibilities

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

- Distribution of approved general record retention schedules
- Development, review and approval of township-specific 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
- Arranging the destruction of confidential records with a vendor
- 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 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 updated record retention schedules that cover all records (regardless of form or format) that are created and used by the township.

The clerk shall ensure that the digital files and e-mail (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 is responsible for ensuring that the records, including e-mail 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, up to and including a penalty of not more than two years in state prison or a fine of not more than \$1,000.

6.6 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, record retention requirements, and minimize the township's exposure to litigation and risk.

The clerk shall develop procedures to accommodate access by the clerk 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
- Township records are kept or used in home offices

6.7 Record Retention Schedules

All township records shall be retained in accordance with an approved record retention schedule. Records not listed on an approved record retention schedule are considered permanent records and may not be disposed of until a schedule is approved.

6.8 Litigation, Investigations and Freedom of Information Act Requests

The FOIA coordinator, the Clerk or anyone appointed by the clerk, shall keep a copy of all written requests for public records on file for no less than one year.

No records that are the subject of litigation, a pending investigation request or a pending FOIA request shall be destroyed until the legal action or activity has ended, even if the records are otherwise scheduled for destruction pursuant to a relevant record retention schedule.

Any individual with knowledge of pending litigation, a pending investigation or a FOIA request shall immediately inform the FOIA coordinator. In consultation with the township attorney, the FOIA coordinator shall direct all relevant individuals to immediately cease disposal of all records relevant to the pending litigation, pending investigation or FOIA request. If the relevant records are in electronic form (including e-mail), the FOIA coordinator shall notify (*information technology personnel or specialists*) for retrieval procedures.

If questions arise as to what records are relevant to a pending litigation, pending investigation, or FOIA request, the FOIA coordinator shall direct the immediate cessation of the disposal of *all* records. The moratorium on the disposal of all records relevant to the pending litigation, pending investigation or FOIA request shall remain in effect for the duration of the litigation or investigation, or until the FOIA request has been fully processed.

Inspection of Records

6.9 Public Inspection of Records

Upon receiving a verbal request to inspect township records, the township shall furnish the requesting person with a reasonable opportunity and reasonable facilities for inspection and examination of its public records.

A person shall be allowed to inspect public records during usual business hours, not less than four hours per day. The public does not have unlimited access to township offices or facilities, and a person may be required to inspect records at a specified counter or table, and in view of township personnel.

Township officials, appointees, staff or consultants/contractors assisting with inspection of public records shall inform any person inspecting records that only pencils, and no pens or ink, may be used to take notes.

In coordination with the official responsible for the records, the FOIA coordinator shall determine on a case-by-case basis when the township will provide copies of original records, to allow for blacking out exempt information, to protect old or delicate original records, or because the original record is a digital file or database not available for public inspection.

The clerk is responsible for identifying if records or information requested by the public is stored in digital files or e-mail, even if the public does not specifically request a digital file or e-mail.

A person cannot remove books, records or files from the place the township has provided for the inspection.

No documents shall be removed from the office of the custodian of those documents without permission of that custodian, except by court order, subpoena or for audit purposes. The official shall be given a receipt listing the records being removed. Documents may be removed from the office of the custodian of those documents with permission of that custodian to accommodate public inspection of those documents.

6.10 Copies May Be Required to Enable Public Inspection of Records

In coordination with the official responsible for the records, the FOIA coordinator will determine (*by policy, on a case-by-case basis, or both*) when the township will provide copies of original records, to allow for blacking out exempt information, to protect old or delicate original records, or because the original record is a digital file or database not available for public inspection.

A fee will be charged for copies made to enable public inspection of records, according to the township's FOIA policy.

6.11 Record Fees

In all cases, township personnel shall use the most economical means available to make copies of public records, including digital copies of documents or recordings. E-mail may be used to distribute or mail records.

“Actual, incremental cost” means the cost to the township over and above the cost to the township if the request had not been made. Overhead costs shall not be included in an “actual, incremental cost.”

(Select any, all or none of the following, per the township’s individual policy :)

The township shall charge the actual, incremental copying cost to make a copy subject to a FOIA request for a copy or made to accommodate a request to inspect.

The township shall charge a labor cost to make the copy, which is the hourly wage of the lowest paid township employee capable of making the copy, as determined for each request.

Labor costs are charged in *(10-minute, 15-minute, etc.)* increments. The hourly wage used to calculate labor costs includes total compensation and benefits.

Fees for Copying Records or Notices for FOIA or Open Meetings Act Subscriptions: The Township shall charge the actual, incremental cost to make the copy.

Labor costs shall not be charged for a copy made to fulfill a FOIA subscription request because the copy is made at the same time the record is issued.

Mailing Fees: The Township shall charge actual postage or shipping costs and the actual cost of the envelope or mailer.

Fees for Separating Exempt from Non-Exempt Information: A fee shall not be charged for the cost to search, examine, review, and delete, separate or redact exempt from non-exempt information unless failure to charge a fee would result in unreasonably high costs to the township because of the nature of the specific request.

The FOIA coordinator shall determine if a fee will be charged under this section.

When the FOIA coordinator determines that a fee will be charged under this section, the FOIA coordinator shall specifically identify the nature of the unreasonably high costs of the specific request on the written response to the FOIA request.

The township shall charge a labor cost to search, examine, review, and delete, separate or redact exempt from non-exempt information, which is the hourly wage of the lowest paid township employee capable of making the copy, as determined for each request.

Labor costs are charged in 15-minute increments. The hourly wage used to calculate labor costs includes total compensation and benefits.

6.12 Costs Waived Due to Indigency of Person Making FOIA Request

A public record search shall be made and a copy of a public record shall be furnished without charge for the first \$20 of the fee for each request to a person who is entitled to information under the FOIA and who submits an affidavit stating that, at the time the request is submitted, the person is either receiving public assistance or is unable to pay the cost because of indigency.

“Indigency” is determined by the township’s poverty guidelines annually adopted for property tax poverty exemption applications (or “the federal poverty thresholds annually compiled and published by the Bureau of the Census prior to December 31 of each year”).

6.13 Fifty-Percent Good Faith Deposit for Costs Over \$50

If the costs estimated for a specific FOIA request exceed \$50, the person requesting the record(s) shall make a good faith deposit before the township will process the request. The deposit shall not exceed one-half (50%) of the total fee.

6.14 Unpaid FOIA Requests Are Not Considered When Responding to a Subsequent FOIA Request for Different Records

The unpaid balance of a previous FOIA request shall not be deducted from separate or later FOIA requests for different records submitted by the same person. The unpaid balance of a previous FOIA request shall not be deducted from any other fees, taxes, charges or other bills paid to the township by that person.

Digital Files and E-mail Retention

6.15 E-mail Defined

Electronic mail (e-mail) is a means of exchanging messages and documents using telecommunications equipment and computers. A complete e-mail message not only includes the contents of the communication, but also the transactional information (dates and times that messages were sent, received, opened, deleted, etc., as well as aliases and names of members of groups), and any attachments.

6.16 Digital Files and E-mail Messages May Be Public Records

A digital file or e-mail message 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.

6.17 Digital Files and E-mail Messages Are Public Property

All digital files and e-mail messages 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. E-mail accounts are provided to township staff for conducting public business. No one should have an expectation of privacy when using the township's computer resources.

6.18 Digital Files and E-mail Retention and Disposal Schedules

Digital files and e-mail shall be retained according to the applicable record retention schedule for the type of record the digital file or e-mail represents.

Individual employees or consultants are responsible for deleting digital files and e-mail messages in accordance with the appropriate record retention schedule. The IT person shall ensure that messages deleted in compliance with the appropriate record retention schedule are rendered unrecoverable within (*approved time frame*) of deletion.

6.19 Digital Files and E-mail Storage and Maintenance

The township shall retain its digital files and e-mail by (*select from the following procedures, or other procedures as applicable to the township's e-mail and technology systems*):

- Storing e-mail online in the active e-mail system for its entire retention period. E-mail account holders are encouraged to establish folders for arranging e-mail according to their content, and they are responsible for disposing of e-mail that has met all of its retention requirements.
- Printing digital files or e-mail and related transactional information, and filing the paper in a manual filing system.

Record Storage and Maintenance

6.20 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.

The township clerk shall periodically evaluate and make recommendations to the township board on the method(s) 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 township may utilize low-cost storage facilities for inactive records that have not fulfilled their retention requirements.

The clerk and supervisor shall work in conjunction with the IT person/department/consultant/contractor 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.

6.21 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.

- The township shall destroy sensitive or confidential information by internal procedures.
- The township shall destroy open records by recycling or regular trash disposal.

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

6.22 Disaster Prevention and Recovery

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

In the event of damage to township records, township personnel, at the direction of the clerk 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)
- 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

Public Information Officer

7.1 Public Information Officer

The clerk or supervisor shall be the public information officer for the township.

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 press releases and other media contacts at the time of release.

Township officials and employees will notify the public information officer of all media contacts made in their township capacity.

Township officials and department heads will notify the public information officer of all media contacts made in their township capacity. Other township employees and volunteers will notify the public information officer prior to making any statements to the news media in their township capacity.

Public Notice

7.2 Public Notice

The clerk shall be responsible for giving public notice of all meetings of all public bodies of the township in conformance with the Open Meetings Act and other state laws.

The supervisor of each public body shall notify the township clerk of that body's regular meeting schedule within 5 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 shall also be responsible for publishing and mailing all public notices required by state law. The supervisor shall notify the clerk 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.

Mail

7.3 Incoming Mail

The clerk or deputy clerk shall receive all incoming mail with exception of property tax bill payments, 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 clerk, who shall provide a copy to each board member.

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.

7.4 Township Letterhead

The township board shall approve the design of all letterhead stationery. Statements made on township stationery may be construed as the official position of the township, so all officials, appointees and employees shall make written statements representing the township only within the scope of their authority when using township stationery.

7.5 Outgoing Correspondence

All correspondence should be considered a public document, unless the contents are specifically excluded from disclosure by state law. Copies of correspondence will be provided to any board member or the public on request.

Department heads shall provide the township board, via the clerk, with a copy of all correspondence that addresses a citizen complaint or when the content may result in a lawsuit against the township. Where a department head is unsure of the necessity to provide the board with a copy of correspondence, department heads should err on the side of caution.

Public Contacts

7.6 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. The clerk or deputy clerk shall assist the public by directing them to the appropriate official, employee or department.

Phone calls to the township shall be answered, "Yates Township, _____ Department, how may I help you?"

Township officials and employees shall make every effort to see visitors who need their assistance. When workload or other commitments do not allow for an immediate meeting, the visitor will be asked to make an appointment at a mutually convenient time.

Board members and other key officials shall post office hours or contact information to arrange appointments.

7.7 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.

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. Department heads will be notified of all complaints.

The township board shall also be notified in writing of any citizen complaint arising from official or employee conduct or the administration of a department or township board policy or procedure. The notice shall include the name and address of the citizen, the nature of the complaint and how the complaint was resolved. The township board may make a subsequent inquiry with the citizen to determine whether the issue was resolved and whether any additional action is required.

Property Management

8.1 Identifying Township Assets

Assets that have a value of at least \$50.00 shall be identified and inventoried, and safeguarded to prevent loss.

8.2 Inventory of Assets

The clerk 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 clerk.

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 (if gift, estimated fair value at time of donation)
- Fund or cost center (from which it was purchased)
- How acquired (purchase, lease/purchase, construction, condemnation, tax foreclosure, gift)
- Estimated life Span
- Date and method of authorized disposition

8.3 Inventory Tagging

All assets shall be tagged with a label.

8.4 Lost or Damaged Township Property or Equipment

Any lost or damaged equipment shall be reported immediately to the supervisor or clerk.

8.5 Disposal of Fixed Assets

Department heads shall make note on the annual inventory, or shall notify the clerk or supervisor sooner if desired, of any equipment that would be appropriate for disposal. The clerk shall prepare a list of all such equipment recommended for disposal and shall submit the recommended disposal of fixed assets list to the township board for approval.

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

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.

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

Intellectual Property

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

8.7 Responsibility for Maintenance

The township supervisor shall be responsible for monitoring the need for repairs and improvements to township property.

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

- Cleaning
- Lawn maintenance
- Snow removal
- Fire extinguisher inspections
- Non-emergency repairs to township buildings, land, equipment and vehicles
- *(Other as determined by the township board)*

8.8 Emergency Repairs

The supervisor is authorized to contract for emergency repairs up to a cost of \$1,000.00 without prior board approval, when a delay in initiating a repair will have a significant impact on township operations or finances. Anything over \$1,000.00 the supervisor needs to contact all township board members. He must have at least two (2) board members to approve spending over \$1,000.00.

Township Facilities

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 township board shall establish procedures for opening, closing and the security of township facilities.

8.10 Hours of Business

The township office shall be open to the public at 10:00am and shall be closed at 2:00pm, Monday thru Thursday of each week, closed on holidays.

8.11 Emergency Closing

The supervisor and clerk shall have the authority to close the township office in an emergency situation. 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.

If a closing is deemed necessary prior to normal business hours, the supervisor and clerk, shall notify the officials and employees by telephone as soon as possible. The township board members shall also be notified of any closing.

8.12 Building Opening and Closing Procedures

The maintenance person, first person arriving each morning should make sure that:

- The security system is deactivated
- All public access doors are unlocked
- The copier is turned on
- *(Other)*

Prior to leaving, each employee will make his or her work station secure by checking that computers, typewriters, calculators and lights are turned off, filing cabinets and cash drawers are locked, and windows and doors are locked.

The last person to leave the township hall at night shall check to see that:

- The copier and other office machines are turned off
- All doors and common area windows are locked
- All lights are turned off, except for designated security lights
- The security system is activated

Persons working after hours are responsible for turning off the lights and office machines used, and checking that all doors and windows are secure.

Outside lights shall be turned on prior to any evening meeting and shall be turned off by the last person leaving the meeting.

8.13 Smoking

Smoking indoors is prohibited at all township buildings and facilities. Persons wishing to smoke on township property shall smoke outside. Cigarette butts and packaging shall not be left on the grounds.

Security

8.14

The following positions are authorized to receive keys to the main door and to their own offices: supervisor, clerk, deputy clerk, treasurer, deputy treasurer and sewer department personnel. The maintenance supervisor shall have keys to all buildings and offices.

If a key is lost, the maintenance supervisor shall be informed immediately. A replacement key shall be issued. If the supervisor has reason to believe that the missing key may be used for unauthorized entry, new locks will be installed.

Upon termination of employment, the employee shall return his or her office keys to the township supervisor.

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

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

8.15 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.

8.16 Safety

All township facilities will be maintained for compliance with OSHA and liability insurance standards as they apply to fire hazards, flammable materials and other safety hazards as established by board policy and procedures.

No boxes, files and other items shall be stored in hallways, stairs and landings. Flammable liquids and power equipment shall not be stored in the township hall. Other flammable materials will not be stored in the (*utility/furnace*) room.

In the event of a fire, all employees will immediately exit the building. All employees shall gather in the parking lot for a head count.

Public Use of Township Facilities

8.17 Availability

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

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

- Main board room
- Conference room
- Township multi-purpose room (Gym) and kitchen facility
- Library meeting room
- Fire/rescue training room
- Williams Island
- Henrietta Summers Senior Center

8.18 Denial of Facilities

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

8.19 Reservations

Township facilities are available for use by any individual or organization on a first-come, first-served basis. The clerk shall record each reservation on a facility calendar, on a first-come, first-served basis.

Reservations forms, rental agreements, facility lease contracts shall be used to secure use of township facilities and to establish the terms such reservations are subject to. The reservations form, rental agreement, facility lease contracts 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 attorney.

Reservations forms, rental agreements, facility lease contracts shall be made available at the office of the township clerk.

The township board members shall have access to township facilities for meetings with advance notice during regular office hours and after hours if necessary at no fee.

8.20 Fees and Deposits

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.

The following fees shall be charged for use of township facilities:

Township Hall:

GYMNASIUM: for minimum of (4) four hours	\$250.00
MEETING ROOM: for minimum of (4) four hours	\$150.00
GARDEN: for a minimum of (4) hours	\$75.00
KITCHEN USE IS EXTRA – kitchen not available at this time.	

Henrietta Summers Senior Center:

LARGE ROOM: for a minimum of (4) four hours	\$200.00
SMALL ROOM: for a minimum of (4) four hours	\$100.00
USE OF KITCHEN IS AN EXTRA	\$50.00.

A security deposit of \$50.00 is required for any rental. This is for the cost of cleaning the facility and any damage done to the facility. If the facility is clean and there is no damage it will be returned to the renter.

The fee shall be paid at the time the reservation is made. In the case of a cancellation, the fee shall be returned if canceled at least one (1) week prior to the date of the reservation. After that the township shall keep a \$50.00 (security deposit) of the original reservation fee.

8.21 Damages

A damage deposit shall be required.

No later than the day prior to the scheduled use, a township staff member and a representative of the renter shall complete an inventory form recording the current condition of the facility. The condition inventory shall be compared to the facility on the business day following the scheduled event. The deposit will be returned after the clerk, supervisor and maintenance supervisor determines that damage to the facility has not occurred.

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.

8.22 Facility Use Rules

- No smoking is allowed within any part of the building.
- Floors must be swept.
- Counters and tabletops must be wiped clean.
- Any trash must be deposited in the dumpster.
- Kitchen equipment and utensils must be washed and returned to their original storage.
- *(Other)*

8.23 Alcoholic Beverages

Alcoholic beverages will be permitted in *(identify in which township facilities open to public use alcoholic beverages will be permitted and where they are not permitted)*. If alcoholic beverages are served, the renting party will provide the township with a copy of the liquor license and special event insurance policy, in the amount not less than \$500,000, with the township listed as a named insured on the policy.

Per lease Agreement:

Private Function: If alcohol is being served the Township of Yates strongly recommends the Lessee acquire a host liquor liability coverage

Event with Alcohol: If the Lessee furnishes alcoholic beverage at the event, any persons who attend the event are charged an entry fee, or are required to purchase tickets in advance, or Lessee has a cash bar, then the Lessee must provide evidence of the, Host Liquor Liability Coverage, they have complied with the Michigan Liquor Control Commission. It is understood that the Lessee is the licensee of the liquor bond and shall have sole responsibility for any and all liability to said license.

Use of Township Property by Township Personnel

8.24 Personal Use of Township Property

The personal use of the township premises, equipment, machines, tools, supplies, postage or personal use of township labor, shall be prohibited.

8.25 Personal Mail

Personal mail and parcels may be sent from the township office by township personnel. The sender must reimburse the township for all costs.

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 have no expectation of privacy regarding personal mail or deliveries at township facilities.

8.26 Office Supplies

Township office supplies shall not to be used for non-township purposes.

8.27 Vehicles

Employees may be directed by a department head to take a township vehicle to their residence due to the nature of their work, such as responding to emergency calls. Department heads may also authorize a township vehicle to be driven to and from work because of the lack of a secure place to store the vehicle during hours the office is closed. The use of a township vehicle is not an employee fringe benefit, and personal use is prohibited. Employees may use the vehicle for personal errands, such as making a stop on the way to and from work, so long as no additional mileage or other cost is incurred to the township.

8.28 Bulletin Boards

The township board shall establish policies and procedures governing the use of a township bulletin board for public notices, township business, citizen requests and other notices as approved by supervisor. Employees who wish to post notices on township bulletin boards must have the prior approval of supervisor.

8.29 Township Facility Phone Use

Employees are permitted to make brief personal local phone calls, but are not permitted to make personal long distance phone calls.

Computer and E-mail Use

8.35 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 e-mail sent or received, as business information belonging to the township. In that regard, the township has the capability and reserves the right (as allowable by law), with or without notice, to access, monitor, review, copy or delete any computer files, including e-mail 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.

8.36 E-mail Use

Some employees may have access to the township's e-mail system for township-related purposes. When transmitting messages via e-mail, employees should consider that e-mail 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 e-mail sent or received via the township e-mail system. Because of these concerns, employees shall maintain the highest standards of courtesy and professionalism when transmitting e-mail.

8.37 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.

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. Computer systems may "leave tracks" at websites visited.

8.38 Online Forums

The township recognizes that participation in some forums might be important to the performance of an employee's job. For instance, an employee might find the answer to a technical problem by consulting members of a news group devoted to the technical area. However, any messages or information sent on township-provided facilities to one or more individuals via an electronic network—for example, Internet mailing lists, bulletin boards and online services—are statements identifiable and attributable to the township. The public may have a right to request a record of messages or information sent on township-provided facilities.

8.39 Personal Use

Limited, occasional or incidental use of township computer systems for sending or receiving e-mail for personal, non-business purposes is understandable and acceptable, but such personal use shall be kept to a minimum and shall not interfere with work responsibilities or work time.

Employees should not expect personal files or e-mail to be protected from review by other employees. As a result, employees should not use the township computer system to create or transmit any information they wish to keep private.

8.40 Township Access to Employee Communications

Generally, electronic information created and/or communicated by an employee using e-mail, 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:

1. Cost analysis
2. Resource allocation
3. Optimum technical management of information resources
4. 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.

8.41 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 township board. All outside software or documents must be virus-scanned before being installed or run on township equipment.

8.42 Passwords and Encryption

All passwords shall be disclosed to the IT person. Security passwords do not imply confidentiality.

Employees may use encryption software supplied to them by the IT person for purposes of safeguarding sensitive or confidential business information. Employees who use encryption on files stored on a township computer must provide the IT person 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. The township needs to have a backup of the Admin.

8.43 Procedure for Reporting Abuse of Computer Privileges or Violation of This Policy

A township official, employee or volunteer who is harassed or discriminated against through the use of the township computer system must immediately report this to the supervisor.

8.44 Violations

Any township official, employee or volunteer who abuses the privilege of their access to e-mail or the Internet in violation of this policy will be subject to corrective action, including possible termination of employment, legal action and criminal liability.

Prohibited Uses of Township Property

8.45 Prohibited Uses of Township Property

An official or employee shall not use township facilities, property or equipment including, but not limited to, township mail, township websites, bulletin boards, offices, cellular or other phones, computers, e-mail, wired or wireless networks or the Internet, for the following prohibited uses:

- Visiting pornographic sites, or acquiring, possessing or transmitting pornographic, obscene or sexually harassing material
- Knowingly creating, transmitting, retrieving, circulating, publishing or storing any communication that is:
 - o Discriminatory, harassing or offensive. Offensive messages include any messages that contain sexual implications, racial slurs, gender-specific derogatory or demeaning comments, or other comments that offensively address race, age, sexual orientation, religious or political beliefs, national

origin, height, weight, marital status or disability. Any unprofessional or harassing comments, regardless of whether they are covered by legally protected classifications, are prohibited.

- o Derogatory to any individual or group
- o Obscene, sexually explicit or pornographic
- o Defamatory or threatening
- o In violation of any license governing the use of software
- o Engaged in for any purpose that is illegal or contrary to the township's policy or public interests
- Violating copyright
- Unlawfully soliciting or promoting commercial ventures, religious or political causes, or outside organizations
- Transmitting information to individuals who are not authorized to receive it
- Engaging in dialogue about confidential, proprietary or non-public information involving the township or any employee, citizen or vendor
- Except in cases in which the township board has granted explicit authorization, employees are prohibited from engaging in, or attempting to engage in:
 - o Monitoring or intercepting the files or electronic communications of other employees or third parties
 - o Hacking or obtaining access to systems or accounts they are not authorized to use
 - o Using other people's log-ins or passwords
 - o Breaching, testing or monitoring computer or network security measures
- Sending e-mail or other electronic communications that attempt to hide the identity of the sender or represent the sender as someone else
- Using electronic media and services in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system