

WINFIELD TOWNSHIP  
Administrative Policies and Procedures  
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## **INTRODUCTION**

### **1.1 Purpose**

This administration policies and procedures manual is adopted to provide for the efficient and Uniform application of administrative policies in Winfield Township, where such procedures have not been provided for under state law.

## **1.04 TOWNSHIP BOARD ADMINISTRATION**

### **2.1 Township Board Powers**

The township board of Winfield Township retains the power to determine the administrative policies and procedures for Winfield Township, except where the law of the state of Michigan has assigned such power to a specific elected township official. The authority to adopt any administrative policy or determine appropriate procedures not provided for in this manual or provided for by state law shall be retained by the township board. The township board also reserves the right to alter, modify, amend or repeal any or all provisions of this administrative policies and procedures manual.

### **2.2 Authority Delegated from the Board**

In the interest of promotion the efficient operation of the township and pursuant to MCLa41.96, as well as implied powers of the township board, the Winfield Township Board assigns to various townships elected and appointed officials the authority to exercise the following non-statutory administrative responsibilities, in accordance with the specific policies and procedures contained herein.

### **2.3 Authority to Interpret the Provisions of this Manual**

The township Supervisor shall provide to the department heads and employees interpretations to implement the provisions of the administrative policies and procedures manual. Those interpretations shall be considered authoritative and binding unless the interpretation is appealed to the township board. Any such appeal shall be made at the next regular meeting of the township board. The township board may uphold, overturn or alter all or part of any interpretations made pursuant to this section.

### **2.4 Board Meeting Administration**

#### **2.4(a) Posting meetings**

The township clerk shall be responsible for posting all regular and special meetings of township board in conformance with the Michigan Open Meetings Act. The posting of all meetings of the various township boards and commissions that are required to conform to the Open Meetings Act shall be the responsibility of the clerk or committee.

#### **2.4(b) Meeting Agenda**

The township supervisor (amended, 04/03/2002) shall prepare the agenda prior to every township board meetings. Any board members, residents, department heads who desire to have item placed on the agenda will notify the supervisor at least 1 day prior to the meeting, listing

in writing, the subject matter to be placed on the agenda. A copy of the proposed agenda shall be delivered or made available to every board member, along with all supporting documentation and correspondence addressed to the township board.

When a need to place an item on the agenda arises after the deadline, the business item may be added to the agenda by general consent of the board.

The proposed agenda shall be approved by majority vote following the roll call of the board members at each board meeting.

The agenda shall conform to the following format:

1. Call to order
2. Pledge to the flag
3. Roll call
4. Approval of meeting agenda
5. Approval of minutes
6. Treasurer report
7. Reports from boards or committees
8. Public comment (brief)
9. Old business
10. New business
11. Correspondence
12. Payment of bills
13. Current & delinquent bills
14. Adjournment

#### 2.4(c) Public Comment

Members of the public shall have an opportunity, under Brief Public Comments, to address the board for no more than 2 minutes or a total of 20 minutes on any item that is not on the agenda.

#### 2.4(d) Board Consultants

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

1. Attorney
2. Auditor
3. Planner
4. Assessor (added, 04/03/2002)

A letter of agreement shall be executed between the board and each consultant that will address the following:

1. Term of the agreement
2. Description of service
3. Method of payment (retainer, hourly, or by product)
4. Schedule of payment
5. Documentation of services provided
6. Method of resolving disputes
7. Which township officials are authorize to direct work or assign task to consultant

The term of the agreement with any consultant shall not exceed the end of the fiscal year after the current boards term of office expires.

The board shall establish a line item for consulting services within the cost center of each township official who is authorized to assign tasks to a consultant. The official may incur costs in utilizing a consultant up to amount appropriated by the board.

#### 2.4(e) Litigation

The initiation of any lawsuit, litigation, claim for injunctive relief or writ of mandamus shall require a majority vote of the township board, except when there are extenuation circumstances, as defined below.

Extenuating circumstances are defined as an emergency situation 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 shall be detrimental to the health, safety and welfare of the township.

Extenuating circumstances also include any case 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 or other proceeding.

The initiation of a lawsuit, litigation or other proceeding for extenuation circumstances shall be allowed only upon the written directive of Supervisor, Clerk and Treasurer. In the event that such action is taken, the matter shall be brought to the board's attention at its next meeting. The board shall meet in closed session to discuss the litigation, including the reasons for initiating legal action, without the full board's prior review and approval.

#### 2.4(f) Direction and Control of Day-to-Day Administration

To promote efficient administration, the township board authorizes the Supervisor to provide day-to-day direction and control over all township activities that are not assigned by state law to another official, and to provide a liaison between the board and the various township departments.

Board members shall make all inquires, request or complaints directed at department heads or employees to the township Supervisor. Any directives, complaints or requests made by a member of the board directly to a department head or employee, other than from an elected official with statutory authority over the department head or employee, shall be brought to the attention of the Supervisor prior to initiating any response.

## **1.05 PERSONNEL ADMINISTRATION**

### **3.1 Personnel Officer (Supervisor)**

To provide for efficient and uniform administration of personnel matters, the township board will appoint a board member as personnel officer.

#### **3.1(a) Personnel Officer's Duties**

1. Develop job descriptions for all township positions
2. Update job descriptions as needed, at least every three years
3. Provide all new employees with current copy of the township personnel policies and procedures manual
4. Monitor changes in state and federal law that affect township policies
5. Recommend to township board when necessary changes
6. Determine appropriate pay grade or compensation for all employees, subject to board policies and appropriations
7. Authorize departments heads to impose employee sanctions that exceed severity of a verbal or written warning
8. Develop and implement a standard employee's evaluation form to be used by department heads

### **3.2 Employee Record Keeping**

#### **3.2(a) Personnel Records**

The township clerk shall maintain a permanent personnel record of each township employee. Each employee's personnel file shall contain the following:

1. Personal data, including full name, social security number, current address, resume or application submitted and physical examination (if required)
2. Performance evaluations
3. Use of authorized leaves
4. Commendations and or disciplinary actions
5. Tax withholding information
6. Beneficiary information
7. Record or position held
8. Insurance and pension records

#### **3.2 (b) Confidentiality of Personnel Files**

The contents of the employee personnel files shall be considered confidential. Any employee may examine the contents of his or her personnel file under the direct supervision of the clerk. Board members and the personnel officer shall be provided viewing of any personnel file. The contents of an employee's personnel file shall not be removed by anyone. Confidential information contained in a personnel file shall be released to others only with the written authorization of the employee. Personnel files will be kept for at least five years following an employee's termination.

### 3.2(c) Freedom of Information Act Requests for Personnel Files

Requests for copies of documents contained in the personnel files that are made pursuant to the Freedom of Information Act will be release only after confidential information that may be contained on the document is deleted. The clerk may contact the township attorney for advice in responding to a Freedom of Information Act request involving personnel records. Pursuant to the Michigan Freedom of Information Act, the township supervisor, after consulting with the township attorney, shall notify in writing any part requesting confidential information that the request is denied.

### 3.3 Classification and Compensation

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

### 3.4 Employee Safety

### 3.5 Authorized Work Force

### 3.6 Employee Selection

### 3.7 Employee Supervision

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

### 3.8 Employee Evaluation

3.8(a) In accordance with current employment law and court cases, Winfield Township considers that all employees are employed on an “at will” basis. This means that both the employee and the employer are free to terminate the employment relationship at either’s discretion. (added 06/13/2002)

3.8(b) All new employees shall be considered orientation employees for a period of least six months following their initial date of employment. They will have a written evaluation at the end of three months and six months. An orientation employee may be discharged pursuant to Section 3.9(a) without recourse to the appeal process provided in Section 3.9 (b). All non orientation employees will be evaluated by their department head at only year intervals, within one month of the employee’s anniversary date. Department heads shall be evaluated by a representative from the township board.

### 3.9 Employee Discipline

Department heads may administer verbal or written warning.



### 3.9(a) Suspension or Discharge

The application of suspension or discharge shall be authorized by the officer.

### 3.9(b) Appeals

A suspension or discharge may be appealed within three days or at the next township board meeting whichever comes first. Appeal shall be requested in writing to the township board.

### 3.10 Employee Recognition

Department heads shall bring to the attention of the board any incidences of meritorious conduct by any township employee, volunteer or appointed official. Township board may recognize them by adoption of resolution of tribute.

### 3.11 Ethical Standards

All elected and appointed officials, employees and volunteers shall fulfill their duties with the utmost attention to serving the best interests of the township citizens, and no official, employee or volunteer shall participate in a decision or transaction on behalf of the township that would result in a direct financial benefit to the township official, employee, or volunteer.

Any official, employee or volunteer who believes that he or she may be place in a potential conflict of interest shall immediately notify the township board and any subsequent action shall be in conformance with state law.

No employee shall accept employment that conflicts with performing his or her township duties.

No officer or employee shall accept any gift or consideration from a person or company providing goods or services to the township, or who is soliciting township business.

### 3.12 Job Descriptions

Job descriptions of Winfield Township employees to be found in Appendix A. (amended 04/03/2002)

## **1.09 FINANCIAL ADMINISTRATION**

### 4.1 Account Payable

#### 4.1(a) Department Head Authorization

All request for payments, i.e. invoices or expense vouchers, shall be processed in accordance with Section 4.8(d) of this manual, and shall be approved by the department head responsible for the cost center to which the expense shall be posted. The department head shall indicate that the expense is authorized and correct by affixing the account number and his or her initials

to the invoice. All approved bills must be submitted to the clerk at least seven days prior to the board meeting at which claims will be audited.

#### 4.1(b) Accounts Payable Reports

The clerk shall prepare accounts payable report to the board showing the vendor name, nature of the expense and check number. Any items paid prior to board audit, as discussed in Section 4.8(e), shall be noted on the accounts payable report.

The clerk and treasurer shall sign the checks for all claims approved by the board. A copy of the check shall be filed with the invoice claim in the clerk's office.

### 3.2 Payroll

#### 4.2(a) Deductions and Withholding

The clerk shall be notified at least seven days prior to the end of the pay period of any changes in voluntary deductions or withholding allowances desired by an employee. All voluntary deductions shall be authorized in writing.

#### 4.2(b) Pay Advances

Pay advances shall not be authorized under any circumstances.

#### 4.2(c) Payroll Problems

Employees will 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.

#### 4.2(d) Deputy Compensation

Deputies for the offices of supervisor, clerk, and treasurer may earn a maximum of 10% of the officeholder's annual salary.

### 3.3 Cash Receipts

#### 4.3(a) Authorization of Receive Cash

The following employee positions are authorized to receive cash:

Clerk/Deputy Clerk

Treasurer/Deputy Clerk

Assessor (amended 04/03/2002)

Zoning Administrator (amended 10/14/2009)

#### 4.3(b) Fiduciary Bonds

All employees authorized to receive cash shall be bonded to the following amounts:

Clerk	\$10,000
Treasurer	\$15,000
Zoning Administrator	\$ 5,000 (amended 12/09/0004)
Assessor	-0-

#### 4.3(c) Receipts

Receipts consist of cash and checks. A pre-numbered township receipt shall be issued for all cash, including checks, received by a township employee. The receipt shall include the amount received, name of the payer, and purpose. For a specific group of receipts, a single receipt may be issued for the aggregate of all such receipts received by mail for a given day. In addition, all remittance advices received (see Section 4.4(c)) shall be attached to the pre-numbered receipt form. Departments that receive funds shall turn over all funds when the amount reaches \$100.00 or monthly to the treasurer. The treasurer shall issue a receipt to the collecting department for all funds received. The treasurer shall determine periodically that all pre-numbered receipts have been returned with funds or have been otherwise disposed.

#### 4.3(d) Deposits

Total funds collected shall be reconciled to the sum of the pre-numbered receipts and shall be deposited at least weekly in the appropriate township bank account. The following positions are authorized to make deposits:

Treasurer/Deputy Treasurer

#### 4.3(e) Bank Reconciliation

The cash balances of the various fund ledgers shall be reconciled to the bank statements monthly. The cash balances should be the result of the cash receipts and disbursement activities and shall be derived from the same accounting records used in preparing the financial reports discussed in Section 4.5(a).

### 3.4 Accounts Receivable

#### 4.4(a) Revenue Collection

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

Official	Revenue Source
Treasurer/Deputy Treasurer	Building permits (amended 04/03/2002)
Zoning Administrator	Building permits (amended 10/14/2009)
Clerk	Cemetery Lots
Clerk	Fire Department runs
Supervisor	Freedom of Information Act request
Treasurer/Deputy Treasurer	Intergovernmental contracts (amended 10/14/2009)
Assessor	Land Division

Clerk	Parks and Recreation activities
Treasurer/Deputy Treasurer	Utility Bills
Treasurer/Deputy Treasurer/ Zoning Administrator	Zoning-related activities, special use permits, site plan reviews, rezoning requests, variances

All invoices shall include a remittance advice to be returned to the township with payment. The remittance advice shall include the name, amount invoiced, and purpose.

#### 4.4(b) Posting and Distribution

A listing of all invoices or bills owed the township shall be prepared by the clerk and presented to the board monthly.

#### 4.4(c) Method of Accounting

For all remittance advices received in accordance with Section 4.3(c), the treasurer shall credit the receivable. A monthly listing of all amounts invoiced but not yet received shall be prepared and reconciled to the general ledger as discussed in Section 4.4 (b).

### 3.5 Financial Reporting

#### 4.5(a) Periodic Expenditure and Revenue Report

The clerk shall prepare a quarterly financial report for the board and monthly the last quarter of the fiscal year. The report will be current through the last day of the previous month and shall be presented to the board at its meeting each month. The financial report for each fund will show the following information for revenues and expenditures.

1. Account number
2. Amended budget
3. Current period
4. Year to Date
5. Budget Balance

#### 4.5(b) Periodic Balance Sheet Report

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

#### 4.5(c) Investment Performance Report

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

#### 4.5(d) Financial Reports Review

The clerk shall review the financial reports prior to the board meeting and shall recommend to the board any necessary budget amendments or fund transfers.

## 5.1 Inventory of Fixed Assets

### 4.6(a) Responsibility

The clerk shall maintain an inventory of the township's fixed assets that are tangible, have an expected useful life of a least one year and have a value of at least \$10.00.

### 4.6(b) Updating

The clerk shall add or remove fixed assets from the inventory at the time of acquisition or disposal. The inventory shall include the following information on each asset:

1. Check number
2. Acquisition date
3. Name and address of vendor
4. Description
5. Responsible department
6. Location
7. Acquisition cost (if gift, estimated fair value at time of donation)

### 4.6(c) Inventory responsibility

Department heads shall annually inventory all assets assigned to their department and submit the inventory to the clerk.

### 4.6(d) Disposal of Fixed Assets

Department heads shall make note on the annual inventory or shall notify the clerk 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 board for approval. The board shall determine the method of disposal, which may include sealed bids, auction, negotiated sale, gift or disposal. Township officials and employees are not eligible to purchase township fixed assets by negotiated sale without the approval of the board.

## 7.1 Budgeting

### 4.7(a) 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.

#### 4.7(b) Timetable

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

Date	Activity
	Budget policies developed by township board
	Informational meetings for department heads
	Department heads submit proposed line item revenue and expenditure Plans to budget officer
	Budget officer meets with department heads
	Budget officer presents proposed budget to township board
	Township board adopts tentative budget
	Budget public hearing held by township board
	General appropriations act adopted

#### 4.7(c) Adoption

Unless note in the General Appropriations Act, all township funds are adopted on a cost center basis.

#### 7.2 Expenditure Control

##### 4.8(a) Written quotations and sealed bids

Any purchase for goods or services exceeding a contract of \$2,500.00 shall require the department head to obtain at least three written quotes prior to being issued a purchase order unless for services rendered as referenced in 2.4(d).

Any purchase of goods or services exceeding an estimated contract cost of \$2,500.00 shall require the solicitation of sealed bids. The supervisor, in consultation with the department head, shall develop bid specifications. Bid specifications 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 know supplier or there is some other compelling reason to waive the bid procedure. The township board reserves the right to extend or renew existing contracts.

The invitation to bid or request services shall be published at least once in the local newspaper and shall be sent to parties who have notified the township of their interest in submitting bids on the good s or services being purchased. Sealed bids shall be opened at a township board meeting at a pre-announced date and time and any interested party may be present for the bid opening. The clerk or deputy clerk, along with the department head, shall be present for the bid opening.

The criteria for awarding bids shall be as follows:

1. Cost
2. Reliability
3. Cleanliness
4. Sufficiency of equipment
5. Insurance
6. References
7. Good Communication
8. Township all other things being equal (amended 11-13-08) taxpayer

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.

#### 4.8(b) Expenditure authorization

The township shall not be responsible for any obligations incurred by an official or employee that is contrary to the provisions of this administrative policies and procedures manual,

Department heads shall not consider appropriations contained in the budget as a mandate to expend township funds, nor does the budget constitute authorization to commit the township, as such authorization originates from the provisions of Section 4.8 of this policy and procedures manual. 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.

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

1. Seminars and conferences
2. Memberships
3. Out-of-state travel
4. Professional service
5. Equipment repair
6. Monthly expenditures exceeding \$100.00

#### 4.8(c) Emergency Expenditures

In the event of an emergency, expenditures may be approved by the supervisor and two other board members.

#### 4.8(d) 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 or invoices may result in duplicate payments.

Employee expense reimbursements shall be documented on an expense voucher prepared by the employee. The expense voucher 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)

The department head that is responsible for the budgetary cost center to which the expense will be charged shall affix the account number to the invoice and shall initial the document.

Initialing the payment request shall indicate all of the following are true: the goods have been delivered or the services have been rendered to the township; the expense complies with the procedures outlined in Section 4.8(a), (b), and (c) of the manual; all prices and units agree with the purchase order, if applicable, or any differences have been reconciled; the payment request is mathematically correct, and the account number being charged is the appropriate budgetary allocation for the expense.

#### 4.8(e) Board Audit

All claims shall be approved by the township board prior to payment except for the following:

1. Utility Bills

These claims shall be post-audited at the next board meeting.

The supervisor and two board members may authorize emergency expenditures when deemed essential due to the imminent threat to the health, safety, and welfare of the township.

#### 1.1 Expense Reimbursements

##### 4.9(a) Request Form

The township shall reimburse all officials and employees for necessary expenses incurred in performing their duties. All requests for expense reimbursement shall be made on the proper expense reimbursement form.

##### 4.9(b) Reimbursement Rates

1. IRS rate per mile outside the township when the employee uses his or her own vehicle. (amended 01-08-2008)

Reasonable meals and lodging expenses will be reimbursed up to \$25.00 per day with receipt. Any reimbursement in excess of this amount shall be approved by the township board prior to incurring the expense.

##### 4.9(c) Personal Expenses



Receipts shall accompany any reimbursement requests. Board members will not be reimbursed for mileage within the township. (amended 10/14/2009) Personal expenses that are unnecessary to conducting township business, such as entertaining and alcohol consumed, shall not be eligible for reimbursement.

## 1.1 Investments

### 4.10(a) Authorized Institutions

The township treasurer is authorized, by approval of the board, to invest surplus funds in Michigan banks, savings and loan associations, and credit unions that belong to the Federal Deposit Insurance Corporation, or are insured by the National Credit Union Administration.

Lawful investment instruments that are not available from the above-named financial institutions may be purchased from brokerage firms that are licensed by the United States Securities and Exchange Commission.

Financial institutions shall be selected on the basis of their record of satisfactory performance, financial stability and anticipated yields.

### 4.10(b) 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.

### 4.10(c) Performance Reports

The treasurer shall quarterly report to the board on the status of township investments, including the name of the financial institution, type of investment instrument, date of maturity and anticipated rate of return.

## 1.2 Audits

The township board will engage a certified public accountant to audit as per state statute (amended 06-11-2009) the financial systems of the township. An audit contract may be for a period of up to three years, but shall not exceed the current board's term of office. The request for proposals for audits shall require.

1. Proposal due date
2. Date award will be made
3. Date contract begins
4. Length of audit contract
5. Audit period covered
6. Earliest date that audit work may begin
7. Due date for audit report

8. Funds to be audited
9. Requirement of unqualified opinion or clear statement of qualifications
10. Financial statements and other information to be provided by township
11. Other services to be performed by auditor, if any
12. Procedures for determining adequacy of internal controls and accounting
13. Authorization to disclose any irregularities
14. Audit shall be performed in accordance with generally accepted auditing
15. Audit shall be reviewed with the township board
16. Number of copies that will be provided
17. Auditor's qualifications
18. References for firm and individuals performing the audit
19. Estimated hours required, current rates, and total anticipated amount

## **5.0 PROPERTY MANAGEMENT**

### **5.1 Security**

#### **5.1(a) Keys**

The following positions are authorized to receive key to the main door as determined by the township board:

1. Supervisor
2. Clerk
3. Treasurer
4. Trustees
5. Planning Commission Chairman
6. Zoning Administrator
7. Assessor
8. Fire Chief

If a key is lost, 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 key 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.

#### **4.2 Safety**

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 furnace room. In the event of a fire, all employees will immediately exit the building. All employees shall gather at the flagpole for a head count.

#### **5.3 Use of Township Equipment, Labor or Premises**

### 5.3(a) Lost or Damaged Equipment

Any lost or damaged equipment shall be reported immediately to the employee's department head.

### 5.3(b) Personal Use of Township Property

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

### 5.3(c) Phone Calls

Employees are permitted to make brief personal long distance phone calls. Calls will be reimbursed to the township.

### 5.3(d) Copier

Employees may use the township copier for personal business, but shall reimburse the township at the rate established by the board.

### 5.3(e) Bulletin Boards

Employees who wish to post notices on township bulletin board must have the prior approval of the clerk.

### 5.3(f) 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 car to be driven to and from work because of the lack of 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 car 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.

## 5.4 Public Use of Township Facilities

### 5.4(a) Availability

Township Hall is available for use by any organization

### 5.4(b) Reservations

Rental agreements shall be made available at the office of the township clerk. The clerk shall record each reservation on a facility calendar, on first-come, first served basis.

#### 5.4(c) Fees

Refer to the Winfield Township fee schedule. The fee shall be paid at the time the key is picked up or township official opens the hall. The renter must return chairs and other equipment to their place of storage. Floors must be swept and any trash bagged. Failure to reasonably clean the facility after use could result in charging for cleaning expense.

#### 5.4(d) Denial of Facilities

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

#### 5.4(e) Alcoholic Beverages and Smoking

Alcoholic beverages and/or smoking will not be permitted on the premises.

#### 5.4(f) Damages

Damages to township property shall be the responsibility of the renting party.

### 5.5 Routine Maintenance

#### 5.5(a) Responsibility

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 procedure, as outlined in Section 4.8(b), to procure snow removal services, fire extinguisher inspections and non-emergency repairs to township buildings, land equipment, and vehicles.

#### 5.5(b) Emergency Repairs

The supervisor is authorized to contract for emergency repairs up to a cost of \$500.00 without prior board approval, when delay in initiating a repair will have a significant impact on township operations or finances.

## 6.0 PUBLIC INFORMATION

### 6.1 Public Contact

#### 6.1(a) Complaints and Problems

The township supervisor shall 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 supervisor may make a subsequent inquiry with the citizen to ensure that the issue was resolved to the citizen's satisfaction.

## 6.2 Public Information Officer

6.2(a) The supervisor shall be the public information officer for the township and shall be responsible for supervising the township newsletter, preparing public service, announcements, and media or referring contact to other appropriate township officials.

Township employees will notify the public information officer prior to making and statements to the new media. Department heads will notify the public information officer of all media contacts.

## 6.3 Public Notices

### 6.3(a) Meeting Notices

The township clerk shall be responsible for posting all regular, special, and rescheduled board meeting in conformance with the Open Meetings Act and other state laws. The chairperson of each township board or commission will notify the clerk of all special and rescheduled meetings.

### 6.3(b) Public Notices

The township clerk shall be responsible for publishing and mailing all public notices required by state law, including:

1. Board of review meetings
2. Planning commission/zoning board hearings
3. Budget public meetings
4. Zoning board of appeals variance hearings
5. Special assessment district hearings
6. Election notices
7. Master plan adoption and amendments
8. Truth-in-taxation notice
9. Board meetings minutes

## 6.4 Freedom of Information Act requests

6.4(a) In order to avoid incurring a financial hardship to the township for providing copies of public documents, the township shall charge individuals who request documents for each copy of a public document. The board shall annually review the cost of paper and copying to update the actual costs to be charged. In addition to paper and copying costs, the fee charged shall also recognize postage, mailing, facsimile and floppy disc costs. The charged shall equal the actual cost of responding to the specific Freedom of Information Act request.

The board also authorizes charging a fee for the cost of search, examination, review and deletion and separation of exempt from non-exempt materials when the failure to charge such a fee would result in an unreasonably high cost to the township. An unreasonably high cost shall exist when the estimated time to perform these tasks shall exceed 60 minutes, and the hourly rate shall be charged to the nearest minute.

In accordance with the Freedom of Information Act, the hourly rate charged shall be equal to the hourly salary to the lowest paid township employee, regardless of the salary of the employee who actually responds to the Freedom of Information Act request. The most economical means available shall be utilized in processing a request.

If the anticipated fee will exceed \$50.00, the requesting person shall provide a good faith deposit of one-half of the anticipated total fee.

The township supervisor shall be responsible for notifying any requesting person that a Freedom of Information Act request will be denied in whole or part, in accordance with the provisions of the Freedom of Information Act.

## **7.0 PUBLIC WORKS**

### 7.1 Capital Improvement Plan

7.1(a) This falls under the New Zoning Enabling Act. (amended 10 -21-2009)

### 6.2 Management of Public Works Projects

#### 7.2(a) Responsibility

The township supervisor shall manage all public works conducted by the township.

#### 7.2(b) Needs Assessment

The supervisor shall review the condition of existing township improvements to identify any necessary or desirable repairs or maintenance, identify the need for any new public improvements, and bring such matters to the attention of the board, if such needs are to be addressed in the current fiscal year, or to the township board for inclusion in the township capital improvement plan if proposed to be addressed in one or more future years.

#### 6.3 (c) Preliminary Study

On its own motion or by the presentation of a petition complying with state law, the board may authorize a preliminary study of a proposed public works project. The board shall retain one or more consultants as necessary to develop a feasibility study consisting of plans describing the improvement, the location of the improvement and an estimated cost of the improvement on a fixed or periodic basis, as appropriate. The feasibility study shall be received by the board and filed with the township clerk.

#### 7.2(d) Financing

The township board shall determine the methods by which the public improvement shall be financed. If the township board resolves to tentatively establish a special assessment district, the township clerk shall give notice of the hearings as provided by law, and the board shall proceed with creating the special assessment district as provided by law.

If the township board determines that borrowing shall be necessary to finance the project, the supervisor and treasurer shall contact the Municipal Finance Division of the Michigan Department of Treasury to initiate approval. The township board shall appoint bond counsel to advise the township on all aspects of borrowing and to render a written opinion on the marketability of the bonds.

#### 7.2(e) Request for Proposal

The township board shall request proposals from firms interested in contracting to construct, alter, repair or maintain the public improvement. The township shall utilize its competitive bidding procedures in awarding contract for public improvements.

The board shall require the posting of a performance bond by any contractor, as specified in the request of proposal, for all projects that anticipate a total contract cost exceeding \$5,000.00.

#### 7.2(f) Project Manager

The township supervisor shall act as liaison between the contractor, consultants and the board, or may delegate this responsibility in writing to a department head. The supervisor shall notify the board of any significant problems or issues that may arise in the project.

The supervisor is authorized to sign minor change orders that will result in a decrease in the project cost or that will increase the project cost not more than \$1,000.00. The board will be notified of all change orders. All major change orders shall be approved by the board.

The supervisor shall require waivers of liens and sworn statements prior to authorizing the payment of any work performed. The waivers and sworn statements shall be filed by the township clerk.

The supervisor is authorized to act as the board's agent to resolve any problems or disputes arising from the project. The board shall be notified of all problems or disputes, as well as the nature of the resolution. The supervisor shall bring any major problems or disputes to the attention of the board prior to acting, if the time required to notify the board does not jeopardize the successful completion of the project.

#### 7.2(g) Closing Out a Project

Prior to closing out the project and issuing the contractor final payment, the board shall authorize final payment. At least 10% of the total contract cost shall be retained by the township until final approval is given by the board.

Note: State law regulates expenditures of project over \$15,000.00

## **APPENDIX A**



## **STATUTORY DUTIES OF TOWNSHIP OFFICERS**

### **1. Major Authorities of the Township Board and Officers**

#### **A. Legislative Body**

1. Adopt ordinances
2. Adopt budget
3. Appoint most employees, boards, commissions
4. Approve disbursements
5. Authorize contracts
6. Adopt policies and administrative rules
7. Fills mid-term vacancies
8. Establishes compensation for appointed officials
9. May establish officer compensation
10. Assumes powers of the electorate when annual meeting not held
11. Buys, sell, or conveys township property
12. Adopts elected officials salary resolution prior to annual meeting (if held)

#### **B. Officers' Duties**

1. Supervisor
  - a. Moderates meeting
  - b. Votes on all matters
  - c. May call special meetings
  
2. Clerk
  - a. Keeps minutes
  - b. Publishes minutes of SEV exceeds 25 million
  - c. Prepares fiscal reports (absent other procedures)
  - d. Votes on all matters
  - e. Sends out special meeting announcements to board
  
3. Treasurer
  - a. Votes on all matters
  
4. Trustees
  - a. Votes on all matters

#### **C. Board Administrative Responsibilities**

1. Meets at least quarterly(monthly for charter township)
2. Establishes meeting schedule
3. Determines number and duties of constables
4. Approve industrial tax exemptions
5. Rezone property
6. Recommends approval/denial of liquor license
7. Appropriation to services to the aging
8. Submits extra voted millages to the voters

9. Creates special assessments districts
10. Determines allocation board request
11. Resolves to hold annual meeting
12. Designates township fund depositories

D. Limitations of Board

1. Federal and state law
2. Lawful actions of the annual meeting
3. Library board, park commissions
4. Civil services commissions
5. Salary compensation commissions
6. Lawfully executed contracts

**2. Authority of the Electors at Annual Meetings (if held)**

- A. Alter or ratify salary resolution
- B. Authorize ballot question for two additional trustees
- C. Adopt rules for conducting annual meeting
- D. Supervisor moderates; Clerk takes minutes
- E. Board members may vote
- F. All township electors may vote
- G. Annual meeting held only upon board resolution or ballot approval

**3. Supervisor's Duties**

- A. Moderates board and annual meetings
- B. Chief assessing officer-may assess if certified
- C. Non-voting secretary to board of review
- D. Delivers certificates to levy taxes to county clerk by October 1
- E. Agent for the township
- F. Keeps records of the office
- G. May appoint a deputy
- H. Submits tax allocation board budget (where in effect)
- I. Calls special meetings
- J. Develops budget
- K. Appoints planning commission members, one member of police and fire civil service commission, economic development commission, officers' compensation commission, one-half of tenant affairs board members, all with township board approval
- L. Appoints housing commission members
- M. Appoints historic site district committee, unless ordinance provides otherwise
- N. Charter township supervisors may have additional authority (if superintendent is not appointed)

**4. Clerk's Duties**

- A. Custody of all records of the office
- B. Custody of all township records unless otherwise provided
- C. Maintains general ledger of accounts
- D. Prepares township orders to draw checks
- E. Prepares minutes for board, annual meetings

- F. Must appoint a deputy
- G. Maintains a book of oaths
- H. Posts surety bond
- I. Delivers notices of special meetings
- J. Publishes minutes if general law township SEV exceeds 25 million, in all charter Townships
- K. Maintains voter registration file and conducts elections
- L. Maintains ordinance Book
- M. Prepares financial statement
- N. Delivers tax certificates to supervisor prior to September 15

**5. Treasurer's Duties**

- A. Receive all receipts and issues checks
- B. Collects taxes on behalf of township and other tax-levying units
- C. Invests surplus funds in approved depositories
- D. Collect delinquent personal property and jeopardy assessments
- E. Collect mobile home specific tax
- F. Deposits township revenue
- G. Collect summer school taxes by contract with school district
- H. Must appoint a deputy
- I. Posts surety bond

**6. Trustee's Duties**

- A. Township legislators
- B. Other duties assigned by board

## **ALL TOWNSHIP MEETINGS:**

All public bodies must post a notice of the time, date, and place of all regularly scheduled meetings within 10 days of the beginning of the township calendar or fiscal year.

Changes in regularly scheduled meetings must be posted within three days after the meeting at which the change is made.

Special meetings must be posted 18 hours prior to the meeting at a location that is publicly accessible for at least 18 hours prior.

Recessed meetings that are not reconvened within 36 hours must be posted in the same manner as a special meeting (MCLA 15.265).

## **TOWNSHIP SPECIAL MEETINGS:**

In a general law township, the supervisor or a majority of the board may call a special meeting. The clerk shall give notice of the time and place to each board member, either in person or at the member's address. No business shall be transacted at a special meeting unless such business has been stated in the meeting notice, or unless all board members are present (MCLA 41.72a).

## **ANNUAL MEETING:**

The meeting is posted in accordance with the notice requirements in the Open Meetings Act and Budget Hearing Act. The time, date, and place of the meeting is posted within 10 days of the beginning of the calendar or fiscal year (MCLA15.265)

## **BOARD OF REVIEW:**

Notices of assessment increases are mailed to the taxpayer at least 10 days prior to the first meeting of the board of review (MCLA 211.24c). Notice of the date, time, and place of the board of review is published in a generally circulated newspaper at least one week prior to the first meeting and shall appear in three successive issues. If no newspaper is available, then the notice is posted in five conspicuous places in the township (MCLA 211.29).

## **BUDGET HEARING:**

In a general law township, notice so the budget hearing stating the time and place of the hearing and the place where a copy of the budget is available for public inspection must be printed in a newspaper of general circulation at least six days prior to the hearing (MCLA 141.412). A charter township must publish this notice at least seven days prior to the hearing (MCLA 42.26).

## **ELECTIONS:**

Two notices of the days and hours the clerk will be available to receive registrations must be published in a newspaper. The first notice must be published no less than 10 days prior to the last day to receive registrations (MCLA 168.498).

Two notices of elections must be published in a newspaper. The first notice must be published no less than 10 days prior to the election. Statutory language for this notice is contained in (MCLA 168.653a).

#### **MASTER PLAN ADOPTION:**

Public hearings on adoption or amendment to a master land use plan must be preceded by two notices published in a newspaper. The first notice must be given at least 30 days prior. The second notice must be no less than seven days prior to the hearing. The two notices must also be published at least two weeks apart (MCLA 125.329).

#### **ORDINANCE ADOPTION:**

All ordinances and ordinance amendments must be published in a newspaper within 30 days after adoption. The ordinance must be published in its entirety or may be published in a summary form. If a summary is used, each section shall be preceded by a catch line, and the notice shall indicate a township location where a true copy can be inspected or obtained (MCLA 41.184; MCLA 42.22).

Within one week after publication the ordinance shall be recorded in a book of ordinances, indicating how each board member voted and including a certificate stating the publication date(s) and name of the newspaper where published (MCLA 41.185).

Charter townships have the option of publishing by posting copies of the ordinance in five locations within the township within seven days prior to publishing a notice containing a description of the ordinance in a newspaper (MCLA 42.8). Charter Township must also compile and publish township ordinances in loose leaf or booklet form at least once every ten years (MCLA 42.20). A charter township may also adopt any state law, regulation or any official or unofficial recognized standard code as a township ordinance or ordinance amendment by publishing no less than 50 copies in book or booklet form and making it available to the public at a reasonable charge (MCLA 42.23).

#### **PROPERTY TAXES**

The Truth-in-Taxation law requires a notice be published in a newspaper stating “Notice of Increase in Property Taxes” along with additional statutory language prior to holding a public hearing on levying the township’s full authorized millage rate. Without such a hearing, the township must roll back its millage rate to an amount that will result in not additional revenue yield from the current year assessment increases (MCLA 21.24e).

#### **SENIOR CITIZEN APPROPRIATIONS:**

Notification of an appropriation to a public or private non-profit organization providing services to senior citizens must be published in a newspaper within 10 days following approval by the township board. The notice shall specify the terms of the appropriation (MCLA400.574).

### **SPECIAL ASSESSMENTS:**

Regardless of the statute authorizing the special assessment district, all property owners must receive notice of all special assessment public hearings, sent by first class mail, at least 10 days prior to the hearing (MCLA 211.741).

Special assessment districts created pursuant to Public Act 188 of 1954 require two notices be published prior to a public hearing. The first notice must be published at least 10 days before the hearing. Railroads to be specially assessed must be notified. Notices should indicate the date, time, and location of the hearing, advise that plans and cost estimates are on file and available for public inspection and contain a description of the district (MCLA 41.72a).

Due to the passage of PA 64 of 1989, all notices for any public hearing in the special assessment process must now also include a statement notifying the property owner of the right to appeal a special assessment levy to Michigan Tax Tribunal. The notice must indicate that a property owner may appeal the assessment levy only if an appearance is made at the hearing at which the roll is confirmed. An appearance can be made in person or by mail and can be made by an agent for the property owner (MCLA 211.741).

Within 30 days after the confirmation hearing, a notice must be mailed indicating the amount of the assessment and the right to appeal. While this state law as it currently stands is somewhat ambiguous, it is the Michigan Townships Association's opinion that this notice must be mailed only to those individuals who have preserved their right to appeal by protesting their assessment at the roll confirmation hearing (MCLA 211.746).

### **ZONING ORDINANCES:**

In addition to the above ordinance adoption procedures, a notice of a public hearing held by the planning commission/zoning board on a proposed zoning ordinance or amendment must be published twice in a newspaper. The first notice is published between 20 and 30 days prior to the hearing and the second notice is published no more than eight days prior to the hearing. A utility or railroad that registers with the township must be given 20 days prior notice of the public hearing (MCLA 125.279).

If the township board holds additional hearings, notice shall be published in a newspaper between 5 and 15 days prior to the hearing (MCLA 125.281).

Within 15 days following adoption, a notice of adoption of the zoning ordinance or amendment must be published in a newspaper. Statutory language is included.