

# Charter Township of Van Buren

## BOARD OF TRUSTEES

SUPERVISOR  
Kevin McNamara

CLERK  
Leon Wright

TREASURER  
Sharry A. Budd

TRUSTEE  
Sherry A. Frazier

TRUSTEE  
Kevin Martin

TRUSTEE  
Reggie Miller

TRUSTEE  
Paul D. White

April 3, 2018

Dear Colleagues:

Recently the Township was made aware of alleged ethics violations by Trustee Sherry Frazier. As required by the Van Buren Charter Township Policies and Procedures Manual, Appendix B - Ethics Policy – Resolution 2003-45, an investigation was conducted to confirm or deny the allegations. The findings of that investigation are enclosed.

Per the Ethics Policy – Resolution 2003-45, the board is now required to review the findings and decide if this should be brought forward for the Board to determine formally if the Ethics Policy or any other policy was violated by Trustee Frazier.

It is my intention to allow the Board as much time as is needed to review the investigative report and decide upon the appropriate action to be taken. A copy of the Ethics Policy, which lists the possible penalty options, has been placed in your packet.

Respectfully,

Kevin McNamara



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## MEMORANDUM

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**TO:** CHARTER TOWNSHIP OF VAN BUREN BOARD OF TRUSTEES  
**CC:** PATRICK B. McCAULEY, DAVID KOTZIAN  
**FROM:** SUPERVISOR KEVIN McNAMARA  
**RE:** INVESTIGATIVE REPORT AS TO TRUSTEE SHERRY FRAZIER  
**DATED:** APRIL 3, 2018

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I. **Background:**

On March 13, 2018 I was interviewed by Lt. Bazy who was investigating an assault and battery complaint filed against Trustee Frazier by Clerk Wright, which occurred following the February 20<sup>th</sup> Board Meeting. Clerk Wright claims that Trustee Frazier pushed him then yelled "get out of my face" during the altercation. During the course of Lt. Bazy's investigation he ran a Computerized Criminal History (CCH) on Trustee Frazier. This is standard operating procedure in an investigation for a reported assault and battery complaint. It was discovered from the CCH search that Trustee Frazier was arrested for retail fraud (2<sup>nd</sup> degree) from Macy's department on December 31, 2017 in the City of Taylor. Trustee Frazier admitted to the theft as stated in the investigative report from the Macy's Loss Prevention agent. (Exhibit 1) Lt. Bazy immediately reported the charge against Trustee Frazier to me, as required by the Township's Ethics Policy Resolution 2003-45. (Exhibit 2) This was the first time I heard that Trustee Frazier had been arrested for the misdemeanor criminal offense of retail fraud

from Macy's. I was alarmed at the nature of the offense. Further, she failed to disclose this incident to me as required in the Township Ethics Policy.

On March 16 I had a meeting with Trustee Frazier in my office, at which time we discussed the arrest. At this meeting she failed to acknowledge the seriousness of the charge. I urged her to make this public as soon as possible in a manner of her choosing. After many years in public office I knew it was only a matter of time before details of the offense would come out. As a courtesy and out of respect for her position I wanted to give her the opportunity to notify the public herself. To date, she has not heeded my advice. I subsequently disclosed the arrest incident to the other Board members, as required by the Ethics Policy. I understand that Trustee Frazier has an April 4, 2018 court date for arraignment and pre-trial

At the March 6, 2018 Board meeting, Trustee Frazier took credit for an article written about Van Buren Township in the Michigan Township Association Focus magazine. (Exhibit 3). She accepted thanks for the article. It was later learned that Assistant DDA Director Lisa Lothringer was responsible for working on the article and getting it published, and not Trustee Frazier.

In addition, I have received written reports from other elected officials (Exhibit 4) personally witnessing and confirming behavior from Trustee Frazier which was felt to be in violation of not only this Ethics Policy, but Meeting Conduct Policy (Exhibit 5) as well. As stated in the Ethics Policy, I had a duty to inform my fellow Board members of these events which I did

both verbally and by letter of March 27, 2018 (Exhibit 6). Trustee Frazier was advised of this on March 16, 2018 at a meeting in my office.

The above incidents are not conducive to the conduct expected of an elected official, who is to act as a fiduciary to the Township finances. Per the Van Buren Township Ethics Policy, Resolution 2003-45, the Board of Trustees must evaluate if Trustee Frazier is in violation of the policy, and thereby levy a penalty that is deemed appropriate if that is the determination. The below portion are excerpts from the policy, which Trustee Frazier is accused of being in violation of:

The Township Ethics Policy, Resolution 2003-45 states:

- **Statement of Purpose:** "Public office and employment are public trusts. Trust comes from requiring and maintaining integrity of the highest standard on the part of elected and appointed officials and employees. Whenever conduct undermines that integrity and trust, either actual or perceived, confidence is jeopardized. (page 1, paragraph 1)
- **Responsibilities, of Public Office:** Township officials and employees must not exceed their authority or breach the law or ask other to do so. Township officials and employees are bound to observe in their official acts the highest standards of morality and to discharge the duties of their offices faithfully, regardless of personal consideration, recognizing that their conduct in both their official and private affairs should be above reproach. (page 1, paragraph 2) All Township officials and employees shall safeguard public confidence by being honest, fair and respectful of all persons and property with whom they have contact, by maintaining non-partisanship in all official acts, and by avoiding conduct which may tend to undermine respect for Township officials and employees and for the Township as an institution. (page 1, paragraph 2)
- **Policy:** Where government is based upon the consent of the governed, every citizen is entitled to have complete confidence in the integrity of his or her government. Every official, employee or advisor of the government must help to earn and must honor that



trust by his or her own integrity and conduct in all official duties and actions. (page 1, paragraph 4)

- **Rules:** Item 13: Reporting procedure for elected or appointed Township officials but not Township employees. Conduct that may violate this Policy should be reported to the Township Supervisor. The report must be in writing and signed. The Supervisor will decide who will investigate the report. The Township Board of Trustees will make the final decision on whether the policy has been violated. (page 5)

### **Violence in the Workplace Policy (Exhibit 7)**

- **STATEMENT OF PURPOSE:** Therefore, Van Buren Township will not tolerate threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on Van Buren Township's property. This includes physical attacks, verbal or physical threats, destruction of property, sexual harassment, intimidation, or abusive language. (page 1, paragraph 1)  
**DEFINITIONS:** Physical Attack is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving, biting, spitting, and throwing objects. (page 1, paragraph 4)  
**PROHIBITED ACTIONS AND SANCTIONS:** It is a violation of this policy to engage in any acts of violence, except for law enforcement personnel as authorized by law and within the confines of the Law Enforcement agency policies. (page 1, paragraph 7)

## **II. Summation of specific alleged violations of Township Policy by Trustee Frazier:**

- Trustee Frazier signed a Receipt and Acknowledgment on December 2, 2016 (Exhibit 9) after taking office of receiving the Policies and Procedures Manual (Exhibit 10) and agreeing "to read and comply with the policies in the handbook."
- Trustee Frazier has committed aggressive unwanted physical contact (pushing, shoving) against another elected official on February 20, 2018. (Exhibit 8)
- Trustee Frazier has been arrested and charged with retail fraud (e.g. shoplifting) related to a December 31, 2017 incident in the City of Taylor, Michigan. (Exhibit 1)
- Trustee Frazier failed to notify the Supervisor of the arrest for retail fraud (e.g. shoplifting) on December 31, 2017 from the Macy's department store. The arrest was only discovered during the routine course of a criminal investigation conducted by Lt. Bazy.

- Trustee Frazier repeatedly and dishonestly took credit at the March 6 Board Meeting for the creation and placement of a favorable “*Township in the Spotlight*” article related to the Township in the March 2018 edition of Michigan Township Focus, the official publication of the Michigan Townships Association. (Exhibit 3)
- All of the above conduct has the effect of undermining the integrity, trust, and confidence of the public in the Township’s ability to conduct business in a productive and professional manner.

### III. Penalty

The Ethics Policy provides penalties for violation of it and other Township policies by public officials including:

“All officials and employees are expected to follow this policy as a condition of employment or service to the community... Failure to do so by any elected or appointed official will result in an evaluation by the Township Board of Trustees, and could result in the removal of the official if the Board decides it is appropriate, unless state law specifies otherwise. This section does not eliminate the possibility of criminal or civil charges being filed if the circumstances warrant such action.

The appropriate action to be taken in any individual case shall be at the discretion of the controlling authority and may include but is not limited to any of the following:

- a. Referral of the matter to a higher authority.
- b. Pursuing further investigation.
- c. Taking appropriate disciplinary action including discharge.
- d. Deeming no action to be required.
- e. Pursuing such other action which is reasonable, just and appropriate under the circumstances.”

Township legal counsel has provided an opinion that removal of Trustee Frazier from her elected position as Trustee can presently only be accomplished by voter recall or by the Governor on petition by the Township and only for very specific and narrow reasons per MCL 168.369. Among the actions potentially available to the Board would include, for example, those cited in (a)-(e) above, a Resolution of Reprimand or Censure (a more formal and clear indication of disapproval of misconduct), removal from a meeting for continuing misconduct

disruptive of the meeting and such other further action as set forth in Township policies allowed by law if the misconduct continues.

The appropriate action to be taken, if any, is left to the judgment of the Township Board based upon all the information presented to its members, provided however, that Trustee Frazier will not participate in the appropriate action phase of the proceedings due to a clear conflict of interest.

#### IV. The Process and Procedure

All Board members have previously been provided a copy of my investigative report on April 3, 2018. To establish an orderly process for the consideration of this disciplinary matter in which I will continue in my capacity as Chairperson, the following procedure at the Special Meeting will apply:

- A Special Meeting will be scheduled upon request.
- Each Board member with the exception of Trustee Frazier will be given no more than 10 uninterrupted minutes to make comments or present documents relevant to the issues under consideration. There will be no back and forth between Board members, Trustee Frazier and/or any member of the public.
- Following the comment period for each Board member, Trustee Frazier shall be given no more than 20 uninterrupted minutes to orally respond to the other Board members comments and present any documents in support of her position. There will be no back and forth discussion between Trustee Frazier, other Board members and/or members of the public.

- Following Trustee Frazier's comments, the Board members with the exception of Trustee Frazier shall discuss and determine whether Trustee Frazier's conduct is in violation of Township policies including the Policies and Procedures Manual.
- At that point, the Chair will entertain a motion on the question. A simple majority will be necessary to approve the motion. Trustee Frazier will not be allowed to vote on any motion due to a conflict of interest. If a motion is approved finding no violation, the meeting will be concluded. If a motion is approved finding a violation(s), the meeting will then move to the discipline phase.
- The Board will consider and decide upon appropriate discipline to impose upon Trustee Frazier including those items set forth in the Ethics Policy. Following discussion, the Chair will entertain a motion to impose disciplinary action on Trustee Frazier. Trustee Frazier will not participate in the vote due to conflict of interest. A simple majority will be necessary to impose the disciplinary action. If no agreed upon disciplinary action can be decided upon and approved, the meeting will be concluded. If approved disciplinary action will require further Board action (e.g., drafting and approval of a resolution), the resolution will be presented for consideration at the next regular Board meeting. A simple majority vote will be necessary to approve the resolution. Trustee Frazier will not participate in that vote due to conflict of interest.
- Should other issues come up, I will make a ruling as Chair of the meeting in consultation with legal counsel who will also be present.

# EXHIBIT 1

Chief Jason Wright  
Police Division

Chief Amy Brow  
Fire Division

# Van Buren Township Department of Public Safety



Gregory Laurain  
Director of Public Safety

March 16, 2015

Dear Supervisor McNamara,

On March 13, 2018 Clerk Leon Wright filed an assault and battery complaint with this Department. Clerk Wright's complaint alleges that he was physically assaulted by Trustee Sherry Frasier on February 20, 2018 shortly after the Township board meeting in the board room.

During the course of my investigation I ran a Computerized Criminal History (CCH) on Trustee Frazier as she is listed as a suspect in this matter. A CCH on an individual suspected of criminal activity is standard operating procedure and is a requirement when submitting a warrant request to the Prosecutor's Office. I discovered that Trustee Frazier had been arrested by the Taylor, Michigan Police Department On December 31, 2017 for Larceny.

I contacted the Taylor Police Department and requested a copy of the arrest report. Upon receipt of the report I learned that Trustee Frazier had been charged with Retail Fraud 2<sup>nd</sup> Degree by the City of Taylor Prosecutor.

Pursuant to the Van Buren Police Department Policy 331, Section 331.3 "All crimes or other incidents involving or arrest of a member of the Department, other Township employees or prominent Van Buren Official" and Van Buren Charter Township Ethics Policy, Resolution 2003-45 #13.

I am hereby notifying you that Trustee Frazier is the subject of an ongoing criminal investigation being conducted by this Department in which the victim is another Elected Official of Van Buren Township. Furthermore, Trustee Frazier was arrested and criminally charged with a misdemeanor crime in the City of Taylor, Michigan.

I have attached a copy of the report from the Taylor Police Department for you to review.

Respectfully,

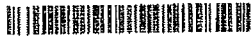


Lt. Charles Bazy

Cc: Director Laurain,  
Deputy Director Wright

During the afternoon hours of March 13, 2018, the Public Safety Director Greg Laurain advised me of an incident that took place between Clerk Leon Wright and Trustee Sharry Frazier. He advised me that Clerk Wright had filed an assault & battery report against Trustee Frazier stemming from an altercation that occurred on February 20, 2018 after a Board Meeting at Van Buren Township Hall. I was further advised that though the preliminary course of the criminal investigation, it was discovered that Trustee Sharry Frazier had been arrested for Retail Fraud 2<sup>nd</sup> Degree in the City of Taylor on December 31, 2017.

Director Laurain advised me that under the police department's policy, they are mandated to report incidents of this nature involving any members of his department, other Township employees or prominent Van Buren Officials to the Director, and that he is to forward this to the Supervisor. I must also note that Director Laurain advised me that there appears to be some potential Township Ethics Policy violations that Trustee Frazier may have been involved in according to Ethics Policy Resolution 2003-45.



**TAYLOR PD**  
 23515 GODDARD  
 TAYLOR MI 48180  
 734-287-6611



**Case Report**

**Administrative Details:**

CR No <b>170034552</b>	Subject <b>ARREST</b>
Report Date/Time <b>12/31/2017 15:21</b>	Occurrence Date/Time <b>12/31/2017 15:21</b>
Location <b>23000 EUREKA RD</b>	Call Source <b>PHONE</b>
Dispatched Offense <b>2399 Larceny (Other)</b>	Verified Offense <b>3074 Retail Fraud Theft 2nd Degree</b>
OIC <b>Schnell, Christian (TASCHNELLC-00256)</b>	OIC Contact Number
County <b>82 - Wayne</b>	City/Twp/Village <b>91 - Taylor</b>
Division <b>Patrol</b>	Victim <b>MACY'S (29045490)</b>

**Action Requested:**

- |  |                                      |
|--|--------------------------------------|
| <input type="checkbox"/> Arrest warrant    | <input type="checkbox"/> Review only |
| <input type="checkbox"/> Search warrant    | <input type="checkbox"/> Forfeiture  |
| <input type="checkbox"/> Juvenile petition | <input type="checkbox"/> Other       |





Offenses		
<b>3074 - Retail Fraud Theft 2nd Degree [TAVINESC (00252)]</b>		
IBR Code / IBR Group <b>23C - Shoplifting / A</b>	Offense File Class <b>30002 - RETAIL FRAUD - THEFT</b>	
Crime Against <b>PR</b>	Location Type <b>08 - Department/Discount Store</b>	Offense Completed <b>Completed</b>
Domestic Violence <b>No</b>	Hate/Bias <b>00 - None (No Bias)</b>	
Using <b>A-Alcohol: No C-Computer Equipment: No D-Drugs/Narcotics: No</b>		Cargo Theft

People									
<b>FRAZIER, SHERRY ANN (A-ARRESTEE) [TAVINESC (00252)]</b>									
Last Name <b>FRAZIER</b>		First Name <b>SHERRY</b>		Middle Name <b>ANN</b>			Suffix	Mr/Mrs/Ms	
Aliases			Driver License#		DL State <b>MI</b>	DL Country	Personal ID#		
DOB (Age)	Sex	Race	Ethnicity	Birth City & State		Birth Country		Country of Citizenship	
Complexion	Build	Teeth	Height	Weight	Attire				
Held For	Finger Prints	Photos	Miranda Read <b>No</b>	Miranda Waived <b>No</b>	Number of Warrants		FBI#		
Street Address			Apt #	County	Country	Home Phone		Work Phone	
City			State	Zip	Cell Phone	Email			
<b>Arrest Information</b>									
Offenses			Details						
<b>3074 - Retail Fraud Theft 2nd Degree</b>			Arrest Date/Time		<b>12/31/2017-1521</b>				
			Location:		<b>STORE</b>				
			Arrest#		<b>2017-3862</b>				
			Arrest Type:		<b>Taken Into Custody</b>				
			OWI/Arrest/BAC						
			Offense Type:		<b>Misd.</b>				
			Count						
			Arresting Officer 1:		<b>TAVINESC (VINES, CHAD 00252)</b>				
MultiClearance			MultiClearance Offense			Armed With			
<b>N - Not Applicable</b>						<b>01 - Unarmed</b>			

(V-VICTIM) [TAVINESC (00252)]									
Victim Type <b>B - Business</b>		Victim of <b>3074 - Retail Fraud Theft 2nd Degree</b>							
PE:	W.Type	Name <b>MACY'S</b>					Suffix	Mr/Mrs/Ms	
DOB (Age)	Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship			
<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>			
Street Address <b>2300 EUREKA</b>			Apt #	County	Country	Home Phone	Work Phone		
City <b>TAYLOR</b>			State <b>MI</b>	Zip <b>48180</b>	Cell Phone	Email			
Victim Injury									

BRANTLEY, (O-OTHER) (C-COMPLAINANT) [TAVINESC (00252)]								
PE:	W.Type	Last Name <b>BRANTLEY</b>		First Name		Middle Name	Suffix	Mr/Mrs/Ms
DOB (Age)	Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship		



		UNKNOWN			
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Property					
<b>2805 - Merchandise - Misc Items 5419 [TAVINESC (00252)]</b>					
Property Class	IBR Type	UCR Type			
<b>19</b>	<b>19 - Merchandise</b>	<b>I - Consumable Goods</b>			
Status	Description			Count	Value
<b>SR - Both Stolen And Recovered (Also Used To Update Prev. Stolen)</b>	<b>MISC. MERCHANDISE</b>			<b>6</b>	<b>297.50</b>
Recovered Date/Time	Location	Disposition	Evidence Tag		
<b>12/31/2017 15:22</b>					
		Owner			
		<b>P.</b>			

**Narrative:**

CR No: 170034552-001 Written By: TAVINESC (00252) Date: 12/31/2017 05:05 PM

On 12/31/2017 at approximately 1521 hours I, (Ptm. Vines) was dispatched to 23000 Eureka (Macy's) on the report of Macy's LP holding an adult female for retail fraud. I arrived at the location and spoke to Macy's LP Shontia Brantley and the following occurred:

- Shontia informed me that they were holding arrestee, Sherry Frazier, for retail fraud of \$297.50.
- Shontia provided me with a copy of Macy's LP report on the incident and I was satisfied that it met all the necessary requirements for retail fraud.
- Sherry was then placed under arrest and handcuffed behind the back (TC/DL) for retail fraud, searched, and placed in the rear of my patrol vehicle.
- Sherry was then transported to the station where she was turned over to the on duty PSO jailer without incident.
- A CCH check of Sherry showed her to have no CCH.
- Based on the total value of the items taken by Sherry(\$297.50) and not having any prior convictions for retail fraud, the incident qualified for retail fraud 2nd.
- I scanned and attached a copy of the Macy's LP report to the report.

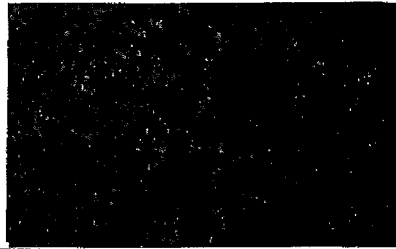
CR No: 170034552-002 Written By: TAFADDENN (2530) ATTACHMENT ONLY REPORT - No Narrative

CR No: 170034552-003 Written By: TASCHNELLC (00256) ATTACHMENT ONLY REPORT - No Narrative

Attachments:					
File Name	File Type	Comments	Date	By	Role
<b>Attachments Included in This Report:</b>					
34552br_0001.pdf	pdf	Frazier BR	01/13/2018 09:43 AM	FADDEN, NATHAN	POLICEOFFICER
17-34552_201802061358.pdf	pdf	Charges/Ord form	02/06/2018 02:06 PM	SCHNELL, CHRISTIAN	INVESTIGATOR
17-34552.pdf	pdf	LP REPORT	12/31/2017 05:14 PM	VINES, CHAD	POLICEOFFICER



# Taylor Police Booking Record



Date Booked: 12/31/2017	1645	Booking Officer: NATHAN FADDEN	Arresting Agency: TAYLOR POLICE DEPT
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### Personal Data

Name (L/F/M): FRAZIER, SHERRY ANN			Booking Number: 170034552		Inmate Number: 59710902	
Street Address: [REDACTED]		City: [REDACTED]	State: [REDACTED]	Zip: [REDACTED]	Phone: [REDACTED]	
DOB: [REDACTED]	Birth City: [REDACTED]	Birth State: [REDACTED]	Race: [REDACTED]	Sex: [REDACTED]	Hair: [REDACTED]	Eyes: [REDACTED]
Height: [REDACTED]		Weight: [REDACTED]				

Scars/Marks/Tattoos:

Social Security No.:	Driver's License No.:	State:	Birth Country:	Country of Citizenship:
[REDACTED]	[REDACTED]	MI	UNITED STATES OF AMERICA	UNITED STATES OF AMERICA

### Medical



Medical Notes:

These are my answers to Medical Questions:

*X S. Frazier*

### Property and Cash

Qty.	Property	Description	Cash Total	Released To
[REDACTED]				

Property Intake

Owner: *X S. Frazier*

Officer: 1025

Date/Time: 12-31-17 1645

Property Release

Owner: *X S. Frazier*

Officer: 1025

Date/Time: 12-31-17 1705

all  
or

STATE OF MICHIGAN 23RD JUDICIAL DISTRICT		COMPLAINT MISDEMEANOR		CASE NO.	
ORI MI-820225J		Court address 23511 GODDARD, TAYLOR, MI 48180-4197		Court telephone no. 374-1334	
THE PEOPLE OF <input type="checkbox"/> The State of Michigan <input checked="" type="checkbox"/> THE CITY OF TAYLOR		Defendant's name and address Sherry Ann Frazier [REDACTED]		Victim or complainant Shontia Brantley (Macys LP)	
Co-defendant(s)		Date: On or about 12/31/17		Complaining witness Det. Christian Schnell	
City/Twp./Village TAYLOR	County in Michigan WAYNE	Defendant CTN	Defendant SID	Defendant DOB [REDACTED]	
Police agency report no. 17-34552	Charge Larceny Generally	Maximum penalty			
Witness		Defendant DLN [REDACTED]			

STATE OF MICHIGAN, COUNTY OF WAYNE

The complaining witness says that on the date and at the location described, the defendant, contrary to law,

Did violate City of Taylor code of ordinances section 32-208 (Larceny Generally) while in Taylor at 23000 Eureka Rd (Macys). Macys Loss Prevention Manager Shontia Brantley observed Defendant Sherry Frazier in the women's accessories department holding two previously selected scarves. Frazier walked to the back of the department and concealed the two scarves into her purse. Frazier then selected a white sweater and went to the registers where she paid for only the white sweater and failed to offer payment for the concealed scarves. After the purchase was completed, Frazier walked over to the Jewelry department where she selected earrings. Frazier went to the handbags area where she selected a planner and concealed both the planner and earrings into a Macy's bag. Frazier went and selected more merchandise and concealed it into her purse. Frazier passed all points of sale and exited the store through the west Mall entrance, failing to offer payment for the concealed merchandise. Frazier was stopped by Brantley and escorted back to the LP Office where she was identified through her drivers license and all merchandise was recovered. Total dollar amount stolen and recovered was \$297.50.

The complaining witness asks that defendant be apprehended and dealt with according to law.

(Peace Officers only) I declare that the statements above are true to the best of my information, knowledge, and belief.

Warrant authorized on <u>1/6/18</u> by:
<u>[Signature]</u> Date
Prosecuting official

Complaining witness signature \_\_\_\_\_  
 Subscribed and sworn to before me on \_\_\_\_\_ Date  
 Judge/court clerk/magistrate \_\_\_\_\_

STATE OF MICHIGAN 23RD JUDICIAL DISTRICT		WARRANT MISDEMEANOR		CASE NO.	
ORI MI- 820225J		Court address 23511 GODDARD, TAYLOR, MI 48180-4197		Court telephone no. 374-1334	
THE PEOPLE OF <input type="checkbox"/> The State of Michigan v <input checked="" type="checkbox"/> THE CITY OF TAYLOR Co-defendant(s)		Defendant's name and address Sherry Ann Frazier [REDACTED]		Victim or complainant Shontia Brantley (Macys LP) Complaining witness Det. Christian Schnell Date: On or about 12/31/17	
City/Twp./Village TAYLOR		County in Michigan WAYNE		Defendant CTN	Defendant SID
Police agency report no. 17-34552	Charge Larceny Generally		Maximum penalty	Defendant DOB [REDACTED]	
Witness		Defendant DLN [REDACTED]			

STATE OF MICHIGAN, COUNTY OF WAYNE

To any peace officer or court officer authorized to make an arrest: The complaining witness has filed a sworn complaint in this court stating that on the date and the location described, the defendant, contrary to law,

Did violate City of Taylor code of ordinances section 32-208 (Larceny Generally) while in Taylor at 23000 Eureka Rd (Macys). Macys Loss Prevention Manager Shontia Brantley observed Defendant Sherry Frazier in the women's accessories department holding two previously selected scarves. Frazier walked to the back of the department and concealed the two scarves into her purse. Frazier then selected a white sweater and went to the registers where she paid for only the white sweater and failed to offer payment for the concealed scarves. After the purchase was completed, Frazier walked over to the Jewelry department where she selected earrings. Frazier went to the handbags area where she selected a planner and concealed both the planner and earrings into a Macy's bag. Frazier went and selected more merchandise and concealed it into her purse. Frazier passed all points of sale and exited the store through the west Mall entrance, failing to offer payment for the concealed merchandise. Frazier was stopped by Brantley and escorted back to the LP Office where she was identified through her drivers license and all merchandise was recovered. Total dollar amount stolen and recovered was \$297.50.

Upon examination of the complaint, I find probable cause to believe defendant committed the offense set forth. THEREFORE, IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN, I order you to arrest and bring defendant before the court immediately, or the defendant may be released when a cash or surety bond is posted in the amount of \$\_\_\_\_\_ for personal appearance before the court.

\_\_\_\_\_  
Date (SEAL) Judge/magistrate Bar no.

By virtue of this warrant the defendant has been taken into custody as ordered

\_\_\_\_\_  
Date Peace officer

DC 225 WARRANT, MISDEMEANOR

COURT

**NOT APPROVED**

Case #: 71-309-04-0041-2017

**EXTERNAL APPREHENSION REPORT**

Macy's  
 Southland (MI) - Asset Protection Department  
 23000 Eureka Road  
 Taylor MI 48180  
 (734) 374-5077



<b>Apprehension Date (mm/dd/yyyy):</b>	12/31/2017	<b>Prosecuted:</b>	Yes	<b>Total Amount:</b>	\$297.50
<b>Custody Time In:</b>	2:30 PM	<b>Previous:</b>		<b>Merchandise Damaged:</b>	
<b>Custody Time Out:</b>				<b>Approved By:</b>	
<b>Custody Explanation:</b>	Police Delayed			<b>Approved Date:</b>	
<b>Detective Name:</b>	Shontia Brantley	<b>Case Description:</b>	Shoplifting CD		
<b>Detective Number:</b>	006120				
<b>Prosecution Disposition By:</b>	Shontia Brantley				
<b>Future Payment Expected:</b>	Yes				
<b>Trespass:</b>	Yes				

**SUPPLEMENTAL INFORMATION:**

Cross Referenced:

**SUBJECT INFORMATION**

**Name:** Frazier, Sherry Ann  
**Maiden Name:**  
**Alias/Nickname:**  
**Address:**  
**Primary Phone Number:**  
**Secondary Phone Number:**  
**Email:**

**Photo of Subject (18+ only)**



<b>Sex:</b>		<b>Social Security Number:</b>		<b>Height:</b>	
<b>DOB:</b>		<b>Employer:</b>		<b>Weight:</b>	
<b>Age:</b>		<b>High School:</b>		<b>Hair:</b>	
<b>Race:</b>		<b>Occupation:</b>		<b>Eye:</b>	
<b>DLN:</b>		<b>Marital Status:</b>			

Detaining Detective:	Detective Making Report:	Assisting Detectives:
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**NOT APPROVED**

Case #: 71-309-04-0041-2017

**PARENT INFORMATION**

Name:

Address:

Phone:

**APPREHENSION INFORMATION**

Area of Activity:	Dress Accessories	Handcuffing On Contact:	No - Not handcuffed	Handcuffing In Custody:	No - Not handcuffed	Phone Call Requested:	NO-Not applicable as per security procedure A-219
Award:		Initiated By:	CCTV Sensor	Vehicle Make:		Time PD Called:	
Photo Taken:	Yes	Vehicle Model:		Time PD Arrived/Company Custody End:			
Signed Admission	No	Assisted 1:	Floor Observation	Vehicle Color:		Custody Time Out:	
Evidence Log #:		Assisted 2:	Not Applicable	Vehicle Year:	0		
Evidence Status:	Photograph						

Subject clothing description: white coat, blue jeans, brown boots

Items carried by the subject: Brown purse

Mark-Scars:

**MERCHANDISE RECOVERY INFORMATION**

Description:	SKU #:	Dept:	Qty:	Unit Price:	Total Price:	Damaged:
TOOLSCARF	000000887986091792	00309	1	\$38.00	\$38.00	N
HERITAGESCRF	000000887986028804	00309	1	\$38.00	\$38.00	N
TIPPED KNIT RYRSBL	000000768856350907	00334	1	\$88.50	\$88.50	N
OPENWORK DROP EARR	000000190365399304	00283	1	\$29.00	\$29.00	N
TRIBAL EARRING	000000191671184455	00283	1	\$35.00	\$35.00	N
TOOLCHIETI	000000887986088860	00309	1	\$69.00	\$69.00	N

Total:=\$297.50

Detaining Detective:	Detective Making Report:	Assisting Detectives:
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**NOT APPROVED**

Case #:71-309-04-0041-2017

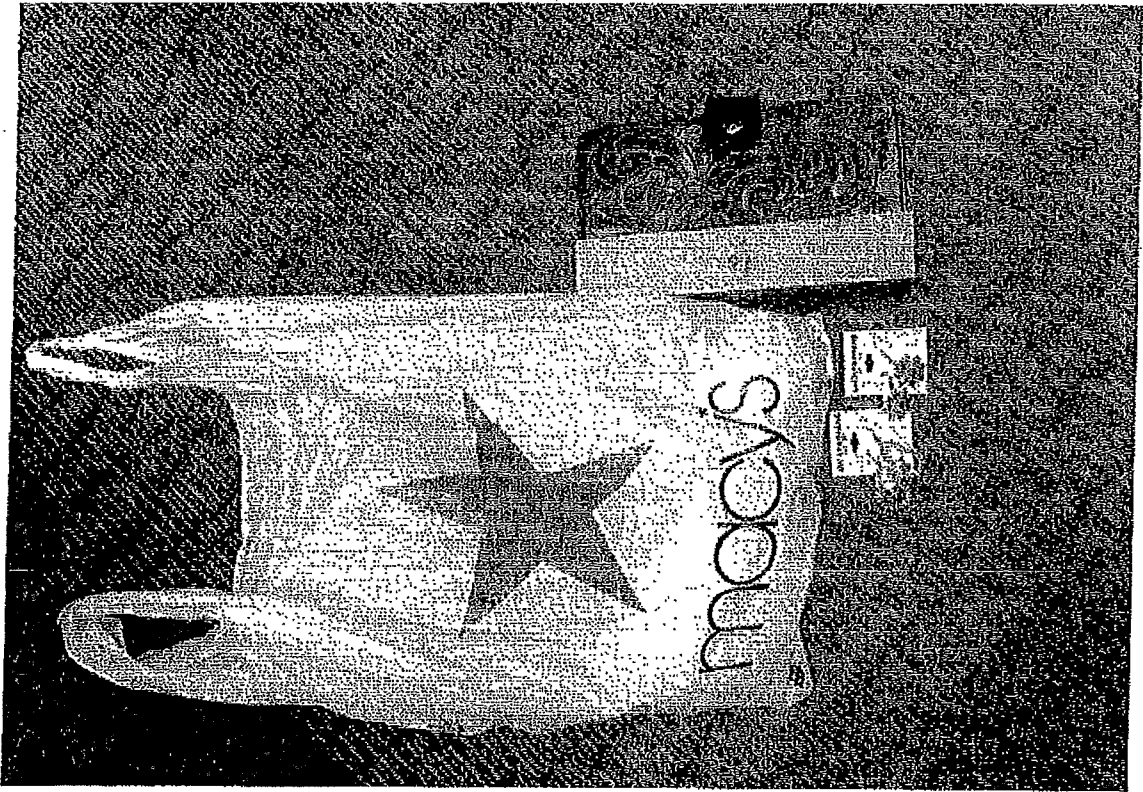
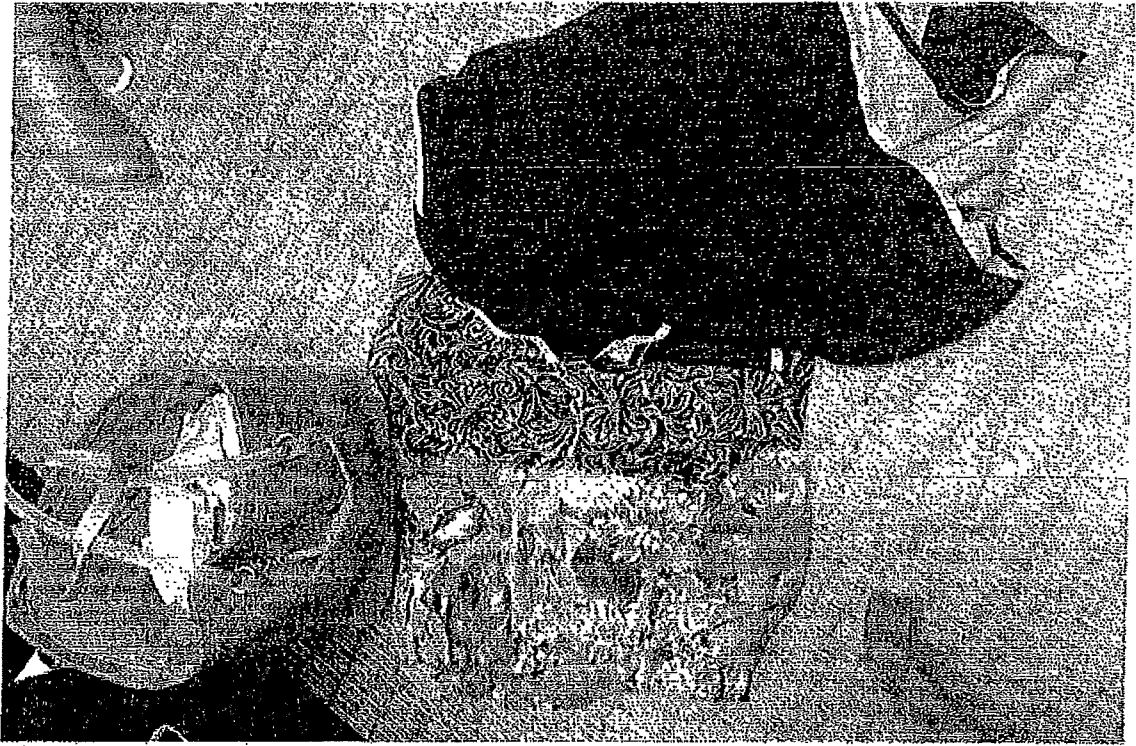
**NARRATIVE:**

On December 31, 2017 at approximately 1:30 PM I, Shontia Brantley Asset Protection Manager (APM) at Macys Southland observed a subject in the Women's Accessories department looking around while holding two Patricia Nash scarves. The subject later Identified to me by MI Driver License as Sherry Ann FRAZIER was wearing a white coat, black white sweater, blue denim jeans, and brown boots carrying a very large brown purse. I observed FRAZIER walk to the back of the department and conceal the two scarves into the purse that FRAZIER was carrying. FRAZIER selected a black shawl and tried it on. FRAZIER placed the shawl back on the fixture and started looking around again. FRAZIER left the department without any merchandise.

I then observed FRAZIER enter into the Ready to Wear department, where she was observed selecting one white sweater. At this time I went out to the sales floor to conduct floor observation of FRAZIER. Frazer was observed approaching the register, where FRAZIER purchased only the white sweater. FRAZIER never attempted to pay for the concealed merchandise that was inside of FRAZIER's purse. After the purchase was complete FRAZIER walked over to the Jewelry department and selected two pairs of Lucky Brand earrings. I then observed FRAZIER walk over to Handbags, FRAZIER selected a Patricia Nash planner and walked towards the back of the department. I observed FRAZIER conceal the earrings and planner into the Macys bag that FRAZIER was carrying. FRAZIER then selected one black shawl and tried it on. After trying the shawl on FRAZIER bent down and concealed the shawl into FRAZIER's purse. I continued observation of FRAZIER by following FRAZIER through the store. FRAZIER walked through the Women's shoe and Fragrance department passing 10 working and staffed registers without making any attempt to pay for the concealed merchandise. FRAZIER passed the last point of sale and exited out of the Fragrance Mall doors (West mall entrance) with the unpaid for merchandise. Once out in the Mall I approached FRAZIER and identified myself verbally and with ID as Macy's Asset Protection. I asked FRAZIER to hand me the bag and purse. FRAZIER complied and was escorted back to the AP office without incident. FRAZIER was not handcuffed.

Once back in the AP office FRAZIER was patted down in search of weapons by me while Sales Manager Dinah Doss witnessed. No weapons were found. The black shawl and two Patricia Nash scarves were recovered from FRAZIER's purse. The two pair of earrings and the planner was recovered from the Macy's bag. FRAZIER was referred to Taylor Police Department for prosecution. FRAZIER was interviewed by me and admitted to taking the merchandise without paying for it. FRAZIER stated "I don't know why I did it. I think it's because my husband died and I need some attention, I guess." Pictures were taken of FRAZIER and the merchandise. Taylor Police was called at 3:20 PM.

Detaining Detective:	Detective Making Report:	Assisting Detectives:
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VAN BUREN CHARTER TOWNSHIP  
ETHICS POLICY

RESOLUTION 2003-45

The following Resolution was offered by Trustee Hart and seconded by Clerk Payne.

**Purpose.**

Public office and employment are public trusts. Trust comes from requiring and maintaining integrity of the highest standard on the part of elected and appointed officials and employees. Whenever conduct undermines that integrity and trust, either actual or perceived confidence is jeopardized. Any attempt to realize personal gain through public office or public employment is a violation of that trust. The purpose of this policy is to set standards of ethical conduct that are clearly established and uniformly applied and to provide for penalties where appropriate. This policy is intended to be preventive in nature rather than punitive. It should not be construed to interfere or abrogate in any way the provisions of any federal law, Michigan statute, Township ordinance, or any rights and/or remedies provided for under a collective bargaining agreement.

**Responsibilities of Public Office.**

\* Township officials and employees are bound to uphold the Constitution of the United States and the Constitution of the State of Michigan and to carry out impartially and comply with the laws of the nation, state and the Charter Township of Van Buren. Township officials and employees must not exceed their authority or breach the law or ask others to do so. Township officials and employees are bound to observe in their official acts the highest standards of morality and to discharge the duties of their offices faithfully, regardless of personal consideration, recognizing that their conduct in both their official and private affairs should be above reproach.

All Township officials and employees shall safeguard public confidence by being honest, fair and respectful of all persons and property with whom they have contact, by maintaining non-partisanship in all official acts, and by avoiding conduct which may tend to undermine respect for Township officials and employees and for the Township as an institution.

**Policy.**

\* It shall be the policy of the Township that all public officials and employees must avoid both conflicts and the appearance of conflicts between their private interests and those of the general public whom they serve. To nurture and promote the faith of the public in its government, it is necessary to establish rules for separating their roles as private citizens from their roles as public servants. Where government is based upon the consent of the governed, every citizen is entitled to have complete confidence in the integrity of his or her government. Every official, employee or advisor of the government must help to earn and must honor that trust by his or her own integrity and conduct in all official duties and actions.

Definitions.

Wherever used herein, the following terms shall have the following meanings:

Agreement – an understanding between two or more persons or entities; a contract.

Appointed – selected and installed in an office or position.

Benefit – advantage; any improvement in position, finances, power, or influence.

Business- commercial, residential or industrial enterprise, establishment, store, etc; work employment or profession of an individual or group; commerce.

Candidate – someone who seeks or has been proposed for an office, position or award.

Compensation – any money, thing of value, or other compensatory or pecuniary benefit received or to be received in return for or as reimbursement for services rendered or to be rendered.

Conflict of interest – either a personal interest or a duty or loyalty to a third party that competes with or is adverse to a Township official's or employee's duty to the public interest in the exercise of official duties or official actions.

Contract – agreement of mutual understandings supported by present or future consideration.

Decision making – exercising public power to adopt laws, regulations or standards, render quasi-judicial decisions, establish executive policy, or determine questions involving substantial discretion.

Gift – anything of value given without consideration or expectation of return.

Official – any person holding an elected office of the Township, or any appointed, non-employee member of any Township board or commission, including consultants who give professional advice or services regarding matters of his or her special knowledge or training.

Official duties or Official action – a decision, recommendation, approval, disapproval or other action or failure to act which involves the use of discretionary authority.

Person – any individual, entity, corporation, partnership, firm, association, union, trust, estate, and any parent or subsidiary of any of the foregoing, whether or not operated for profit.

Potential conflict of interest – a situation where the interests of the Township and the interests of someone else will, may or might conflict in the ordinary course of events.

Relative – a person who is related to an official or employee as spouse or as any of the following, whether by blood or by adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law,

daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister, half-brother or half-sister or members of the official or employee's household.

Township -- Van Buren Charter Township.

Township employee -- an employee of Van Buren Charter Township.

Rules.

1. Gift, compensation or economic interest. No official or employee of the Township shall solicit, accept, or receive, directly or indirectly, any gift, compensation, or anything of economic value, whether in the form of money, service, loan, travel, entertainment, hospitality or any other form, or a promise of any of these things for an agreement that the vote or the official action or decision of an official employee, or candidate for elected office in the Township would be influenced thereby.
2. Preferential treatment. No official or employee of the Township shall use or attempt to use his or her position to secure, request or grant any privileges, exceptions, advances, contracts, or preferential treatment for himself or herself or any other person. ~~All officials and employees of the Township shall treat all citizens of the Township with courtesy, impartiality, fairness, and equality under the law.~~
3. Use of information. No official or employee of the Township who acquires information in the course of his or her official duties, which information by law or policy is not available at the time to the general public, shall use such information to further the private economic interest of himself or herself or any other person.
4. Use of Township property. No official or employee of the Township shall, directly or indirectly, use or permit any other person to use Township property of any kind for his or her private economic interest or that of any other person. Township officials and employees shall strive to protect and conserve all Township property including equipment and supplies entrusted or issued to them. This rule does not preclude the use of publicly owned property that is made available by general practice to the public at large.
5. Political activity. No official or employee of the Township shall use any Township time or property for his or her political benefit or for the political benefit of any other person seeking elective office, provided that the foregoing shall not prohibit the use of property or facilities available to the general public on an equal basis. No political activity shall interfere with the performance of the duties of any Township official or employee.
6. Doing business with the Township. No official, employee, or his or her relative shall engage in any business with the Township, directly or indirectly, without filing a complete written disclosure statement for each business activity the official, employee, or relative has an interest in. Such disclosure shall be made on an annual basis and prior to any decision on a business activity not previously disclosed in an annual disclosure. No public official or employee or his or her relative shall engage

in any business transaction where the official or employee or relative may benefit financially from confidential information that the official or employee obtained or could have obtained by reason of that position or authority.

7. Nepotism. The spouse of any elected Township official or any appointed official shall be disqualified from holding any appointed office. The immediate family members of any elected Township official or appointed official and the spouses of any such family members shall be disqualified from holding full-time or permanent part-time employment with the Township during the term served by said elected official or during the tenure of the appointed official. This section shall in no way disqualify such relatives or their spouses who are bona fide appointed officers or employees of the Township at the time of the election of said elected official or appointment of said appointed official.
8. Contracts with the Township. No official or employee of the Township shall take any official action on any contract with the Township or any other matter in which he or she has a financial interest.
9. Serving on an elected municipal governing board. No official or employee of the Township shall serve on an elected municipal government board when such service is inconsistent with State law.
10. Dual representation. No public official or employee of the Township shall attempt to use his or her official position to secure special privileges or exemptions for himself or herself or for others.
11. No official or employee of Van Buren Charter Township shall represent his or her personal opinion as that of the Township.
12. Full disclosure. The following disclosure requirements are established to avoid both actual and perceived conflicts between the private interests and the public interests of public officials and employees.
  - a. Self interest. No public official or employee, either on his or her behalf or on behalf of any other person, shall have an interest in any business transaction with any public body of the Township unless the person shall first make public disclosure of the nature of such interest.
  - b. Disclosure and disqualification. Whenever the performance of official duties shall require a public official or employee to deliberate and vote on any matter involving his or her financial or personal interest, that person shall publicly disclose the nature and extent of such interest and is disqualified from participating in the deliberations and voting on the matter unless State law specifies otherwise.
  - c. Dual employment. No public official or employee shall engage in employment with or render services for any person or entity that has business

transactions with any public body of the Township without first making full public disclosure of the nature and the extent of the employment or service. Disclosures must be made before the time to perform his or her duties. If the official is a member of a decision-making or advising body, he or she must make disclosure to other members of the body on the official record. An appointed official or employee must make disclosure to the Township Supervisor. An elected official must make disclosure to the general public. However, this section shall not prohibit a part time elected official or appointed official from engaging in private employment or business on his or her own time as a private citizen, and where Township business is not involved. The Township Supervisor must make such a disclosure to the Township Board of Trustees.

13. Reporting procedure for elected or appointed Township officials but not Township employees. Conduct that may violate this Policy should be reported to the Township Supervisor. The report must be in writing and signed. The Supervisor will decide who will investigate the report. The Township Board of Trustees will make the final decision on whether the policy has been violated.
14. Reporting procedure for Township employees, other than appointed employees. Conduct that may violate this Policy should be reported to the Township Supervisor. The report must be in writing and signed. The Supervisor will investigate the report and if necessary carry out the appropriate discipline.
15. Rules of conduct for employees that have outside business relationships are considered in appendix (A) to this Policy and as approved by the Township Board.
16. Full disclosure as described in section 12 including notice of all outside employment prior to accepting such employment, shall be made by the employee on prescribed forms and given to the Township Supervisor (See appendix B).

Penalty.

All officials and employees are expected to follow this policy as a condition of employment or service to the community. Failure to do so by any employee will result in disciplinary action up to and including discharge. Failure to do so by any elected or appointed official will result in an evaluation by the Township Board of Trustees, and could result in the removal of the official if the Board decides it is appropriate, unless state law specifies otherwise. This section does not eliminate the possibility of criminal or civil charges being filed if the circumstances warrant such action.

- The appropriate action to be taken in any individual case shall be at the discretion of the controlling authority and may include but is not limited to any of the following:
- a. Referral of the matter to a higher authority.
  - b. Pursuing further investigation.
  - c. Taking appropriate disciplinary action including discharge.
  - d. Deeming no action to be required.

- e. Pursuing such other action which is reasonable, just and appropriate under the circumstances

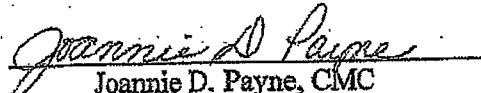
This Resolution shall take immediate effect.

YEAS: King, Payne, Budd, Hart, Herman, Jahr and Rochowiak.

NAYS: None.

ABSENT: None.

I, Joannie D. Payne, CMC, Clerk of the Charter Township of Van Buren do hereby certify that the foregoing is a true and accurate resolution duly adopted by the Board of Trustees at their regular meeting held December 16, 2003 in the Board Room, Township Hall, 46425 Tyler Road, Van Buren Twp., Michigan.

  
Joannie D. Payne, CMC  
Township Clerk



APPENDIX A

VAN BUREN CHARTER TOWNSHIP  
RULES OF CONDUCT FOR EMPLOYEES THAT  
HAVE OUTSIDE BUSINESS RELATIONS

Purpose.

Given the sensitive nature of Township work and the complications that can result from outside work or business interests, these rules shall pertain to all employees who have outside employment or who have outside relationships with business partners or any personal business relations that could cause a conflict with their Township work. These rules will be reviewed and are subject to the approval of the Township Board. Once approved, they shall be enforced by the Township Supervisor. A violation of the rules shall be cause for discipline or dismissal.

1. Employees are required to refrain from outside work or business arrangements that could cause a conflict with their Township work. If an arrangement occurs that could cause a conflict, the employee is required to follow these rules of conduct to avoid any conflict of interest. If such relationships interfere with the employee's ability to effectively perform his or her duties, the employee will be required by the Township Supervisor to sever his or her outside business relationship or give up his or her Township job.
2. An employee shall disclose to the Township Supervisor on or before taking work or entering into an outside business relationship, all work or business relationships in which he or she is a partner for profit or in which he or she is paid for services in any form or manner. (See appendix B).
3. There shall be no meeting, casual conversations, or business of any kind conducted during Township business hours, in or out of the office, with any business partner or other individual that pays an employee for any services whatsoever unless such is first approved by the Township Supervisor.
4. There shall be no Township inspections done or approvals, permits, or licenses issued by an employee to individuals or businesses in which the employee has any business relationship, is a partner for profit, or is paid for services in any form or manner whatsoever.
5. A business in which an employee is a partner for profit or is paid for any service shall not perform services for Van Buren Charter Township unless the business relationship is disclosed to the Township Supervisor. Approval of the proposed business dealing shall be determined by either the Supervisor, the majority of full-time elected officials or the Township Board based upon the thresholds outlined in the Township Purchasing Policy, with said approval being granted at least seven (7) days prior to any contract, transaction, or service being performed. For

example, if the proposed business dealing was not previously approved by the Township Board, i.e. at the time of budget adoption, and has a value up to \$3,499.99, said approval can be granted by two of the three full-time elected officials provided neither of the two granting approval is a partner for profit to the business dealing. At any time, the Township Supervisor, may at his/her discretion, forward any such proposed business dealing to the Board of Trustees for their consideration.

APPENDIX B

VAN BUREN CHARTER TOWNSHIP  
REQUEST FOR SUPPLEMENTARY EMPLOYMENT AND/OR  
DISCLOSURE OF BUSINESS INTEREST OF EMPLOYEE OR FAMILY MEMBER

\_\_\_\_\_  
Employer or business relationship

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Current Van Buren Charter Township job

\_\_\_\_\_  
Department

What family interest is involved? \_\_\_\_\_

What employer or business interest is involved? \_\_\_\_\_

I certify that this employment or business relationship will in no way conflict or interfere with my Township employment. I further certify that I read, understand, and agree to the following conditions:

1. This employment or business relationship must in no way conflict with the Township rules concerning supplementary employment or business relationship or cause a conflict with work hours required for Township employment.
2. This employment or business relationship will not interfere with the quality of my Township work or the satisfactory and impartial performance of my Township duties.
3. I must secure written approval from my Departmental supervisor and the Township Supervisor before engaging in or changing currently approved supplementary employment.
4. I am prohibited from working, whether for compensation or otherwise, for any business or organization that does business with or provides services to the Township without first giving at least seven (7) days notice to and receiving approval from the Supervisor, the majority of full-time elected officials or the Township Board as provided for in section #5 of Appendix A to the Ethics Policy.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
PRINT - Employee Name

\_\_\_\_\_  
Signature of immediate supervisor

\_\_\_\_\_  
Recommendation

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Township Supervisor

\_\_\_\_\_  
Approved/Disapproved

\_\_\_\_\_  
Date

Comments: \_\_\_\_\_

# **EXHIBIT 3**

# around the state

townships in the spotlight



## Van Buren Charter Township

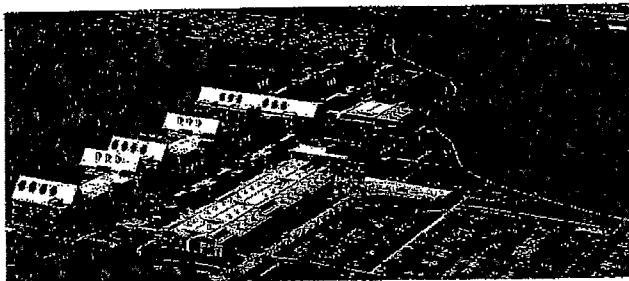
**E**stablished in 1835 and named after the eighth U.S. president, Martin Van Buren, **Van Buren Charter Township** (Wayne Co.)

is a premier community with a commitment to providing quality programs and services to residents and visitors. The original population of 500 grew quickly as a result of major improvements to the township's infrastructure, including the construction of railroads, formation of Belleville Lake, development of airports, and building of the Bomber Highway, now I-94.

Situated at the crossroads of I-94 and I-275, Van Buren Charter Township is a convenient destination at the midway point between Detroit and Ann Arbor. Providing unparalleled access to highway and rail systems and close proximity to Willow Run Airport and Detroit Metropolitan Airport, the township is a sweet spot for businesses and residents alike. With a blend of rural character and suburban amenities, it offers a unique location for business development alongside family-oriented neighborhoods and a distinctive downtown business district boasting a variety of gathering places to enjoy delicious food, history, art and entertainment.

The township presents opportunities for business growth through location, flexibility and the ever-changing market demand. Retail supply and demand in Van Buren Charter Township's local and regional trade areas support expansion through new businesses, the conversion or repositioning of existing businesses, and build-to-suit options. Ideally located within the Airport District, the Van Buren Charter Township area is quickly becoming one of southeast Michigan's most desired locations for major technology hubs, thriving start-ups and the American Center for Mobility at Willow Run Airport, which opened in December 2017.

Active families enjoy Belleville Lake, Wayne County's largest inland lake, covering 1,200 acres, and an extensive parks and recreation system that includes five community parks, sledding hill, picnic shelters, walking and biking trails, sports fields, playgrounds, boat launches, fishing piers and a beach. Enjoy year-round, family-friendly events for all ages, presented by the Van Buren Parks & Recreation Department and the September Days Senior Center. Classes, activities, summer concerts, 4th of July fireworks, art and craft fairs, classic car shows and more showcase Van Buren Charter Township's dedication to offering something for everyone.



# EXHIBIT 4

Public service is a public trust requiring officials to conduct themselves in a manner that will instill public confidence and trust. The Citizens and Businesses of Van Buren Charter Township are entitled to have fair, ethical and accountable local government. I firmly believe Ms. Fraizer has broken this trust by conducting herself unethically.

On numerous occasion, dating back to May of 2017 Ms. Frazier has made several allegations of malfeasance in my expenditures while performing the duties associated with my elected position as Clerk. All my expenditures have been consistent with Township policies, procedures and were approved during the budget process. These personal charges and verbal attaches upon my character have been completely unwarranted.

At the board table Ms. Frazier is often heard speaking prior to be recognized, over another board member and heckling from her seat at the table.

On February 20, 2018 Ms. Frazier's personal attacks took a completely different turn following the Board meeting when I asked to speak with her and she pushed me back and screamed "Get out of my face". I will not tolerate nor do I accept violent behavior. A police report of the incident was filed.

At the Board of Trustees meeting held March 6, 2018 Ms. Fraizer stated she had authored an article recently published in the Michigan Township Association Focus magazine. When given a second opportunity to recant she again took credit. Following the meeting I learned that she had not authored the article and during the Board Meeting of March 20, 2018 claimed she was just "joking".

*Leon Wright, Clerk*  
*3/28/18*

At the March 6<sup>th</sup> Sherry Frazier took credit for a magazine article that was actually written by DDA Assistant Lisa Lothringer. Just after the meeting I was told of a text stating Lisa had submitted the article and the DDA Director was very upset so I let the Board know who wrote the article before everyone left the township hall. I asked Sherry before she left the township hall how she could lie on camera and she went off on a tangent about an incident that had happened with my deputy a week earlier. Deputy Clerk Joanne Montgomery told her to back off and she continued to rant and rave down the hallway until I went into my office. When Sherry apologized at the next meeting she said it was a joke even though she had stated on three different time that she had done it. Her apology did not seem sincere.

The week before she had asked Sean to call and she was reminded she had to take that request though Dan Selman. She came to my counter and yelled at my staff and deputy saying that didn't get the message right. Another employee was embarrassed for her actions and mentioned it to me. The next day Sherry came into to see me and asked what the problem was and I explained that she knew information requested had to go through Dan Selman. She said it was private and I told her she should have said so or she could have called me. The next day one of my employees said she felt intimidated by her.

It seems at board meeting she has to have the last word and gets irritated easily and she continues to raise her voice. .

She tries to talk over most board members and shows them no respect.

*Sherry Q. Budd*  
3-27-18



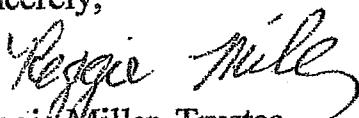
March 29, 2018

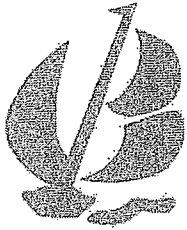
At the March 6<sup>th</sup> Board meeting, Paul White announced that in a recent MTA Publication, a nice article was written about Van Buren Township. When I asked who we had to thank for getting the article published, Sherry Frazier spoke up and said a she did it. She also went on to say that the article was free to publish. I then verbally thanked Sherry Frazier for her work on the article. At no time during this conversation, did I believe that Sherry Frazier was joking, and I took her actions as being sincere. At the end of the meeting in the township hallway, I learned that Sherry Frazier did not have anything to do with the article getting published. In fact, I was told that Lisa Lothringer was responsible for working on the article and getting this piece published. Because of Sherry Frazier's actions regarding this incident, I believed that Sherry demonstrated irrational behavior and unethical self-control of a public official.

On March 16th, I met with Lt. Charles Bazzy and Kevin McNamara in the Supervisor's office in which they told me that on December 31, 2017, Sherry Frazier was arrested and charged with shoplifting at Macys Department Store in Taylor, Michigan.

I believe that holding public office is a position of public trust and should be to the highest standards of integrity. I believe a violation of breach of duty of care occurred because she did not uphold her duties to the community in which Sherry serves. Her decisions and actions of committing the immoral act of shoplifting lacked sound judgment, and she did not hold herself accountable to a higher standard of integrity. Therefore I feel that Sherry Frazier committed misconduct in office.

Sincerely,

  
Reggie Miller, Trustee



# Charter Township of Van Buren

## BOARD OF TRUSTEES

SUPERVISOR  
Kevin McNamara

CLERK  
Leon Wright

TREASURER  
Sharry A. Budd

TRUSTEE  
Sherry A. Frazier

TRUSTEE  
Kevin Martin

TRUSTEE  
Reggie Miller

TRUSTEE  
Paul D. White

April 1, 2018

Supervisor Kevin McNamara  
46425 Tyler Road  
Van Buren Twp, MI 48111

Dear Supervisor McNamara:

Please accept this letter in response to the request to detail the bad behavior of a specific member of the VBT Board. At this time, I am unwilling and unable to do that as I believe that all members of this board are complicit to some extent in the discord and harsh discourse over the last 16 months.

Before Supervisor McNamara even called our first meeting to order, Trustee Frazier set the tone by flipping over my nameplate and causing a stir because she was unhappy with the seating assignments. We have spent more than a year with too many "gotcha" moments, campaign re-election commercials cloaked as statements about agenda items and varied personal attacks. The events over the last month are just the final straw. The allegations regarding physical assault and the revelation of a pending criminal matter remain in fact just allegations. I think that to comment on these issues at this time are premature.

Early in our term we met with Mike Kole to do some team building exercises. At that time we discussed how to work together to be honest, open, and to not personally attack each other. We also agreed not to have "gotcha" moments. Over the last 16 months we have failed to follow these simple instructions. We have all been to MTA training classes and the class that stands out to me is titled "Boards that Speak with One Voice." We are quick to cite the MTA when it's convenient, but are we really taking what we have learned to heart? What I have experienced thus far on this board defies a lot of the MTA's counsel and has led us to this place.

It is an honor and privilege to serve on the VBT Board of Trustees. I hope in the future we can discontinue the harsh discourse and personal attacks and act in an appropriate manner.

Sincerely,

VBT Trustee Kevin Martin





# Charter Township of Van Buren

## BOARD OF TRUSTEES

SUPERVISOR  
Kevin McNamara

CLERK  
Leon Wright

TREASURER  
Sharry A. Budd

TRUSTEE  
Sherry A. Frazier

TRUSTEE  
Kevin Martin

TRUSTEE  
Reggie Miller

TRUSTEE  
Paul D. White

February 22, 2018

Trustee Frazier,

The following letter is intended to serve as a frank communication exemption of FOIA (Attorney's say this is a non-FOIAable document). It is advisory in nature, contains mainly my opinion and is meant as an attempt to avoid any complaint by a Van Buren Township employee and ensuing investigation.

I am writing this letter to formally let you know that your actions and conduct toward your colleagues and the employees of Van Buren Twp. will not be quietly tolerated any longer. To date you have never been denied any information from this office or any office. Our Employees have always treated you with the respect due your position. And yet, you bark orders at our employees as if they were chattel to serve your whims. Employees are afraid of your tantrums and public humiliation, and as such, have treated you with "kid gloves" in fear of "setting you off".

I have just learned that you recently lambasted the entire Treasurers office for a perceived slight. That slight is that they will give you any information you require, but through proper channels, as they are part of a growing list of employees that don't want to deal with your unprofessionalism.

You are way out of bounds as a Trustee when you publicly scream at, and humiliate, whole departments of employees. To make matters worse, you just attended a training class that was mandatory for all employees the day before on "Respect in the Work Place".

In addition, I have been told that you were pushing aggressively other board members last night after our meeting. I can't believe I am saying this - YOU CAN'T HIT BOARD MEMBERS!

Actions have consequences. Van Buren fosters a respectful work environment. It is good business and work places that foster an abusive workplace get rightfully sued. Your actions have left me with no other option but to send this formal letter demanding that you cease this behavior to your colleagues and the employees of Van Buren.

I hope this can be the end of this discussion and these issues going forward.

Kevin McNamara



# EXHIBIT 5

**CHARTER TOWNSHIP OF VAN BUREN  
BOARD OF TRUSTEES MEETINGS  
MEETING CONDUCT POLICY AS AMENDED**

**Resolution 2013-05**

**AUTHORITY**

This policy is adopted by the Board of Trustees of the Charter Township of Van Buren pursuant to provisions of the Michigan Compiled Laws, 42.1 et seq. 1947, Act. 359 as amended, known as the Charter Township Act.

**MEETINGS**

The Board of Trustees shall duly adopt an annual meeting schedule prior to the start of the next calendar year. The Board of Trustees will generally meet on the first and third Tuesdays of each month, unless otherwise noticed, at 7:00 p.m. Meetings of the Board will generally be held in the Board Room at Township Hall, 46425 Tyler Road, Van Buren Township, Michigan. Any change in meeting location will be duly noticed in accordance with state statute. Work Study Sessions will generally be held, unless otherwise noticed, at 4:00 p.m. on the Mondays prior to the first and third Tuesdays of each month in the Sheldon Room. Work Study Session will be only held for the following: 1) When there are agenda items to be presented such as contracts in which the Board may need extra time to review and request further information. 2) To gather information and exchange viewpoints on agenda topics before they become "action agenda items" at a Board meeting. The audience may address the Board during Work Study meetings on specific items under discussion with three (3) minutes per speaker time limit. The Township Supervisor or Chairperson Pro-Tem, as the case may be, may, in his/her discretion extend the time for comment by an audience member.

As a general rule, meetings shall not be held on legal holidays.

Actions, resolutions or other commitments on specific proposals shall be taken in accordance with the Open Meetings Act, MCL 15.261 et seq.

**SPECIAL MEETINGS**

Special Meetings may be called by the Township Supervisor or any two members of the Board of Trustees. Notice shall be given to Board members at least 24 hours in advance of the meeting and the Township Clerk shall cause to be posted notice of said meeting at least eighteen (18) hours in advance. The Clerk shall notice said special meeting including the time, place and purpose of the meeting, by posting said notice on public bulletin boards located within Township Hall and/or other prominent and conspicuous places reasonably accessible to the public, on the township's governmental access television channel and the township's website.

### CLOSED MEETINGS

The Board of Trustees may meet in closed session, a meeting closed to the public, upon the motion of any Board member, concurrence of that motion and an affirmative 2/3 roll call vote of the Board of Trustees members, elected or appointed and serving on the Township Board. Closed sessions may only be held in compliance with the Open Meetings Act.

### EMERGENCY MEETINGS

An emergency meeting shall be held only upon the consent of two-thirds of the Board of Trustees members, elected or appointed and serving and only if a delay in scheduling a special meeting would pose severe or imminent danger to the health, safety or welfare of the public and delay would be detrimental to efforts to lessen or respond to the threat. If possible, notice of the emergency meeting will be posted 18 hours prior to the meeting. However, if the 18 hours posted notice requirement is not met, the emergency meeting shall go forward in accordance with applicable state law including the requirement of notice to be made available at the meeting and the requirement of subsequent notice.

### QUORUM

Four (4) members of the Board of Trustees shall constitute a quorum for the transaction of business at all meetings of the Township Board with the exception of the requirement for an affirmative 2/3 roll call vote of the Board of Trustees members, elected or appointed and serving to vote in the affirmative to move into Closed Session. A Board member shall notify the Township Supervisor as soon as possible when the member is unable to attend a Board meeting.

### MEETING MINUTES

The Township Clerk is responsible for the preparation and recordkeeping of all minutes of meetings of the Township Board. Minutes of closed meetings shall be maintained separately for a period of one year and one day after which time they shall be destroyed, and shall not be disclosed to the public except upon court order. It is expressly understood the purpose for preparing and maintaining meeting minutes is to properly record the official actions of the Township Board. Only those comments made during the Public Hearings or Non-Agenda portions of a Board meeting will be recorded in the meeting minutes and may be edited by the Township Clerk in the interest of brevity and conciseness. Copies of the meeting minutes prepared by the Clerk, but not approved by the Board, shall be available for public inspection not more than eight (8) business days after the meeting. Minutes approved by the Board shall be available within five (5) business days after the meeting in which they were approved. The Township Clerk shall publish and maintain said meeting minutes as legally required.

### PUBLIC NOTICE OF MEETINGS

The Township Clerk shall provide proper notice for all meetings and meeting cancellations of the Township Board. All notices shall include the day, time and place of said meetings. Special and closed meeting notices shall also include the purpose for said meeting. Should a Board of Trustees meeting be cancelled, the reason for said cancellation shall be included in the notice. Notices shall be placed upon the public bulletin board located near the Clerk's Office at Township Hall and/or other prominent and conspicuous places reasonably accessible to the public, on the township's governmental access television channel and on the township's website [www.vanburen-mi.org](http://www.vanburen-mi.org). The Township Clerk shall, upon request, provide notice to the local media and upon request to other newspaper, radio or television media located in the State. Other interested individuals or parties may also be provided notice of meetings, changes in the meeting schedule or special meetings upon written request and agreement to pay the Township for printing and postage expenses. The Township Clerk shall mail all such notices pursuant to this rule by first class mail. Upon request, notices may be faxed or emailed. No liability shall be incurred by the Township or any of its elected and appointed officials or employees as the result of the failure or delay in providing or receiving such notice.

### AGENDAS & MEETING MATERIALS

The Township Supervisor shall review and approve all items to be placed upon the agenda of the Board of Trustees. Upon written request, any two or more Board members may also place items upon the agenda for Board consideration. The Township Clerk shall prepare the agendas for all meetings and shall distribute agendas and meeting materials. The following provisions govern the items to be included on a Township Board agenda:

1. Regular Meetings: all agenda items shall be submitted to the Township Supervisor by 12:00 noon on the Tuesday preceding the next regular meeting. This includes all items for which official Board action is sought, as well as reports or other non-action Board information. If the Township Supervisor determines the item to be complete such that the Board has sufficient information with which to act upon the request, the Township Supervisor shall submit agenda items to the Township Clerk no later than 12 noon on the Wednesday prior to the Tuesday Board meeting. Items that are deemed incomplete will be returned to the appropriate party and will only be considered for inclusion on the agenda once they are complete.

The Township Clerk shall have the agenda prepared and ready for distribution no later than 4:00 p.m. on the Thursday prior to the Tuesday Board meeting. Reasonable accommodations may be made due to holidays or other unforeseen events that could occur.

Agenda packets for Board members shall be placed in their mailboxes at Township Hall and/or emailed to Board members. Agenda packets for

department directors may be obtained at the Clerk's Office or at the Board Work Study Session. Media packets for the local media may be obtained at the Clerk's Office or upon request, may be obtained after business hours at the Public Safety Department lobby. Any other arrangements for the distribution of agenda packets may be made with the concurrence of the Township Clerk.

2. **Work Study Session:** all agenda items shall be submitted to the Township Supervisor by 12:00 noon on the Tuesday prior to the Monday Work Study Session. The Township Supervisor shall submit the agenda items to the Township Clerk no later than 12 noon on Wednesday prior to the Monday Work Study Session. Agenda packets will be distributed to the Board members on Thursday prior to Work Study Session. If there are no agenda items meeting the criteria for the Work Study Session the Work Study Session will be cancelled.
3. **Special Meetings and Emergency Meetings:** all matters to be considered shall be stated in the notice of the meeting. No other matters will be considered. The Board will be provided written material as soon as possible prior to the commencement of the meeting.
4. **Closed Session Meetings:** all matters to be considered shall be stated in the meeting notice. No other matters will be considered. In general, written material will be disseminated to the Township Board at the Closed Session Meeting.

#### ORDER OF BUSINESS

Following is the manner in which the meeting agenda will be arranged for Board Meetings:

**Call to Order**  
**Pledge of Allegiance**  
**Roll Call**  
**Adoption of Agenda**  
**Adoption of Consent Agenda**  
**Public Hearings (if necessary)**  
**Approval of Minutes**  
**Correspondence** (includes presentations of special awards, employee service awards, special recognitions.) Letters of correspondence must conform to the above listed categories of awards and recognitions and be delivered to the Township Supervisor 48 hours before the meeting. Letters will only be read by the Chairperson or his/her designee if deemed appropriate.  
**Public Comment** (on Unfinished Business or New Business)  
**Unfinished Business**  
**New Business**  
**Voucher List**  
**Announcements** (includes township activities or announcements by civic or non-profit organizations)



Non Agenda Items (Must conform to Public Comment at Board Meetings section and includes non-agenda items from either Board members or the general public and general public comment)

Closed Session (may be inserted anywhere after adoption of the agenda as determined by the Board.)

Adjournment

### **ORDER OF BUSINESS**

Following is the manner in which the meeting agenda will be arranged for Work Study Sessions:

Call to Order

Roll Call

Unfinished Business

New Business

(The audience may address the Board on items under discussion with a three (3) minutes per speaker time limit, which maybe expanded by the chairperson.)

Closed Session (may be inserted anywhere after adoption of the agenda as determined by the Board.)

Adjournment

### **CONDUCT OF MEETING**

The Township Supervisor shall moderate and chair all meetings of the Township Board. In the absence of the Township Supervisor, the Township Clerk shall call the meeting to order and entertain a motion to appoint a Chairperson Pro-Tem for the meeting, by a majority vote. This individual may be any member of the Township Board.

The Township Supervisor or Chairperson shall introduce every item to be deliberated by the Township Board. Items may be presented by the Township Supervisor or other Board members as may be applicable, or by department directors. Items may also be presented by the party or entity seeking Board approval (For example, civic/non-profit organizations, residents, developers, potential parties to a contract, or other interested parties.).

**Voting:** the Township Supervisor or Chairperson shall reiterate for clarity all motions made by the Board, listing the motion maker and motion supporter and the action outlined in the motion. The Township Supervisor or Chairperson will call for the vote and duly note the approval or denial represented by the majority vote of the Township Board. Board members may only abstain from voting upon matters in which he/she has a financial interest other than the common public interest; upon any question concerning his/her own conduct; or upon a matter pursuant to the Township Ethics Policy. No Board member shall abstain from voting "aye" or "nay" (yes or no) unless excused by the unanimous consent of other Board members present. Said consent shall be by way of a

motion with concurrence and affirmative vote to permit the named Board member to abstain.

In the case of a split vote in which both "ayes" and "nays" have been verbalized, the Township Supervisor shall request the Township Clerk to conduct a Roll Call vote. The Township Clerk shall duly call a Roll Call vote, by calling upon each Board member to state his/her vote and shall publicly state the outcome of that Roll Call vote. Roll Call votes shall be in random order with the Township Supervisor being called upon last, and shall also note the abstention, disqualification or absence of Board members as applicable.

**Addressing the Board:** those wishing to speak shall first obtain the approval of the Township Supervisor or Chairperson to do so. Persons at the meeting shall not speak unless called on by the Township Supervisor or Chairperson. Only one person shall be permitted to speak at a time. The Township Supervisor or Chairperson shall determine, based upon the comment(s) made, who, if anyone, may further address the topic and either respond him/herself, or direct someone else, a department director, for instance, to provide further information on the topic being discussed.

**Secretary to the Board:** the Township Clerk shall appoint an individual to serve as Secretary to the Board. The Secretary to the Board shall be responsible for audiotaping all regular, special and emergency meetings of the Township Board and shall prepare or assist the Township Clerk in the written minutes of the proceedings of those regular, special, emergency and study session meetings of the Township Board. It is expressly understood the sole purpose for which the Secretary to the Board audiotapes meetings is to facilitate the written preparation of meeting minutes. Upon approval of the minutes at a subsequent Board meeting, the Secretary to the Board shall reuse the tapes, as practical, for use in accurately preparing future meeting minutes. At the direction of the Township Clerk, the Secretary to the Board may attend Closed Sessions of the Board and assist in the written recordings of those closed meetings. The Secretary to the Board may assist, as needed, in the roll call votes and recording of such votes in the absence of or at the direction of the Township Clerk. The Secretary to the Board may perform other duties as determined by the Township Clerk.

**Public Comment at Board Meetings:** the public is encouraged to attend all public meetings of the Township Board, and in accordance with the Americans with Disabilities Act, upon advance notice, reasonable accommodations will be made to accommodate said persons. To make themselves more informed about the items appearing on the agenda, it is suggested that individuals seek information from the appropriate department or through the Supervisor's Office on items of interest prior to the meeting. This provides an opportunity for information to be relayed and if needed, appropriate research to be conducted to provide a more thorough response. Often, township staff can address a concern quickly or provide the Board with additional information in advance of their deliberations.

The public will be afforded an opportunity to address the Board with comments or concerns regarding Unfinished Business or New Business Items being considered prior to

that portion of the Board meeting, during Public Hearings, and during the Non-Agenda Items. Public comments must be made at the podium and shall be directed to the Township Supervisor or Chairperson. Comments may be permitted only after one has been recognized by the Township Supervisor or Chairperson and has moved to the podium. If several members of an organization or group are in attendance to express the same concerns, they are encouraged to select one individual to serve as their spokesperson who can indicate they are speaking for that body or group.

Members of the public will be permitted to display signs, provided they are not offensive and do not disturb or create a visual obstruction for other audience members. Persons attending meetings also have the right to tape record, to videotape, to broadcast live on radio and to telecast live on television the proceedings of the public body at a public meeting without prior approval of the Township. However, the set-up and location of equipment to record, videotape, broadcast or televise Township meetings shall not compromise the public's safety, and shall be done in such a manner as to prevent disruption of the meeting and/or interference with Township recording and/or broadcasting equipment. Visual obstructions will be moved to provide that these matters are adequately addressed.

Comments by the public may include one's name and address (preferred, but not required) or township residency, and be germane to Township business, meaning topics over which the Township Board has authority and which involves Township matters or township services. During Public Hearings, only the item for which the Public Hearing was convened may be discussed.

~~Persons shall use civil language and make comments in a courteous, orderly and non-offensive manner when speaking at Board meetings. Material will be deemed to be offensive if it contains personal attacks on persons, officials, or employees, or if it contains profanity, is of a grossly indecent nature, or includes inflammatory expressions reasonable persons would deem to cause or incite public outrage or expressions of disgust. Comments should be framed to provide a point of view, to provide information or to express a concern. Heckling or chiding is not permitted. This rule of conduct also applies at special or emergency meetings of the Board of Trustees and at Work Study Sessions.~~

Personal attacks include comments about one's gender, religious beliefs, physical features, sexual preferences, sexual activity and personal habits other than that involving the commission of an alleged crime or civil wrong and references to family members or relatives of such person. Personal attacks also includes references to conduct or activity of elected officials, employees or agents of the Township or members of the public unrelated to the discharge of their authority, duty and power involving Township business. Personal attacks further include criticism of claimed political views of elected officials, agents or employees of the Township on political issues over which the Township does not exercise direct authority and control.

Comments advocating or announcing any person for elective office during an election cycle (election cycle means from qualification as a candidate or announcement as a candidate, whichever is earlier, until the election) are prohibited at any meeting of the Board of Trustees.

The Township Board has the discretion to respond (or not), to public comments. Comments will be limited to three (3) minutes per person and may not be "shared" or "loaned" to others. Time limitations shall be routinely imposed in a fair and equitable manner. However, an extension of time is permissible at the discretion of the Township Supervisor or Chairperson. Written material must be submitted by the public to the Secretary to the Board before addressing the Township Board.

Persons failing to abide by these provisions will be ruled out of order and may be requested to leave the podium. No person shall be removed from a public meeting except for an actual breach of peace actually committed at the meeting in which case law enforcement personnel shall be requested to physically remove said persons from the Board Room and/or premises of Township Hall.

~~Parliamentary Authority, Robert's Rules of Order, revised. Robert's Rules of Order, as revised, shall govern all questions of procedures that are not otherwise provided by these rules or by state or federal law.~~

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Wright moved, Miller seconded to approve Resolution 2013-05 the Board of Trustees Meeting Conduct Policy as amended. Carried.

Yeas: Combs, Wright, Budd, Hart, Jahr and Miller.

Nays: None.

Absent: McClanahan (excused).

I, Leon Wright, Clerk of Van Buren Charter Township, do hereby certify that the foregoing is a true copy of the Board of Trustees Meeting Rules of Conduct Policy, as amended as adopted by the Van Buren Charter Township Board of Trustees at the regular meeting held on May 7, 2013.

  
Leon Wright, Clerk

MOTION

\*\*\*\*\*

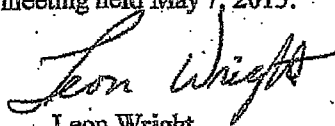
Wright moved, Miller seconded to approve Resolution 2013-05 the Board of Trustees Meeting Conduct Policy as amended. Carried.

Yeas: Combs, Wright, Budd, Hart, Jahr and Miller.

Nays: None.

Absent: McClanahan (excused).

I hereby certify the foregoing is a true and correct copy of a motion adopted by the Board of Trustees of the Charter Township of Van Buren at a regular meeting held May 7, 2013.



Leon Wright  
Township Clerk

# EXHIBIT 6

## **Patrick McCauley**

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**From:** McNamara, Kevin <[kmcnamara@vanburen-mi.org](mailto:kmcnamara@vanburen-mi.org)>  
**Sent:** Tuesday, March 27, 2018 10:04 AM  
**To:** A OFFICIALS  
**Cc:** Selman, Dan; Patrick McCauley  
**Subject:** Investigation in Process of Potential Violation of the VBT Ethics Ordinance  
**Attachments:** Letter of Notification - Ethics.pdf

Dear Colleagues,

This letter should serve as notification that pursuant to our Ethics Policy, the Supervisor's office has been requested by multiple Board Members to investigate a potential violation of the Ethics Ordinance.

Sincerely,

***Kevin McNamara***

Supervisor of Van Buren Township

Charter Township of Van Buren

734-699-8900 x9200

[kmcnamara@vanburen-mi.org](mailto:kmcnamara@vanburen-mi.org)



# Charter Township of Van Buren

## BOARD OF TRUSTEES

SUPERVISOR  
Kevin McNamara

CLERK  
Leon Wright

TREASURER  
Sharry A. Budd

TRUSTEE  
Sherry A. Frazier

TRUSTEE  
Kevin Martin

TRUSTEE  
Reggie Miller

TRUSTEE  
Paul D. White

Dear Colleagues,

March 27, 2018

I have advised each board member that there may have been a breach of the VBT Ethics Policy by a sitting board member. The board member was advised of this on March 16, 2018 in a meeting in my office.

Pursuant to the Ethics Policy, I am tasked to perform an investigation of the allegation. I am also tasked to ask each board member, if they have any written statement that they wish to make for inclusion to the investigation.

Upon completion of the investigation, a copy will be provided to each board member. The board member named in the investigation will then receive time to draft a written response, if that is their desire.

At that time, the Board will determine if this requires a hearing at a full board meeting for review. It is the Board that will decide if there has been a violation of the Ethics Policy. The named board member does not get a vote on any final vote regarding sanctions.

I am also canceling our next Monday Work Study, April 2, 2018. We have a light agenda for Tuesday's Board Meeting, April 3, 2018. The Ethics Violation Investigation will not be on the agenda. I do not anticipate completing this investigation before Wednesday, April 4, 2018 of next week.

Sincerely,

Kevin McNamara  
Supervisor  
Van Buren Township





# EXHIBIT 7

# Charter Township of Van Buren

## Violence in the Workplace Policy

### STATEMENT OF PURPOSE:

The Charter Township of Van Buren recognizes the need to provide for the safety and security of all employees and visitors. In doing so, Van Buren Township is complying with Section 5 (a), the Federal Occupational Safety and Health Act of 1970 (OSHA). Therefore, Van Buren Township will not tolerate threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on Van Buren Township's property. This includes physical attacks, verbal or physical threats, destruction of property, sexual harassment, intimidation, or abusive language.

### DEFINITIONS:

Workplace Violence includes but is not limited to harassment, threats, physical attack or property damage.

Threat is the expression of an intent to cause physical or mental harm. An expression constitutes a threat without regard as to whether the party communicating the threat has the present ability to carry it out and without regard as to whether the expression is contingent, conditional or future.

Physical Attack is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving, biting, spitting, and throwing objects.

Property Damage is intentional damage to property which includes property owned by the Township, employees, visitors or vendors.

### PREVENTION

The Charter Township of Van Buren, supports the prevention of workplace violence. Prevention efforts include, but are not limited to, informing employees of this policy, instructing employees regarding the dangers of workplace violence, communicating the sanctions imposed for violating this policy and providing a reporting procedure to report incidents of violence without fear of reprisal.

### PROHIBITED ACTIONS AND SANCTIONS:

It is a violation of this policy to engage in any act of violence, except for law enforcement personnel as authorized by law and within the confines of the Law Enforcement agency policies.

No employee or third party, excluding law enforcement personnel, is permitted to bring weapons or firearms into the workplace, or onto Van Buren Township's property, or within Van Buren Township vehicles.

Any person who, in the opinion of the immediate supervisor, poses a threat to himself or others shall be removed from the premises and shall remain off the Charter Township of Van Buren's premises pending the outcome of an investigation. Such removal of any employee will be immediately reviewed by the Van Buren Township's Crisis Management Team identified in this policy.

The Charter Township of Van Buren will initiate an appropriate response which may include, but is not limited to, reassignment of job duties, suspension or termination of employment, suspension and/or termination of any business relationship, and/or criminal prosecution of the person or persons involved.

#### **EMPLOYEE RESPONSIBILITY:**

Employees will be given a copy of this policy along with an explanation of how it is to be implemented, such as how to report incidents of violence, what to do if the employee is threatened and/or if an incident of violence actually takes place. This policy will be reviewed with new employees during orientation.

In the workplace, an employee witnessing violence directed against another or him/herself shall call a supervisor or 911, depending on the situation. The employee should also observe the situation and attempt to get information such as the name and description of the perpetrator, but only if it can be done without endangering the employee or others.

Any employee having knowledge of workplace violence involving any other employee (as victim or perpetrator) must report such act to a supervisor immediately. Disciplinary action may result if the employee having knowledge of a suspected violent act fails to report the episode.

All employees who apply for or obtain a protective or restraining order which lists the Charter Township of Van Buren's property or the Charter Township of Van Buren's facilities as being protected areas must provide this information to the Director of his/her Department. The Director must report this information to the Director of Public Safety.

The Charter Township of Van Buren and its employees shall cooperate fully with police and other law enforcement officials in the investigation and prosecution of violent acts.

The Charter Township of Van Buren understands the sensitivity and confidentiality of the information requested, and recognizes and will respect the privacy of the reporting employee(s) to the extent authorized by law.

All employees should openly communicate with each other to be aware of any unusual activity that may identify the potential for or actual occurrence of workplace violence.

Recommendations for improved safety often come from suggestions from employees. These suggestions are encouraged and may be channeled through supervisors or the Clerk's Office.

#### **IMPLEMENTATION:**

##### **Managing a Potentially Violent Situation:**

Employees are expected to assist the general public and fellow employees in a courteous manner, but not subject themselves to abusive conduct if confronted by:

1. A distraught, harassing or abusively angry person.
  - a. If a person becomes angry or abusive, the employee should courteously attempt to calm the person down. If that does not work, the employee shall ask a supervisor to intervene.
2. A person threatening bodily harm.

If an employee feels that he/she or another person is threatened, and in danger of imminent bodily harm:

- a. The employee should attempt to leave the scene, if it can be done safely.
- b. If the supervisor is not aware of the situation, the employee must notify the supervisor as soon as it can be done safely.
- c. If the situation warrants, the appropriate Law Enforcement agency must be notified.

#### **REPORTING INCIDENTS-INTERNAL AND EXTERNAL**

Each incident of violent behavior, whether committed by another employee or an external individual, must be reported to a Department Director. The Department Director will assess and investigate the incident and determine the appropriate action to be taken. The Township Clerk must be informed of all reported incidents of workplace violence.

In critical incidents, in which serious threat or injury occurs, emergency responders such as Public Safety (Police/Fire) and/or Ambulance personnel must be notified immediately. As necessitated by the seriousness of the incident, the Township Clerk may assemble a Crisis Management Team to establish the protocol to be followed in the aftermath of a violent incident.

## CRISIS MANAGEMENT TEAM

The Crisis Management Team may consist of the Township Supervisor, Township Clerk, Public Safety Director, Township Attorney, and others as deemed necessary. The Crisis Management Team is responsible for the following:

- Evaluating potential violence problems
- Assessing an employee's fitness for duty (through medical and/or mental health professionals)
- Selecting intervention techniques
- Establishing a plan for the protection of co-workers and other potential targets
- Coordinating with the victims, families, other employees, media, and law enforcement personnel
- Referring victims for appropriate assistance, including counseling.

Where the Crisis Management Team cannot be promptly convened as required, the Township Supervisor, and/or Township Clerk and/or Public Safety Director may act for the committee. Their actions will be reported to the full committee as soon as practical.

## CONCLUSION:

This policy is established for the benefit of all employees and visitors to ensure a safe workplace. Any questions regarding this policy or violence in the workplace should be directed to the Township Clerk.

**REPORT FOR THREATS OR INCIDENTS OF VIOLENCE**

Name of Victim: \_\_\_\_\_

Name of Perpetrator: \_\_\_\_\_

if Name not known, what was business with the Township? \_\_\_\_\_

Date of Incident: \_\_\_\_\_ Time: \_\_\_\_\_

Where Incident Occurred (Place): \_\_\_\_\_

What happened immediately prior to incident? \_\_\_\_\_

Specific Language of Threat: \_\_\_\_\_

Specific Act of Violence (can include property damage): \_\_\_\_\_

Names of Others Directly Involved-Witnesses: \_\_\_\_\_

Name of Supervisor Involved: \_\_\_\_\_

What Led up to Incident? \_\_\_\_\_

How Incident Ended: \_\_\_\_\_

Specific Actions Taken after Incident: \_\_\_\_\_

Suggestions for Prevention of Violence in Future: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

# EXHIBIT 8

CR No: 180004936-001 	Report Type: Crime Report	Officer: VBBAZZYC (71201)	001
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**VAN BUREN TWP PS**

46425 TYLER RD  
VAN BUREN MI 48111  
734-699-8930



**Case Report**

**Administrative Details:**

CR No <b>180004936-001</b>	Subject <b>1313 - Assault/ Battery/Simple (Incl Domestic and Police Officer [13001])</b>
Report Date/Time <b>03/13/2018 09:37</b>	Occurrence Date/Time <b>02/20/2018 20:20</b>
Location <b>46425 TYLER RD</b>	Call Source <b>PHONE</b>
Dispatched Offense <b>1313 Assault/ Battery/Simple (Incl Domestic and Police Officer</b>	Verified Offense <b>1313 Assault/ Battery/Simple (Incl Domestic and Police Officer</b>
County <b>82 - Wayne</b>	City/Twp/Village <b>14 - Van Buren Twp</b>
Division <b>Investigations</b>	
Report Type <b>Crime Report</b>	
Created By <b>CHARLES BAZZY</b>	Created Date/Time <b>03/13/2018 09:58 AM</b>
Verified By <b>SYSTEM</b>	Verified Date/Time <b>03/28/2018 04:12 PM</b>
Approved By <b>CHARLES BAZZY</b>	Approved Date/Time <b>03/28/2018 04:13 PM</b>





## INFORMATION:

On March 13, 2018 at approximately 9:30 am the Victim Clerk Wright came to this department to file a delayed assault and battery complaint. Clerk Wright stated that on February 20, 2018 at approximately 8:20 pm, he was standing in the doorway of the Trustee's Room in Township Hall. Clerk Wright then stated that an angry Trustee Frazier pushed him out of the way and stated to him, "Get out of my face" and continued to go through the doorway and down the ramp into the Township Boardroom. Clerk Wright stated that there were a few potential witnesses, Township Supervisor Kevin McNamara and Township Trustee Reggie Miller. See the attached victim statement.

## INTERVIEW KEVIN McNAMARA:

At approximately 10:30 am, I went to speak with Supervisor Kevin McNamara and asked if he had witnessed the incident between the Clerk Wright and Trustee Frazier. Supervisor McNamara stated he did not witness the incident.

## INTERVIEW REGGIE MILLER:

On March 16, 2018, I spoke with Trustee Reggie Miller in the Rawsonville Room at Township hall at approximately 11:30 AM. I asked Trustee Miller if she had witnessed Trustee Frazier push Clerk Wright on the night of February 20, 2018. Trustee Miller stated that she did not see the incident happen, but she was bumped into by Trustee Frazier while on the ramp in the Boardroom. I asked Trustee Miller if she felt that Trustee Frazier deliberately bumped into her forcing her to move. Trustee Miller stated that she believed that she was accidentally bumped into by Trustee Frazier, and that there was no intent on Trustee Frazier's part to push her out of the way.

## INTERVIEW SHERRY FRAZIER:

On March 27, 2018 at approximately 11:35 am, Trustee Sherry Frazier returned my call from the previous day. I explained the allegation of the assault and battery to Trustee Frazier and asked if she would speak with me regarding the incident. Trustee Frazier stated that she never touched Clerk Wright. Trustee Frazier stated she was walking up the ramp when Clerk Wright abruptly turned around and was suddenly, "in my face". Frazier stated that she said, "Get out of my way" to Clerk Wright and immediately turned around to go the other way and bumped into Trustee Miller. I asked Trustee Frazier if she would be willing to provide me with a written statement of her account. Trustee Frazier stated she would either email it to me or drop it off at this department.

CR No: 180004936-001



Report Type:  
Crime Report

Officer:  
VBBZZYC (71201)

001

**DISPOSITION:**

Case closed this report is for documentation purposes only. Clerk Wright does not want to follow through with prosecution of this matter.

**Attachments:**

File Name	File Type	Comments	Date	By	Role
<b>Attachments Included In This Report:</b>					
180004936.pdf	pdf	Statements	03/28/2018 04:12 PM	BAZZY, CHARLES	AGENCYADMIN

**EVIDENCE LIST**

Incident No.: 180004936-001

Agency: Van Buren Twp PS

ITEM	NEEDED	IN-FILE	COMMENTS
Audio/Video Tape and Transcripts	( )	( )	
Autopsy Report	( )	( )	
BAC/Blood/Semen	( )	( )	
Ballistics/Bullets	( )	( )	
Chain of Evidence List	( )	( )	
Clothing/Shoes	( )	( )	
Confession (written, audio, video)	( )	( )	
Controlled Substance (Tox Report)	( )	( )	
Criminal History	( )	( )	
CSC Kit	( )	( )	
Diagram Map	( )	( )	
Finger/Foot Prints	( )	( )	
Hair/Fiber	( )	( )	
Hospital/Medical Records	( )	( )	
Photographs/Slides	( )	( )	
Weapons	( )	( )	
Witness Statements	( )	( )	
CERTIFIED RECORDS	( )	( )	
SOS	( )	( )	
Convictions	( )	( )	
	( )	( )	
	( )	( )	
	( )	( )	
	( )	( )	
OTHER PHYSICAL EVIDENCE	( )	( )	
VICTIM PROPERTY	( )	( )	
	( )	( )	
	( )	( )	
	( )	( )	

---

Officer In Charge                      Date                      Phone No.

The Prosecuting Attorney's Office certifies that (\*) property belonging to the crime victim must be retained by the Law Enforcement Agency for trial purposes in lieu of photograph or other means of memorialization pursuant to 1985 PA 87

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Assistant Prosecutor                      Date

March 13, 2018

46425 Tyler Road

Van Buren Twp. MI 48111

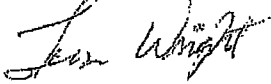
To: Lt. Bazy

Re: Incident of February 20, 2018

On or about 8:20 pm on February 20, 2018 shortly after the Board of Trustee's meeting. I was standing in the doorway of the Trustee's room when an angry Trustee Frazier upset regarding statements which had been made during the meeting abruptly pushed me out of her way and replied get out of her face while walking through the doorway and down the ramp from the board table. I then responded by saying you shouldn't put your hands on me.

Sincerely,

Leon Wright,

A handwritten signature in cursive script that reads "Leon Wright".

Van Buren Township Clerk

**Bazzy, Charles**

---

**From:** Frazier, Sherry  
**Sent:** Wednesday, March 28, 2018 9:36 AM  
**To:** Bazzy, Charles  
**Subject:** February 20, 2018 Investigation

Detective Bazzy,

As you requested I am describing the incident after the February 20, 2018 Board meeting. When the meeting adjourned several trustees and the Clerk made their way to the door of the Trustee room. Martin, Wright, Frazier, and Miller were following one another when Wright abruptly turned around and was right in my face. I then turned and brushed Miller as I tried to exit. At no time did I touch Wright or anyone except Miller.

Hope this helps answers your questions and clears the matter up. I would like to have a copy of the request to investigate. You may contact me at [REDACTED]

Thank You,  
Sherry Frazier  
Trustee

# EXHIBIT 9



---

## Receipt and Acknowledgment

Please read the following statements, sign below and return to the Township Supervisor or designated representative.

### Understanding and Acknowledging Receipt of Van Buren Charter Township Policies and Procedures Manual

I hereby acknowledge receipt of the Policies and Procedures Manual of Van Buren Charter Township. I understand and agree that it is my responsibility to read and comply with the policies in the handbook.

I understand that the Manual and all other written and oral materials provided to me are intended for informational purposes only. Neither it, Township practices, nor other communications create an employment contract or term. I understand that the policies and benefits, both in the manual and those communicated to me in any other fashion, are subject to interpretation, review, and change by the Township at any time without notice.

I further agree that neither this document nor any other communication shall bind the Township to employ me now or hereafter and that my employment may be terminated by me or the company without reason at any time. I understand that no representative of the Township has any authority to enter into any agreement for employment for any specified period of time or to assure any other personnel action or to assure any benefits or terms or conditions of employment, or make any agreement contrary to the foregoing, except upon signed, written approval from the Township Supervisor, Clerk, Treasurer and the Board

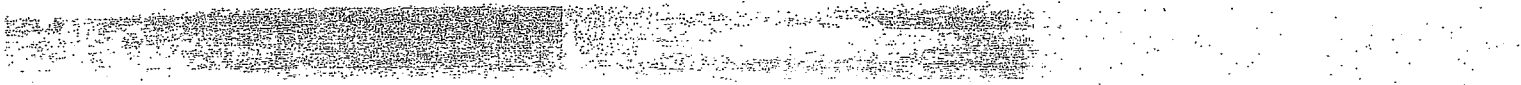
Sherry Frazier  
Employee Name (printed)

Sherry Frazier  
Employee Signature

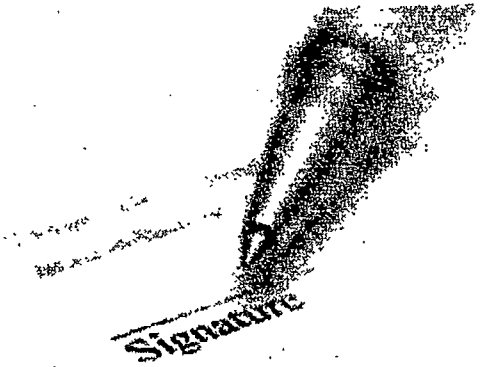
Trustee  
Position

12-2-11  
Date

# EXHIBIT 10



VAN BUREN CHARTER TOWNSHIP



Policies & Procedures

MANUAL

Revised: 11/08/16

2016 Edition



## **Welcome to Van Buren Charter Township**

On behalf of your colleagues, we welcome you to Van Buren Charter Township and wish you every success here.

At Van Buren Charter Township we believe that each employee contributes directly to the growth and success of the municipality, and we hope you will take pride in being a member of our team.

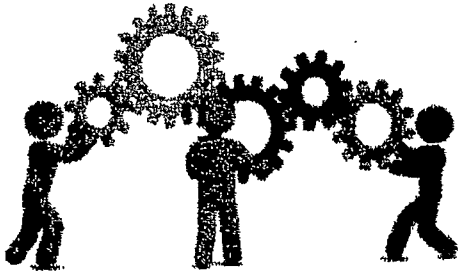
This Policies and Procedures Manual was developed to describe some of the expectations of our employees and to outline the policies, programs and benefits available to eligible employees. Employees should become familiar with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with Van Buren Charter Township.

We believe that professional relationships are easier when all employees are aware of the culture and values of the organization. This guide will help you to better understand our vision for the future of our Township and the challenges that are ahead.

We hope that your experience here will be challenging, enjoyable and rewarding.

Sincerely,

Linda Combs Township Supervisor  
Leon Wright, Township Clerk  
Sharry Budd, Township Treasurer  
Trustees, Brenda McClanahan, Philip Hart, Jeffrey Jahr, and Reggie Miller



## **Notice**

The Policies and Procedures Manual has been prepared to inform you of Van Buren Charter Township history, philosophy, employment practices, and policies, as well as the benefits provided to you as a valued employee. The policies in this manual are to be considered guidelines. With respect to those salaried employees with whom the township has entered into a Personal Service Agreement, the terms contained in each individual agreement supersedes information contained herein. Employees with a Personal Service Agreement are advised to carefully review this manual for any policies contained herein which are not included in their agreements or are included with a reference to the manual. The manual shall serve in lieu of a Personal Service Agreement for the Deputy Clerk, Deputy Treasurer and Supervisor's Executive Assistant for purposes of explaining hiring practices and personnel policies of the township. It should not be construed as an employment contract for said employees. This manual shall not serve as a contract of employment for any township personnel or independent contractor. Should any language contained within the personnel policies manual be in conflict with any collective bargaining agreement or personal service agreement, the respective agreements language shall prevail.

### **Some Things You Must Understand**

- Van Buren Charter Township, at its option, may change, delete, suspend or discontinue any part or parts of the policies in this Policies and Procedures Manual at any time without prior notice as business, employment legislation, and economic conditions dictate.
- Any such action shall apply to existing as well as to future employees.
- Employees may not accrue eligibility for monetary benefits for which they have not become eligible through actual time spent at work.
- Employees shall not accrue eligibility for any benefits, rights, or privileges beyond the last day worked.
- Any alteration or modification of the policies and procedures in this manual requires Board approval.

This manual supersedes any and all previous Van Buren Charter Township Employees Personnel Policies Manuals.

## Receipt and Acknowledgment

Please read the following statements, sign below and return to the Township Supervisor or designated representative.

### Understanding and Acknowledging Receipt of Van Buren Charter Township Policies and Procedures Manual

I hereby acknowledge receipt of the Policies and Procedures Manual of **Van Buren Charter Township**. I understand and agree that it is my responsibility to read and comply with the policies in the handbook.

I understand that the Manual and all other written and oral materials provided to me are intended for informational purposes only. Neither it, Township practices, nor other communications create an employment contract or term. I understand that the policies and benefits, both in the manual and those communicated to me in any other fashion, are subject to interpretation, review, and change by the Township at any time without notice.

I further agree that neither this document nor any other communication shall bind the Township to employ me now or hereafter and that my employment may be terminated by me or the company without reason at any time as an "At Will Employee." I understand that no representative of the Township has any authority to enter into any agreement for employment for any specified period of time or to assure any other personnel action or to assure any benefits or terms or conditions of employment, or make any agreement contrary to the foregoing, except upon signed, written approval from the Township Supervisor, Clerk, Treasurer and the Board

\_\_\_\_\_  
At Will Employee Name (printed)

\_\_\_\_\_  
Position

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

I further agree that neither this document nor any other communication shall bind the Township to employ me now or hereafter and that my employment may be terminated according to procedures that follow said employees that are under a Collective Bargaining Agreement. I understand that no representative of the Township has any authority to enter into any agreement for employment for any specified period of time or to assure any other personnel action or to assure any benefits or terms or conditions of employment, or make any agreement contrary to the foregoing, except upon signed, written approval from the Township Supervisor, Clerk, Treasurer and the Board

\_\_\_\_\_  
Union Employee Name (printed)

\_\_\_\_\_  
Position

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

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**Revisions Date:**

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## **Introduction to Van Buren Charter Township**

Van Buren Charter Township is a municipal corporation as per resolution of the Board of Trustees August 9, 1983, organized and existing under the laws of the State of Michigan, with its principal offices at 46425 Tyler Rd Van Buren Charter Township, Michigan 48111 (hereinafter referred to interchangeably as the "employer" or the "township"). Our sole purpose is to provide quality municipal service, cost effectively to the residents and businesses of the township. Services include police and fire protection, ordinance enforcement, water and sewer, developmental and planning, parks, recreational activities, senior citizen activities, museum and collection of property taxes, property assessment coordination, and the administration of elections. Being a tax supported entity, it is essential to emphasize that we are a service agency. Public service dominates everything we do and we shall always remember that we are accountable to the Van Buren Township taxpayers.

As an employee of the township you are a key person to the citizens, you are the township. What you do reflects what members of our community think about the Charter Township of Van Buren. Our success in delivering quality service is dependent upon your professional attitude and performance.

## **What Van Buren Charter Township Expects From You**

Van Buren Charter Township needs your help in making each working day enjoyable and rewarding. Your first responsibility is to know your own duties and how to do them promptly, correctly and pleasantly. Secondly, you are expected to cooperate with management and your fellow employees and to maintain a good team attitude.

How you interact with fellow employees and those whom Van Buren Charter Township serves, and how you accept direction can affect the success of your department. In turn, the performance of one department can impact the entire service offered by Van Buren Charter Township. Consequently, whatever your position, you have an important assignment: perform every task to the very best of your ability.

You are encouraged to grasp opportunities for personal development offered to you. This manual offers insight on how you can perform positively and to the best of your ability to meet and exceed the expectations of Van Buren Charter Township.

Remember, you help create the pleasant and safe working conditions that Van Buren Charter Township intends for you. The result will be better performance for the township overall and personal satisfaction for you.

## **Employment**

### **1.00 At-Will Employment**

Your employment with Van Buren Charter Township is at-will, with the exception of union employees. This means that neither you nor Van Buren Charter Township has entered into a contract regarding the duration of your employment. You are free to terminate your employment with Van Buren Charter Township at any time, with or without reason. Likewise, Van Buren Charter Township has the right to terminate your employment, or otherwise discipline, transfer, or demote you at any time, with or without reason, at the discretion of Van Buren Charter Township.

No employee of Van Buren Charter Township can enter into an employment contract for a specified period of time, or make any agreement contrary to this policy without written approval from the three full-time elected officials and Board approval.

### **1.01 Termination of Your Employment**

Van Buren Charter Township will consider you to have voluntarily terminated your employment if you do any of the following:

- Resign from Van Buren Charter Township;
- Fail to return from an approved leave of absence on the date specified by Van Buren Charter Township, or
- Fail to report to work or call in for three (3) or more consecutive workdays.

You may be terminated for poor performance, misconduct, excessive absences, tardiness, discrimination, harassment, or other violations of Van Buren Charter Township policies. However, your employment is at-will, and you and Van Buren Charter Township have the right to terminate your employment for any or no reason.

Should any of the above language be in conflict with any Collective Bargaining Agreement or Personal Service Agreement, the respective agreements language shall prevail.

## **1.02 Citizen Relations**

The success of Van Buren Charter Township depends upon the quality of the relationships between Van Buren Charter Township, our employees, citizens, suppliers and the general public. Our citizens' impression of Van Buren Charter Township and their interest and willingness to reside in our community is greatly formed by the people who serve them. In a sense, regardless of your position, you are Van Buren Charter Township's ambassador. The more goodwill you promote, the more our citizens will respect and appreciate you and Van Buren Charter Township services.

Below are several things you can do to help give citizens a good impression of Van Buren Charter Township. These are the building blocks for our continued success:

- Act competently and deal with citizens in a courteous and respectful manner.
- Communicate pleasantly and respectfully with other employees at all times.
- Follow up on concerns and questions promptly, provide businesslike replies to inquiries and requests, and perform all duties in an orderly manner.
- Take great pride in your work and enjoy doing your very best.

These policies apply to all areas of employment, including recruitment, hiring, training and development, promotion, transfer, termination, layoff, compensation benefits, social and recreational programs, and all other conditions and privileges of employment in accordance with applicable federal, state and local laws.

## **1.03 Equal Employment Opportunity**

Van Buren Charter Township provides equal employment opportunities in accordance with applicable laws to all employees and applicants for employment without regard to race, color, ancestry, national origin, gender, sexual orientation, marital status, religion, age, qualified disability, gender identity, results of genetic testing, height, weight, familial status or qualified service in the military. Equal employment opportunity applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training.

Van Buren Charter Township expressly prohibits any form of unlawful employee harassment or discrimination based on any of the characteristics mentioned above. Improper interference with the ability of other employees to perform their expected job duties is absolutely not tolerated.

## **1.04 Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA)**

It is the policy of Van Buren Charter Township to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulation and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, in accordance with applicable law, Van Buren Charter Township will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's qualified physical or mental disability. Van Buren Charter Township will also make reasonable accommodation wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential duties and assignments connected with the job and provided that any accommodations made do not impose an undue hardship on Van Buren Charter Township.

Equal employment opportunity notices are posted near employee gathering places as required by law. These notices summarize the rights of employees to equal opportunity in employment and list the names and addresses of the various government agencies that may be contacted in the event that any person believes he or she has been discriminated against.

Management is primarily responsible for seeing that Van Buren Charter Township's equal employment opportunity policies are implemented, but all members of the staff share in the responsibility for assuring that by their personal actions the policies are effective and apply uniformly to everyone.

All employees, including Directors, involved in discriminatory practices will be subject to discipline, up to and including termination.

## **1.05 How You Were Selected**

Van Buren Charter Township is confident that as a result of the mutual selection process undertaken, your employment will prove to be mutually beneficial and we look forward to having you join us.

We carefully select our employees through written applications, personal interviews and reference checks. After all available information was considered and evaluated, you were selected to become a member of our team!

This selection process helps Van Buren Charter Township find and employ people who are concerned with their own personal success and the success of Van Buren Charter Township; people who want to do a job well, people who can carry on their work with skill and ability and people who are comfortable with Van Buren Charter Township and who can work well with our team.

## **1.06 Nepotism, Employment of Relative and Personal Relationships**

The township wants to ensure that practices do not create situations such as conflict of interest or favoritism. This extends to practices that involve employee hiring, promotion and transfer. Close relatives, partners, those in a dating relationship or members of the same household are not permitted to be in positions that have a reporting responsibility to each other. Close relatives are defined as husband, wife, father, mother, father-in-law, mother-in-law, grandfather, grandmother, son, son-in-law, daughter, daughter-in-law, uncle, aunt, nephew, niece, brother, sister, brother-in-law, sister-in-law, step relatives and cousins.

If employees begin a dating relationship or become relatives, partners or members of the same household and if one party is in the Township Supervisor, Clerk, Treasurer and/or director position, that person is required to inform the Township Supervisor or designated representative of the relationship.

The township reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct-reporting relationship or authority involved.

## **1.07 Employee Background Check**

Prior to becoming an employee of Van Buren Charter Township, a job-related background check was conducted. As you may know, a comprehensive background check may consist of prior employment verification, professional reference checks, and education confirmation. As appropriate criminal, health examination, drug screen and/or driving record history may have also been obtained.

## **1.08 Internal Transfers/ Promotions**

Employees should review respective union contracts or personal service agreements. In determining promotions and transfers not governed by union contract or personal service agreements. Generally the employees' qualifications may be assessed to determine ability to perform.

## **1.09 Standards of Conduct**

Whenever people gather together to achieve goals, some rules of conduct are needed to help everyone work together efficiently, effectively and harmoniously. By accepting employment with us, you have a responsibility to Van Buren Charter Township and to your fellow employees to adhere to certain rules of behavior and conduct. The purpose of these rules is not to restrict your rights, but rather to be certain that you understand what conduct is expected and necessary. When each person is aware that she/he can fully depend upon fellow workers to follow the rules of conduct, our organization will be a better place to work for everyone.

## **1.10 Unacceptable Activities**

Generally speaking, we expect each person to act in a mature and responsible way at all times. If you have any questions concerning any work or safety rule, or any of the unacceptable activities listed below, please see your Township Supervisor or designated representative for an explanation.

Note that the following list of unacceptable activities does not include all types of conduct that can result in disciplinary action, up to and including termination. Nothing in this list alters the at-will nature of your employment; either you or Van Buren Charter Township may terminate the employment relationship with or without reason, and in the absence of any violation of these policies.

- Violation of any township policy; any action that is detrimental to Van Buren Charter Township's efforts to operate and provide services.
- Violation of security or safety rules or failure to observe safety rules or Van Buren Charter Township's safety practices; failure to wear required safety equipment; tampering with Van Buren Charter Township equipment or safety equipment.
- Negligence or any careless action which endangers the life or safety of another person.
- Being intoxicated or under the influence of a controlled substance while at work; use, possession or sale of a controlled substance in any quantity while on township premises; except medications prescribed by a physician which do not impair work performance and is otherwise consistent with applicable law.
- Unauthorized possession of dangerous or illegal firearms, weapons or explosives on township property or while on duty.
- Engaging in criminal conduct or acts of violence or making threats of violence toward anyone on the premises or when representing Van Buren Charter Township; fighting, or provoking a fight on township property, or negligent damage of property.
- Insubordination or refusing to obey instructions properly issued by your director or Township Supervisor, Clerk or Treasurer pertaining to your work; refusal to help out on a special assignment.
- Threatening, intimidating or coercing fellow employees on or off the premises at any time, for any purpose.
- Engaging in an act of sabotage; negligently causing the destruction or damage of township property, or the property of fellow employees, citizens, suppliers, or visitors in any manner.



- Theft or unauthorized possession of township property or the property of fellow employees; unauthorized possession or removal of any township property, including documents, from the premises without prior permission from management; unauthorized use of township equipment or property for personal reasons; using township equipment for profit.
- Dishonesty; falsification or misrepresentation on your application for employment or other work records; lying about sick or personal leave; falsifying reason for a leave of absence or other data requested by Van Buren Charter Township; alteration of township records or other township documents.
- Breach of confidentiality of personnel information.
- Any act of harassment, sexual, racial or other; telling sexist or racist jokes; making racial or ethnic slurs.
- Smoking in restricted areas or at non-designated times, as specified by department rules.

### **1.11 Disciplinary Actions**

See Personal Service Agreement or Collective Bargaining Agreement. The township, at its discretion, will determine the measure of discipline appropriate to the circumstances of each occurrence on a case-by-case basis.

### **1.12 Business Hours**

Our regular operating hours are from 7:30 a.m. to 4:00 p.m., Monday through Friday. The normal workweek consists of five (5) days, each eight (8) hours long, Monday through Friday.

Your particular hours of work and the scheduling of your meal period will be determined and assigned by your official or director. Most employees are assigned to work a variation of a 40 hour work week. Should you have any questions concerning your work schedule, please ask your director.

### **1.13 Attendance**

Van Buren Charter Township shall expect you to be ready to work at the beginning of your assigned daily work hours and to reasonably complete your projects by the end of your assigned work hours.

### **1.14 Absence or Lateness**

From time to time it may be necessary for you to be absent from work. Van Buren Charter Township is aware that emergencies, illnesses, or pressing personal business that cannot be scheduled outside your work hours may arise. Sick days, vacation, and personal days have been provided for this purpose.

If you are unable to report to work or if you will arrive late, please contact your director immediately by phone, text or email at a minimum of 90 minutes prior to your start time. If you know in advance that you will need to be absent, please request this time off directly from your director.

When you call in to inform Van Buren Charter Township of an unexpected absence or late arrival, simply ask for your director. If you're arriving to work late, please let your director know when you expect to arrive for work. If you are unable to call in yourself because of an illness, emergency or for some other reason, be sure to have someone call for you.

### **1.15 Meal and Break Periods**

You are entitled to two (2) fifteen minute paid breaks each workday. Normally these breaks will be scheduled at two different intervals: one prior to your meal period and one after your meal period. If you work in a department where breaks are not directly assigned, please coordinate with your co-workers to maintain adequate coverage at all times.

If you work longer than four (4) hours, you will be afforded a full 30 minute uninterrupted unpaid meal period.

The time when meal periods are scheduled varies among departments, depending on the needs of each department. You are required not to perform any work and to take the break away from the work station during your meal period. It is important to return to work on time.

In order to maintain a professional image and to effectively serve the community, as a general rule employees are discouraged from eating while at their desks or while operating a township vehicle. Exceptions will be made for the drinking of a beverage. Such as coffee, while sitting at one's desk or while driving and/or eating a small snack. However, the eating of meals or preparing of food at the desks or while driving is prohibited.

## **1.16 Break Time for Nursing Mothers Provision**

Effective March 23, 2010, the Patient Protection and Affordable Care Act amended the FLSA to require employers to provide a nursing mother reasonable break time to express breast milk after the birth of her child. The amendment also requires that employers provide a place for an employee to express breast milk.

Section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) is amended by adding at the end the following:

(r)(1) An employer shall provide—

A. a reasonable break time for an employee to express breast milk for her nursing child for 1 year after the child's birth each time such employee has need to express the milk; and

B. a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk.

(2) An employer shall not be required to compensate an employee receiving reasonable break time under paragraph (1) for any work time spent for such purpose.

(3) An employer that employs less than 50 employees shall not be subject to the requirements of this subsection, if such requirements would impose an undue hardship by causing the employer significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the employer's business.

(4) Nothing in this subsection shall preempt a State law that provides greater protections to employees than the protections provided for under this subsection.

## **1.17 Food Storage**

All employees' food items must be properly stored in the cabinets or refrigerators provided in your office, kitchenettes, or designated food storage areas. No food should be stored at any individual's desk.

## **1.18 Employment Classifications**

At the time you are hired, you are classified as either full-time, part-time, permanent part-time or temporary. In addition, you are classified as either non-exempt or exempt. If you are unsure of which job classification your position fits into, please ask your director.

### **1.19 Full-Time Employees**

An employee who has completed their first 90 days of employment and who regularly works at least 30 hours per week is considered a full-time employee. If you were a full-time employee and have been on an approved leave of absence, upon return you will be considered a full-time employee provided you return to work on a full-time basis and as agreed in the provisions of your leave.

### **1.20 Part-Time Employees**

An employee who generally is scheduled to work 29 hours per week or less is considered a part-time employee. If you are a part-time employee, please understand that you are not eligible for benefits described in this Manual, except as granted on occasion or to the extent required by provision of state and federal laws or as otherwise provided herein.

### **1.21 Driver's License and Driving Record**

At the time you are considered for employment with the Township your driving record will be reviewed as part of the background check. An employee who operates a Township vehicle must have a valid driver's license for the type of vehicle to be operated and keep the license(s) with them at all times while driving. All CDL drivers must comply with all applicable D.O.T. regulations.

Your personal driving record is a reflection of your overall driving habits. Motor Vehicle Records will be ordered periodically to assess driving. An unfavorable record will result in the loss of company vehicle driving privileges or employment depending on the type of violation.

## **Compensation**

The goal of Van Buren Charter Township's compensation program is to attract potential employees, meet the needs of all current employees and encourage well-performing employees to stay with our organization. With this in mind, our compensation program is built to balance both employee and Van Buren Charter Township needs.

### **2.01 Wage and Salary Policies**

The Fair Labor Standards Act (FLSA) establishes minimum wage, overtime pay, recordkeeping, and child labor standards affecting full-time and part-time workers in the private sector and in Federal, State, and local governments.

## **2.02 Compensation Philosophy**

It is Van Buren Charter Township's desire to pay wages and salaries that are competitive.

## **2.03 Pay Period and Hours**

Our payroll workweek begins on Sunday at 12:01 a.m. and ends on Saturday at 12:00 midnight utilizing a bi-weekly pay period.

## **2.04 Paycheck Distribution**

Paychecks will be distributed by your director or directly deposited to the checking or savings account you specify.

## **2.05 Mandatory Deductions from Paycheck**

Van Buren Charter Township is required by law to make certain deductions from your paycheck each time one is prepared. Among these are your federal, state, and local income taxes and your contribution to Social Security as required by law. These deductions will be itemized on your check stub. The amount of the deductions will depend on your earnings and on the information you furnish on your W-4 form regarding the number of exemptions you claim. If you wish to modify this number, please request a new W-4 form from payroll immediately. Only you may modify your W-4 form. Verbal or written instructions are not sufficient to modify withholding allowances. We advise you to check your pay stub to ensure that it reflects the proper number of withholdings.

The W-2 form you receive annually reflects how much of your earnings were deducted for these purposes.

Any other mandatory deductions to be made from your paycheck, such as court-ordered garnishments, will be explained whenever Van Buren Charter Township is ordered to make such deductions.

## **2.06 Overtime Pay**

Overtime pay for union employees is determined by the applicable collective bargaining agreement. In addition, if you are a non-exempt employee, you may be eligible to receive overtime pay of one and one-half (1 ½) times your regular hourly wage for approved hours actually worked over 40 hours in one (1) work week. If during that week you were away from the job because of a job-related injury, paid holiday, jury duty, vacation day, or paid sick time, those hours not worked counted as hours worked for the purpose of computing eligibility for overtime pay.

See Personal Service Agreement or Collective Bargaining Agreement

All overtime must be approved in advance by your director. Overtime hours not approved will result in disciplinary action.

## **Benefits**

Van Buren Charter Township is committed to sponsoring a comprehensive benefits program for all eligible employees. In addition to receiving an equitable salary and having an equal opportunity for professional development and advancement, you may be eligible to enjoy other benefits. We are certain you will agree the benefits program described in this manual represents a very large investment by Van Buren Charter Township.

A good benefits program is a solid investment in Van Buren Charter Township's employees. The Township will periodically review the benefits program and will make modifications as appropriate to the Township's condition. Open Enrollment starts March 1<sup>st</sup> and ends March 31<sup>st</sup> of every year to modify, add, or delete benefits. Mid-year changes can only be completed if you have a qualifying life event. Van Buren Charter Township reserves the right to modify, add or delete the benefits it offers.

### **3.01 Eligibility for Benefits**

If you are a full-time employee, you will enjoy all of the benefits described in this manual as soon as you meet the eligibility requirements for each particular benefit. Coverages are available to you and your dependents as defined in the benefit summary plan descriptions.

Part-time and temporary employees are not eligible for benefits, unless otherwise required by law or is otherwise provided herein.

### **3.02 Insurance Coverage**

Insurance coverage is provided by an insurer chosen by the Township.

### **3.03 Group Insurance**

Van Buren Charter Township is dedicated to your health and well-being. A comprehensive, quality insurance program is available to you and your family.

The following benefits are provided, as defined and limited in the literature provided by our insurance carriers:

- Medical Care Coverage
- Dental Care Coverage
- Vision Care Coverage
- Long Term Disability Insurance
- Short Term Disability Insurance
- Group Term Life Insurance/Accidental Death and Dismemberment Insurance
- Employee Assistance Program

Upon enrolling, you will obtain summary plan descriptions describing your benefits in detail.

Van Buren Charter Township will pay 90% of the cost for employee medical coverage. Applicable 10% employee contributions will be automatically deducted from your paycheck.

According to the federal Consolidated Omnibus Budget Reconciliated Act (COBRA) of 1985, in the event of your termination of employment with Van Buren Charter Township or loss of eligibility to remain covered under our group health insurance program, you and your eligible dependents may have the right to continued coverage under our health insurance program for a limited period of time at your own expense. Consult the Township Supervisor or designated representative for details.

### **3.04 Health/Dental/Vision Insurance**

Today many health insurance plans and options can be confusing and complicated. That is why Van Buren Charter Township has taken the time to carefully review the coverages and plans available. We have selected the plans we feel provides the best coverage for our employees. Refer to the literature provided by our insurance companies for details on your particular coverage.

### **3.05 Disability Insurance**

You may be eligible to participate in Van Buren Charter Township's disability plan. See Personal Service Agreement, Collective Bargaining Agreement, or Salary Benefits Manual for details. Disability insurance is designed to assist you with your income should you become partially or totally disabled and are unable to perform the essential functions of your job due to an unrelated job injury or illness.

### **3.06 Life and Accidental Death and Dismemberment Insurance**

You may be covered by our group life insurance. This insurance is payable in the event of your death, in accordance with the policy, while you are employed. You may change your beneficiary whenever you wish by submitting the appropriate documents to the Township Supervisor or designated representative. Refer to Personal Service Agreement, Collective Bargaining Agreement or Salary Benefits manual.

### **3.07 Pension/Deferred Compensation**

The township currently provides an IRS Section 401A defined contribution pension plan for all employees, as well as a choice between two deferred compensation plans. Participation in the pension plan is mandatory. Enrollment in the pension plan occurs thirty (30) days after employment. As of March 4, 2014, the township contributes ten (10) percent of one's base salary toward the employee's pension, employees hired prior to the March 4, 2014 remain at the twelve (12) percent with the employee being required to contribute a mandatory five (5) percent of his/her base salary.

Options exist for an employee to add a voluntary contribution to one's pension savings in accordance with IRS regulations. Employees are 100% vested upon the first contribution to an employee's pension. Participation in the IRS Section 457 deferred compensation plans offered by the township are totally voluntary on the part of the employee with all contributions to deferred compensation being the responsibility of the employee.

### **3.08 Employee Assistance Program**

Another great benefit Van Buren Charter Township offers its employees is the Employee Assistance Program (EAP) through Unum. The EAP provides a confidential, easily accessible professional counseling service for our employees whose personal problems are affecting their abilities to function effectively at work or home. This service is available to all full-time and part-time employees and their immediate family members. Arrangements will be made for you or a member of your family who has questions concerning legal, family, or financial issues, child care, elder care, relationships, substance abuse or addiction questions and concerns, work-related issues and any mental health issue.

Confidentiality is one of the most important aspects of this program. If you contact the Employee Assistance Program directly, no one in the township will know unless you tell them. No information concerning the nature of your problem will be released without your written consent. Van Buren Charter Township assumes the costs for the Employee Assistance Program.

### **3.09 Tuition Assistance –See Personal Service Agreement, Collective Bargaining**

Agreement or Salaried Benefits manual.



### **3.10 Government Required Coverage**

The Township is required by law to offer benefits that cover employees for on the job injuries, unemployment benefits, and social security insurance.

### **3.11 Workers' Compensation**

All employees are entitled to Workers' Compensation benefits in accordance with Michigan's Workers' Disability Compensation Act. This Act provides benefits to employees under certain circumstances due to on-the-job injuries. Insurance for these benefits is paid for by Van Buren Charter Township. If you cannot work due to a job-related injury or illness, Workers' Compensation insurance may pay your medical bills and provide a portion of your income until you can return to work.

All injuries or illnesses arising out of the scope of your employment must be reported to your director immediately. Prompt reporting is the key to prompt benefits. Benefits are automatic, but nothing can happen until your employer knows about the injury. Insure your right to benefits by reporting every injury no matter how slight.

Employees returning to work after being absent due to a work-related injury must report to their director prior to beginning work and must bring a doctor's clearance for returning to work and go for a drug screening.

### **3.12 Unemployment Compensation**

Depending upon the circumstances, employees may be eligible for Unemployment Compensation upon termination of employment with Van Buren Charter Township. Eligibility for Unemployment Compensation is determined by the Division of Unemployment Insurance of the State Department of Labor. Van Buren Charter Township pays the entire cost of this insurance program.

Unemployment compensation is designed to provide you with a temporary income when you are out of work through no fault of your own. For your claim to be valid, you must have a minimum amount of earnings determined by the State, and you must be willing and able to work. You should apply for benefits through the local State Unemployment Office as soon as you become unemployed.

### **3.13 Social Security**

The United States Government operates a system of mandated insurance known as Social Security. As a wage earner, you are required by law to contribute a set amount of your biweekly wages to the trust fund from which benefits are paid. As your employer, Van Buren Charter Township is required to deduct this amount from each paycheck you receive. In addition, Van Buren Charter Township matches your contribution dollar for dollar, thereby paying one-half of the cost of your Social Security benefits.

Your Social Security number is used to record your earnings. Employees are encouraged to protect your Social Security record by ensuring your name and Social Security number on your pay stub and W-2 Form are correct. You may also want to make sure your earnings statement is accurate each year by requesting a Personal Earnings and Benefit Estimate Statement from the U.S. Social Security Administration by calling 1-800-772-1213, or you may even access them on-line at [www.ssa.gov](http://www.ssa.gov).

## **Leaves**

### **4.01 Paid Leaves**

Paid leaves is time allowed away from work for holiday, illness, etc. during which you receive your normal pay.

### **4.02 Holidays**

#### **Recognized Holidays**

Full-time employees are eligible for holiday pay. The following holidays are recognized as paid holidays:

- New Year's Day
- MLK, Jr Day
- President's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day
- New Year's Eve Day

You may take time off to observe your religious holidays. If available, a full day of unused time off may be used for this purpose; otherwise, you won't be paid for this time off. Please schedule the time off in advance with your director. When a holiday falls on a Saturday, the previous Friday will be considered the holiday. When a holiday falls on Sunday, the following Monday will be considered the holiday.

All national holidays are scheduled on the day designated by the Federal government.

If a holiday occurs during your scheduled vacation, you are eligible for the holiday pay.

You are not eligible to receive holiday pay when you are on an unpaid leave of absence.

#### **4.03 Vacations**

Vacation is a time for you to rest, relax, and pursue special interests. Van Buren Charter Township has provided paid vacation as one of the many ways in which we show our appreciation for your work, knowledge, skills, and talents; all of which contribute to make Van Buren Charter Township a leader in township government. For the amount of vacation see Personal Service Agreement, Collective Bargaining Agreement or Salaried Benefits Manual.

Van Buren Charter Township will always try to let you use your vacation time as desired, but vacations cannot interfere with your department's operation. Therefore, your vacation must be approved by your director in advance. If any conflicts arise in vacation requests, preference will be given to the employee with the longest length of continuous service.

If you are on an approved leave of absence for less than thirty (30) days, your vacation eligibility will not be affected.

If you have unused vacation days upon the termination of your employment with Van Buren Charter Township, you will be paid for that time at your regular base hourly rate in accordance to your Personal Service Agreement, Collective Bargaining Agreement or Salaried Benefits Manual.

#### **4.04 Paid Sick Days**

Some employees are eligible to accrue paid sick leave on a prorated basis. See your Personal Service Agreement, Collective Bargaining Agreement or Salaried Benefits Manual.

In addition to utilizing sick leave in the event of your own illness, sick leave may also be used for the purpose of visiting doctors, dentists or other recognized practitioners. Sick leave may also be used for the purpose of tending to a serious illness suffered by a member of your immediate family in the event the illness requires your personal time and attention. For purposes of this policy, family includes spouse, child, parent, or sibling.

Van Buren Charter Township may, in its sole and absolute discretion, require a doctor's certificate verifying the necessity for absence(s) and the specific illness, injury, or other disability to which the absence is attributed.

If you are on an approved leave of absence for less than 30 days, your sick leave eligibility will not be affected. Any accrued sick leave will be paid at the time the leave begins.

In the event of an illness or injury, which is covered by workers' compensation insurance, this Sick Leave Policy will not apply, but will be governed by state statutes.

#### **4.05 Personal Leave**

See Personal Service Agreement, Collective Bargaining Agreement or Salaried Benefits Manual.

#### **4.06 Family and Medical Leave Act**

Van Buren Charter Township complies with the federal Family and Medical Leave Act (FMLA), which requires employers to grant unpaid leaves of absence to qualified workers for certain medical and family-related reasons. Employees should also refer to Personal Service Agreement, Collective Bargaining Agreement or Salary Benefits manual for the availability of paid time off.

Please note there are many requirements, qualifications, and exceptions under these laws, and each employee's situation is different. In particular, employees generally must have worked for the Township for at least 12 months and have worked at least 1,250 hours in the 12 months preceding the leave. The Township calculates the 12 weeks of allowed leave under the FMLA on a rolling 12-month period. The 12-month period is determined by measuring backwards from the date an employee takes any FMLA leave. Contact the Human Resources department to discuss options for leave.

**Reasons for Taking Leave.** Under federal law, unpaid leave may be requested for pregnancy and prenatal care; preplacement activities, birth, adoption, or foster placement of a child; or the serious health condition of a child, spouse, parent, domestic partner, or the employee.

**Military Family Leave Entitlements.** Under federal law, unpaid leave may also be requested by eligible employees who have any qualifying exigency arising out of the fact that the spouse or a son, daughter, parent, domestic partner, or next of kin of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the armed forces and may use their 12-week entitlement to address certain qualifying circumstances. Qualifying circumstances may include deploying on short-notice, attending certain military events, arranging for alternative child care and school activities, addressing certain financial and legal arrangements, attending certain counseling sessions, engaging in rest and recuperation, and attending post deployment reintegration briefings.

The federal FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. This leave applies if the employee is the spouse, son, daughter, parent, domestic partner, or next of kin caring for a covered military service member or veteran recovering from an injury or illness suffered while on active duty in the armed forces or that existed before the beginning of the member's active duty and was aggravated by service or that manifested itself before or after the member became a veteran.

**Leave Designation.** If an employee does not expressly request FMLA leave, the company reserves the right to designate a qualifying absence as FMLA leave and will give notice of the FMLA designation to the employee. If an absence is a qualifying event under FMLA, the leave will run concurrent with short-term disability, long-term disability, PTO, workers' compensation, and/or any other leave where permitted by state and federal law.

**Benefits.** Under federal law, employers must continue healthcare benefits during FMLA leave as though the employees were still at work and must pay the employer's part of the premium. The employee will continue to be responsible for the employee's portion of the premium as well.

**Interaction with Accrued Paid Time Off.** FMLA leave, and paid vacation or sick time will run concurrently as provided under company policy.

**Job Protection.** An employee's job, or an equivalent job, is protected while the employee is on leave. Both federal and applicable state laws require that employees be returned to their positions or to another job of like pay and status at the end of FMLA leave.

**Note:** If an employee is unable to return to work after the expiration of federal or state FMLA, an extension may be granted if the condition constitutes a disability under the Americans with Disabilities Act (ADA) or in certain workers' compensation cases.

**Return-to-Work Policy.** When such work is available, the company will attempt to provide an employee with a temporary modified or light-duty assignment in accordance with documented medical restrictions.

#### **4.07 Other Unpaid Leaves**

Occasionally, for medical, personal, or other reasons, you may need to be temporarily released from the duties of your job with Van Buren Charter Township. It is the policy of Van Buren Charter Township to allow its eligible employees to apply for and be considered for certain specific leaves of absence beyond that which is required by law. The decision to allow for such leaves of absence shall be in the discretion of the Township, and may be granted or denied at-will.

Failure to return to work as scheduled from such an approved leave of absence or to inform your director of an acceptable reason for not returning as scheduled will be considered a voluntary resignation of employment.

All requests for leaves of absence shall be submitted in writing to your director. Each request shall provide sufficient detail such as, the expected duration of the leave, and the relationship of family members, if applicable.

#### **4.08 Time Off**

Unpaid time off will only be permitted after all banked time off has been exhausted. All time includes, vacation, sick, personal, PTO or comp time. An employee who violates this policy will be subject to disciplinary action up to and including termination of employment.

#### **4.09 Return to Work**

Employees returning from leaves of absence in excess of six weeks will be subject to a drug screen. Employees returning from a work related injury may be subject to physical examination and drug screen to determine ability to return to unrestricted job duty. Employees who wish to return to work with restrictions that affect their ability to perform the essential functions of their job must seek an accommodation under the Americans with Disabilities Act, and a determination will be made as to whether or not the accommodation constitutes an undue hardship to the Township. When the physician has released employee to light duty a list of all restriction that apply must be given in writing. No verbal will be accepted from employee or physician.

# **Safety**

## **5.01 General Employee Safety**

Van Buren Charter Township is committed to the safety and health of all employees and recognizes the need to comply with regulations governing injury and accident prevention and employee safety. Maintaining a safe work environment, however, requires the continuous cooperation of all employees.

Van Buren Charter Township will maintain safety and health practices consistent with the needs of our industry. If you are ever in doubt about how to safely perform a job, it is your responsibility to ask your director for assistance. Any suspected unsafe conditions and all injuries that occur on the job must be reported immediately. Compliance with these safety rules is considered a condition of employment. Therefore, it is a requirement that each director make the safety of employees an integral part of her/his regular management functions. It is the responsibility of each employee to accept and follow established safety regulations and procedures. Van Buren Charter Township strongly encourages you to communicate with your director regarding safety issues.

## **5.02 Reporting Safety Issues**

All accidents, injuries, potential safety hazards, safety suggestions, and health and safety related issues must be reported immediately to your director. If you or another employee is injured, you should contact outside emergency response agencies, if needed. If an injury does not require medical attention, an incident form must still be completed in case medical treatment is later needed and to insure that any existing safety hazards are corrected. The employees' claim for worker's compensation benefits form must be completed in all cases in which an injury requiring medical attention has occurred.

Federal law Occupational Safety and Health Administration (OSHA) requires that we keep records of all illnesses and accidents, which occur during the workday. The Workers' Compensation Act also requires that you report any workplace illness or injury, no matter how slight. If you fail to report an injury, you may jeopardize your right to collect workers' compensation payments as well as health benefits. OSHA also provides for your right to know about any health hazards, which might be present on the job. Should you have any questions or concerns, contact your director for more information.

## **5.03 Weapons**

Van Buren Charter Township believes it is important to establish a clear policy that addresses weapons in the workplace. Specifically, Van Buren Charter Township prohibits all employees from carrying a handgun, firearm, knife, or other dangerous weapon of any kind in the course of their employment, regardless of whether the person is licensed to carry the weapon or not, unless the employee is a police officer or has the express, written permission from the Township Supervisor. All persons who enter township property are prohibited from carrying a handgun, firearm, knife or other dangerous weapon of any kind, except where expressly allowed by law.

## **5.04 Inclement Weather Policy**

The township will make every effort to maintain normal work hours even during inclement weather. Prior to normal starting time the Township Supervisor, Clerk or Treasurer will announce that the township offices will be closed due to inclement weather. All full-time employees will be paid for such time off. Part-time employees will only be paid if normally scheduled to work that day and only for those hours which the employee would normally work.

When the township announces an alternate start time during inclement weather all employees are expected to make reasonable efforts to get to work. Employee's unable to arrive for work on any such day will be charged one (1) day vacation or PTO. All employees who are unable to report to work should call, text, or email their director or official at least 90 minutes prior to the alternate start time.

If inclement weather occurs on an employees scheduled vacation, PTO, or comp time the employee's time off will be used. The employee will not be entitled to use the inclement weather day to reserve the time off.

On days when weather conditions worsen as the day progresses, the township may decide to close early. In such cases, a decision and an announcement will be sent by email or a call will be made to all departments. Employees will be expected to remain at work until the appointed closing time, unless their day ends prior to that time or the employee receives permission from their director or official to do otherwise.

## **5.05 See General Emergency Planning for Township Hall from Public Safety For the following:**

- Fire Prevention
- In Case of Fire
- Emergency Evacuation and Closure Procedures
- Training Drills
- Telephone Bomb Threat/Suspected Mail or Package Bomb
- Active Shooter
- Natural/Civil Disaster and Shelter Areas



## **5.06 Housekeeping**

Neatness and good housekeeping are signs of efficiency. You are expected to keep your work area neat and orderly at all times. It is a required safety precaution.

If you spill a liquid, clean it up immediately according to safety guidelines for clean-up of that particular liquid. Refer to the MSDS sheet for the substance in question. Do not leave tools, materials, or other objects on the floor, which may cause others to trip or fall. Keep aisles, stairways, exits, electrical panels, fire extinguishers, and doorways clear at all times.

Easily accessible trash receptacles and recycling containers are located throughout the building. Please put all litter and recyclable materials in the appropriate receptacles and containers. Always be aware of good health and safety standards, including fire and loss prevention.

Please report anything that needs repairing or replacing to your director immediately.

## **5.07 Office Safety**

Office areas present their own safety hazards. Please be sure to:

- Leave desk, file or cabinet drawers firmly closed when not in use.
- Open only a single drawer of a file cabinet at a time.
- Arrange office space to avoid tripping hazards, such as telephone cords or calculator electrical cords.
- Remember to lift things carefully and to use proper lifting techniques.

## **5.08 Property and Equipment Care**

It is your responsibility to understand the machines needed to perform your duties. Good care of any machine that you use during the course of your employment as well as the conservative use of supplies will benefit you and Van Buren Charter Township. If you find that a machine is not working properly or in any way appears unsafe, please notify your director immediately so that repairs or adjustments may be made. Under no circumstances should you start or operate a machine you deem unsafe, nor should you adjust or modify the safeguards provided.

Do not attempt to use any machine or equipment you do not know how to operate, or if you have not completed training on the proper use of the machine or equipment.

## **5.09 Security**

Maintaining the security of Van Buren Charter Township's buildings and vehicles is every employees' responsibility. Develop habits that insure security as a matter of course. For example:

- Always keep cash properly secured. If you are aware that cash is insecurely stored, immediately inform the person responsible.
- Know the location of all alarms and fire extinguishers, and familiarize yourself with the proper procedure for using them, should the need arise.
- When you leave Van Buren Charter Township's premises, make sure that all entrances are properly locked and secured.

## **5.10 Smoke-Free Workplace**

It is the policy of Van Buren Charter Township to prohibit smoking on all township premises in order to provide and maintain a safe and healthy work environment for all employees. The law defines smoking as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette, or pipe of any kind."

The smoke-free workplace policy applies to:

- All areas of township buildings.
- All township-sponsored off-site conferences and meetings.
- All vehicles owned or leased by the township.
- All visitors (citizens and vendors) to the township premises.
- All contractors and consultants and/or their employees working on the township premises.
- All employees, temporary employees and student interns.

Smoke only in designated smoking areas. Please be courteous and concerned about the needs of your fellow employees and others.

All employees are expected to abide by this policy while at work.

Employees who violate the smoking policy will be subject to disciplinary action up to and including immediate discharge.

## **Separation of Employment**

### **6.01 Termination**

Van Buren Charter Township operates under the principle of at-will employment. This means that neither you nor Van Buren Charter Township has entered into a contract regarding the duration of your employment. You are free to terminate your employment with Van Buren Charter Township at any time, with or without reason. Likewise, Van Buren Charter Township has the right to terminate your employment, or otherwise discipline, transfer, or demote you at any time, with or without reason, at the discretion of Van Buren Charter Township.

Van Buren Charter Township hopes and expects that you will give at least two (2) weeks' notice in the event of your resignation. Any accrued but unused vacation time will be paid out at the time of employment termination, except where PSA or CBA dictates otherwise.

### **6.02 Insurance Conversion Privileges**

According to the Federal Consolidated Omnibus Budget Reconciliated Act (COBRA) of 1985, in the event of your termination of employment with Van Buren Charter Township or loss of eligibility to remain covered under our group health insurance program, you and your eligible dependents may have the right to continued coverage under our health insurance program for a limited period of time at your own expense.

At your exit interview or upon termination, you will learn how you can continue your insurance coverage and any other benefits you currently have as an employee who is eligible for continuation. Consult your Township Supervisor or designated representative for additional details.

### **6.03 Exit Interviews**

In a termination situation, Van Buren Charter Township management would like to conduct an exit interview to discuss your reasons for leaving and any other impressions that you may have about Van Buren Charter Township. During the exit interview, you can provide insights into areas for improvement that Van Buren Charter Township can make.

### **6.04 Letter of Reference**

Letters of reference regarding work experience with the township which could be used to obtain other employment will not normally be given to the employee until actual separation from the township. In those instances where the employee desires to receive such letters on the day of separation, arrangements must be made in advance with the director. The employee will only receive a reference of dates of employment and positions held.

## **6.05 Return of Township Property**

Any Van Buren Charter Township property issued to you, such as computer equipment, ID cards, keys, or township credit card must be returned to Van Buren Charter Township at the time of your termination. You will be responsible for any lost or damaged items. The value of any property issued and not returned may be deducted from your paycheck and you may be required to sign a wage deduction authorization form for this purpose.

## **6.06 Rehire**

Former full-time employees who left the township in good standing and were classified as eligible for rehire may be considered for reemployment. An application must be submitted to the Township Supervisor or designated representative and the applicant must meet all minimum qualifications and requirements of the position, including any qualifying exam, when required. Previous tenure will not be considered in any benefits or leave accruals, unless required by law.

An applicant or employee who is terminated for violating policy or who resigned in lieu of termination from employment due to a policy violation will be ineligible for rehire.

## **Workplace Policies**

This manual is designed to answer many of your questions about the practices and policies of Van Buren Charter Township. Feel free to consult with your Township Supervisor or designated representative for help concerning anything you don't understand. The form to report incidents is located in the appendices.

## **7.01 Communications**

Successful working conditions and relationships depend upon successful communication. Not only do you need to stay aware of changes in procedures, policies and general information, you also need to communicate your ideas, suggestions, personal goals or problems as they affect your work.

In addition to the exchanges of information and expressions of ideas and attitudes which occur daily, make certain you are aware of and utilize all Van Buren Charter Township methods of communication, including this manual, bulletin boards, discussions with your director, memoranda, staff meetings, newsletters, training sessions, and township e-mail and internet.

You will receive other information booklets, such as your insurance booklets, from time to time. You may take these booklets home so that your family may know more about your job and your benefits.

## **7.02 Workplace Bullying**

Van Buren Charter Township defines bullying as "repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment." Such behavior violates the township code of ethics, which clearly states that all employees will be treated with dignity and respect.

The purpose of this policy is to communicate to all employees, including the Township Supervisor, Clerk, Treasurer and/or directors that the township will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined up to and including termination.

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior upon the individual that is important. Van Buren Charter Township considers the following types of behavior examples of bullying:

- Verbal bullying: Slandering, ridiculing or maligning a person or his/her family; language that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- Physical bullying: Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault; damage to a person's work area or property.
- Gesture bullying: Nonverbal threatening gestures or glances that convey threatening messages.
- Exclusion: Socially or physically excluding or disregarding a person in work-related activities.

## **7.03 Harassment Policy**

Van Buren Charter Township intends to provide a work environment that is pleasant, professional, and free from intimidation, hostility or other offenses, which might interfere with work performance. Harassment of any sort—verbal, physical, visual—will not be tolerated, particularly against employees based on a protected classification. These classifications include, but are not necessarily limited to race, color, religion, sex, age, sexual orientation, national origin or ancestry, disability, medical condition, marital status, veteran status, height, weight, familial status, or any other protected status defined by law.

## 7.04 Harassment and Complaint Procedure

Sexual and other unlawful harassment is a violation of Title VII of the Civil Rights Act of 1964 (Title VII), as amended, Michigan's Elliott-Larsen Civil Rights Act and other applicable laws. Harassment based on a characteristic protected by law, such as race, color, ancestry, national origin, gender, sex, sexual orientation, gender identity, marital status, religion, age, qualified disability, veteran status, height, weight, familial status or other characteristic protected by state or federal law, is prohibited.]

It is Van Buren Charter Township's policy to provide a work environment free of sexual and other harassment. To that end, harassment of Township's employees by management, supervisors, coworkers, or nonemployees who are in the workplace is absolutely prohibited. Further, any retaliation against an individual who has complained in good faith about sexual or other harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated. The Township will take all steps necessary to prevent and eliminate unlawful harassment.

**Definition of Unlawful Harassment.** "Unlawful harassment" is conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities because of the individual's membership in a protected class.

Unlawful harassment includes, but is not limited to, epithets; slurs; jokes; pranks; innuendo; comments; written or graphic material; stereotyping; or other threatening, hostile, or intimidating acts based on race, color, ancestry, national origin, gender, sex, sexual orientation, marital status, religion, age, qualified disability, veteran status, height, weight, familial status or other characteristic protected by state or federal law.

**Definition of Sexual Harassment.** "Sexual harassment" is generally defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:

- Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of any individual's employment or as a basis for employment decisions; *or*
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwanted sexual advances, whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comments about an individual's body, comments about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, or cartoons;
- Unwelcome leering, whistling, brushing up against the body, sexual gestures, or suggestive or insulting comments;
- Inquiries into one's sexual experiences; *and*
- Discussion of one's sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained in good faith about sexual harassment and retaliation against individuals for cooperating with an investigation of sexual harassment complaint is unlawful and will not be tolerated at Van Buren Charter Township.

**Complaint Procedure.** Any employee who believes he or she has been subject to or witnessed illegal discrimination, including sexual or other forms of unlawful harassment, is requested and encouraged to make a complaint. You may, but are not required to, complain first to the person you feel is discriminating against or harassing you. You may complain directly to your immediate supervisor or department director or any other member of management with whom you feel comfortable bringing such a complaint. Similarly, if you observe acts of discrimination toward or harassment of another employee, you are requested and encouraged to report this to one of the individuals listed above.

No reprisal, retaliation, or other adverse action will be taken against an employee for making a good faith complaint or report of discrimination or harassment or for assisting in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to one of the persons identified above.

All complaints will be investigated promptly and, to the extent possible, with regard for confidentiality.

If the investigation confirms conduct contrary to this policy has occurred, **the Township** will take immediate, appropriate, corrective action, which may include discipline up to and including immediate termination.

## **7.05 Township and Department Meetings**

On occasion, we may request that you attend department meetings, mandatory trainings or offsite seminars, both during and after regular working hours.

### **7.06 Travel Expenses**

Employees may be reimbursed for expenses incurred when traveling on township-related business such as attendance at training seminars. Travel expenses include parking fees and meals. Documentation of the expense must be provided and the employee shall be reimbursed at the IRS prevailing approved rates which become effective January 1<sup>st</sup> of each year.

### **7.07 Mileage**

Employees may be reimbursed for mileage incurred when using personal vehicles in the performance of township-related business. Documentation of the purpose for which mileage was incurred must be provided and the employee shall be reimbursed at the prevailing approved mileage reimbursement rate.

### **7.08 Computers, Electronic Mail, and Voice Mail Usage Policy**

Van Buren Charter Township makes every effort to provide the best available technology to those performing services for Van Buren Charter Township. In this regard, Van Buren Charter Township has installed, at substantial expense, equipment such as computers, electronic mail, and voice mail. This policy is to advise those who use our township equipment on the subject of access to and disclosure of computer-stored information, voice mail messages and electronic mail messages created, sent or received by Van Buren Charter Township's employees with the use of Van Buren Charter Township's equipment. This policy also sets forth policies on the proper use of the computer, voice mail, and electronic mail systems provided by Van Buren Charter Township.

Van Buren Charter Township property, including computers, iPads, electronic mail and voice mail, should only be used for conducting township business. Incidental and occasional personal use of township computers and our voice mail and electronic mail systems is permitted, but information and messages stored in these systems will be treated no differently from other township-related information and messages subject to FOIA laws.

### **7.09 Social Media- Acceptable Use**

Social Media should be reserved for personal devices only with exception given to township departments that use this method as a way to promote throughout the community. Van Buren Charter Township may monitor content out on the Internet. Policy violations may result in discipline up to and including termination of employment



## **7.10 Township-Issued Cell Phones**

The township may issue cell phones to employees whose jobs require them to make calls while away from work or require them to be accessible for work-related matters. Voicemail must be set up and calls must be returned in a timely fashion.

Cell phones issued by the township are township property. Employees must comply with township requests to make their township-issued cell phones available for any reason, including upgrades, replacement, or inspection. Employees who leave the township for any reason must turn in their township-issued cell phones.

## **7.11 Drug-Free Workplace Policy**

Van Buren Charter Township is a community in which responsibilities and freedoms are governed by policies and codes of behavior, including penalties for violations of these standards as stated in your manual. Van Buren Charter Township has a standard of conduct, which prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by employees on Van Buren Charter Township's site and/or client sites or as a part of Van Buren Charter Township's activities. Van Buren Charter Township will impose disciplinary sanctions on employees ranging from educational and rehabilitation efforts up to and including expulsion or termination of employment and referral for prosecution for violations of the standards of conduct. Each situation will be looked at on a case-by-case basis. See your Personal Service Agreement, Collective Bargaining Agreement or Salaried Policies and Procedures Manual.

It is the goal of Van Buren Charter Township to maintain a drug-free workplace. To that end and in the spirit of the Drug-Free Workplace Act of 1988, Van Buren Charter Township has adopted the following policies:

- The unlawful manufacture, possession, distribution, or use of controlled substances is prohibited in the workplace including medical marijuana, except as otherwise provided by state law.
- Employees who violate this prohibition are subject to corrective or disciplinary action as deemed appropriate up to and including termination.
- As an ongoing condition of employment, employees are required to abide by this prohibition and to notify, in writing and within five (5) days of the violation, her/his Director of any criminal drug statute conviction they receive.
- If an employee receives such a conviction, Van Buren Charter Township shall take appropriate personnel action against the employee up to and including termination.
- Van Buren Charter Township provides information about drug counseling and treatment.

- The following are Van Buren Charter Township rights as the employer for required drug screening:
  - Pre-employment
  - Reasonable suspicion
  - Random
  - Post-Accident involving a township vehicle
  - Follow-up for return to work

## **7.12 Outside Employment**

Employees are permitted to engage in outside work or to hold other jobs, subject to certain restrictions as outlined below:

- Activities and conduct away from the job must not compete with, conflict with or compromise the townships interests or adversely affect job performance and the ability to fulfill all job responsibilities. Employees are prohibited from performing any services for citizens or vendors on nonworking time that are normally performed by Van Buren Charter Township. This prohibition also extends to the unauthorized use of any township tools or equipment and the unauthorized use or application of any confidential information.
- Employees are cautioned to carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, or refusal to work overtime. If Van Buren Charter Township determines that an employees' outside work interferes with performance, the employee may be asked to terminate the outside employment.
- Employees who have accepted outside employment may not use paid sick leave to work on the outside job. Fraudulent use of such will result in disciplinary action up to and including termination.
- See form under Appendix D.

### **7.13 Conflicts of Interest**

Employees must avoid any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their jobs. At times, an employee may be faced with situations in which business actions taken on behalf of Van Buren Charter Township may conflict with the employees' own personal interests. Township property, information or business opportunities may not be used for personal gain.

"Let the Welfare of the people be the supreme law"

Employees with a conflict-of-interest question should seek advice from management. Before engaging in any activity, transaction or relationship that might give rise to a conflict of interest, employees must seek review from their director or the Township Supervisor, Clerk or Treasurer.

The intent of the "Standards of Conduct" shall be to: ensure township employees and officials maintain high ethical standards, maintain the public's confidence that the public interest will not be compromised through pursuing private interests, and assist officials and employees in making day to day decisions that might inadvertently complicate public and private interests.

### **7.14 Standards of Conduct**

- An employee shall not divulge to any unauthorized person confidential information acquired in the course of employment in advance of the time prescribed for its authorized release to the public.
- An employee shall not represent his/her personal opinion as that of the township.
- An employee shall use personnel resources, property and funds under his/her official care and control solely in accordance with prescribed constitutional, statutory and regulatory procedures and not for personal gain or benefit.
- An employee shall not, directly or indirectly solicit or accept any gift or loan of money, goods, services, or other thing of value for the benefit of any person or organization other than the township that tends to influence the manner in which the public officer or employee or any other public officer or employee performs his/her official duties.
- An employee shall not engage in a business transaction in which they may profit from their position or authority or benefit financially from confidential information obtained or may obtain by reason of such position or authority.
- An employee shall not engage in or accept employment or render services for any private or public interest when that employment or services for any private or public interest when that employment of service is incompatible or in conflict with the discharge of his/her

official duties or when that employment may tend to impair his/her independence of judgement or action in the performance of his/her official duties.

- An employee shall not participate in the negotiation or execution of contracts, making of loans, granting of subsidies, fixing of rates, issuance of permits or certificates or other regulation or supervision relating to any business entity in which he/she has directly or indirectly a financial or personal interest.

### **7.15 Employee Personnel Files**

Employee files are maintained by the Township Supervisor or designated representative and are considered confidential. The Township Supervisor, Clerk, Treasurer and/or directors may only have access to personnel file information on a need-to-know basis.

The Township Supervisor, Clerk, Treasurer and/or director considering the hire of a former employee or transfer of a current employee may be granted access to the file, or limited parts of it, in accordance with antidiscrimination laws.

Personnel file access by current employees and former employees upon request will generally be permitted within three days of the request unless otherwise required under state law. Personnel files are to be reviewed with the Township Supervisor or designated representative. Personnel files may not be taken outside the department.

Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information upon a signed release of information by the employee or separated employee being received by Township Supervisor or designated representative.

### **7.16 Employee Elected to Public Office**

Until such time as an employee is elected to public office, he/she may remain in his/her employment with the township while seeking public office, unless said employee chooses to request a leave of absence. Employees seeking public office are advised to take due care so that their actions while on the job may not construed as being politically motivated nor such as to create a conflict of interest. Act 169 15.403 sec 3.(1)c Employee of political subdivision of state; permissible political activities; resignation; leave of absence of Public Activities by Public Employees states if the employee becomes a candidate for elective office within the township in which he is employed, unless contrary to a Collective Bargaining Agreement the township may require the employee to request and take a leave of absence without pay or resign when he complies with candidacy filing requirements, or 60 days before an election relating to that position, whichever date is closer to the election.

Employees are expected to utilize accrued paid time off to attend political function which occur during regular business hours. However, campaigning for public office during regular township business hours (unless on a leave of absence), or while on township business, is strictly prohibited according to Act 169 of 1976 section 15.404 Active engagement in permissible activities; certain hours prohibited Political Activities Public Employees.

### **7.17 Personal Use of Township Property**

In some instances, employees may be allowed to borrow certain Van Buren Charter Township tools or equipment for their own personal use while on our premises. In no instance may this be done off our premises, or without prior management approval. You understand and agree that Van Buren Charter Township is not liable for personal injury incurred during the use of township property for personal projects. As a Van Buren Charter Township employee, you accept full responsibility for any and all liabilities for injuries or losses which occur, or for the malfunction of equipment. You are responsible for returning the equipment or tools in good condition, and you agree that you are required to pay for any damages that occur while using the equipment or tools for personal projects.

### **7.18 Use of Township Vehicle**

If you are authorized to operate a Van Buren Charter Township vehicle in the course of your assigned work or if you operate your own vehicle in performing your job, you must have a valid license and you must adhere to the following rules:

- You are responsible for following all the manufacturer's recommended maintenance schedules to maintain valid warranties, and for following the manufacturer's recommended oil change schedule.
- Van Buren Charter Township provides insurance on township vehicles, however, you will be considered completely responsible for fines, moving or parking violations incurred.
- You must keep the vehicle clean at all times.
- Persons not authorized or employed by Van Buren Charter Township cannot operate or ride in a township vehicle.
- Prior to operation of any township vehicle, your director will train you on the appropriate steps to take if you are involved in an accident—filling out the accident report, getting names of witnesses and so on.

After each incident, regardless of who is at fault, the township will require a drug test immediately and obtain the driver's motor vehicle record (MVR) within three business days.

## 7.19 Accident Point System

The Township uses the number of accidents to screen employees' driving records plus point classification:

- **1 accident and 3 pts:** Employee will receive a letter of reprimand.
- **2 accidents and 3 plus pts:** Employee will receive a letter of reprimand and be suspended without pay for one day and must successfully complete a driver improvement course.
- **3 or more accidents and 3 plus pts:** Employee will either be reassigned to a non-driving position if available, or if a non-driving position is not available and incidents show severe negligence, the employee may be terminated.

All CDL Licensed employees are governed by Michigan DOT Regulations.

## 7.20 Summary of Guidelines and Consequences

Directors are responsible for ensuring that employees under their direction comply with all elements of this policy.

The township will verify, in writing, that employees have valid drivers' licenses and are qualified to operate township vehicles before they begin driving on township business by way of the subscription for the State of Michigan.

Employees who drive on township business must follow all parts of this policy. They must do a walk around inspection of any vehicle before driving it and they must not use a township vehicle for personal business unless it is approved, in writing by the Township Supervisor, Clerk and Treasurer.

When operating township vehicles, employees should remember that their driving habits reflect on all township employees. Township vehicles must be used legally, courteously and safely.

Employees must use and require seat belts to be worn by their passengers.

Smoking is not permitted in township vehicles.

Employees are responsible for the care of vehicles assigned to them and may be held liable for improper care and abuse of the vehicle.

Misconduct could lead to withdrawal of driving privileges and/or disciplinary actions, up to and including dismissal.

**Note:** Please see the Driver's License and Driving Record Policy in the "Employment" section of this Manual for further information.

## **7.21 Violence in the Workplace Policy**

Van Buren Charter Township has adopted a policy prohibiting workplace violence. Consistent with this policy, acts or threats of physical violence, including intimidation, harassment, and/or coercion, which involve or affect Van Buren Charter Township or which occur on Van Buren Charter Township's property will not be tolerated.

Acts or threats of violence include conduct which is sufficiently severe, offensive, or intimidating to alter the employment conditions at Van Buren Charter Township, or to create a hostile, abusive, or intimidating work environment for one or several employees. Examples of workplace violence include, but are not limited to, the following:

- All threats or acts of violence occurring on Van Buren Charter Township's premises, regardless of the relationship between Van Buren Charter Township and the parties involved.
- All threats or acts of violence occurring off Van Buren Charter Township's premises involving someone who is acting in the capacity of a representative of Van Buren Charter Township

Specific examples of conduct, which may be considered threats or acts of violence, include, but are not limited to, the following:

- Hitting or shoving an individual.
- Threatening an individual or his/her family, friends, associates, or property with harm.
- Intentional destruction or threatening to destruct Van Buren Charter Township's property.
- Making harassing or threatening phone calls.

## **7.22 Anti-Retaliation Policy**

Van Buren Charter Township strictly prohibits any form of retaliation against an employee who in good faith makes a complaint, raises a concern, provides information or otherwise assists in an investigation or participate in a proceeding regarding any conduct that he or she reasonably believes to be in violation of the Townships Policies and Procedures or violation of state or federal law.

This policy is designed to ensure that all employees feel comfortable speaking up when they see or suspect illegal or unethical conduct without fear of retaliation. It is also intended to encourage all employees to cooperate with the Township in the internal investigation of any matter by providing honest, truthful and complete information without fear of retaliation.

No employee will be discharged, demoted, suspended, threatened, harassed, intimidated, coerced, or retaliated against in any other manner as a result of his or her making a good faith complaint, that a Township policy or procedure has been violated.

Van Buren Charter Township prohibits employees from being retaliated against even if their complaints are proven unfounded by an investigation, unless the employee knowingly made a false allegation, provided false or misleading information in the course of an investigation, or otherwise acted in bad faith. Employees have an obligation to participate in good faith in any internal investigation of retaliation.

The Township takes all complaints of retaliation very seriously. All such complaints will be reviewed promptly and, where appropriate, investigated. Any employee who violates this policy is subject to disciplinary action, up to and including termination of employment.

If you believe you have been retaliated against or that any other violation of this policy has occurred, or if you have questions concerning this policy, you should immediately notify the Township Supervisor or designated representative.



## 7.23 DRESS CODE

Proper grooming and attire have a positive impact on the workplace. Dress and grooming of employees shall be clean, neat, and in a manner appropriate to their assignment in accordance with the following standards:

- Personnel are expected to dress in a manner that projects a professional image.
- Style of clothing for males and females should always reflect a professional atmosphere and should not be a distraction to other employees.
- Employees' hair should be neatly combed, clean and appropriately styled. It should not be a distraction to other employees.
- Employees shall not wear visible body piercing jewelry except earrings in the ear.
- Management has established a casual Friday. Jeans are worn only on casual Fridays when the dress code is relaxed. Jeans must be clean and free of rips, tears and excessive fraying. However, employees should take into consideration their work activities for that day which includes client meetings both in and out of the office when deciding to participate.
- Certain staff members may be required to meet special dress such as wearing uniforms or protective clothing, depending on the nature of their job. Uniforms and protective clothing may be required by certain positions and will be provided to the employee by the Township.
- In all cases, clothing should be clean, wrinkle free, and not tight or revealing.
- The townships administration preferred attire is business professional and is always required when officially representing the township at meetings or other functions.
- The township recognizes the importance of individually held religious beliefs to persons within its workforce. The township will reasonably accommodate a staff member's religious beliefs in terms of workplace attire unless the accommodation creates an undue hardship. Accommodation of religious beliefs in terms of attire may be difficult in light of safety issues. Those requesting a workplace attire accommodations based on religious beliefs should refer to the Township Supervisor or designated representative.
- If an employee comes to work in inappropriate dress the director is required to send them home to change into conforming attire and return to work.

<u>Appropriate</u>	<u>Inappropriate</u>
<p><b>Slacks</b></p> <ul style="list-style-type: none"> <li>• Dress Pants</li> <li>• Khakis or corduroys</li> <li>• Jeans (must be clean and free of rips, tears and fraying; may not be excessively tight or revealing)</li> <li>• Skorts, capris</li> <li>• Business Suits and Dresses</li> </ul> <p><b>Shirts</b></p> <ul style="list-style-type: none"> <li>• Polo collar knit or golf shirts</li> <li>• Oxford shirts</li> <li>• Township logo wear</li> <li>• Short/Long-sleeve/sleeveless blouses or shirts</li> <li>• Turtlenecks</li> <li>• Blazers or sport coats</li> <li>• Jackets or sweaters</li> </ul>	<p><b>Slacks</b></p> <ul style="list-style-type: none"> <li>• Sweatpants and exercise wear</li> <li>• Shorts, low-rise or hip-hugger pants or jeans</li> </ul> <p><b>Shirts</b></p> <ul style="list-style-type: none"> <li>• Shirts with writing (other than township logo)</li> <li>• T-shirts or sweatshirts</li> <li>• Beachwear</li> <li>• Exercise wear</li> <li>• Crop tops, clothing showing midriffs, spaghetti straps</li> </ul>

## 7.24 Hygiene

An employee causes concern when he/she has poor hygiene/body odor or uses too much perfume/cologne which is offensive to those around them. The director should discuss the problem with the employee in private and should point out the specific areas to be corrected. If the problem persists, the director should follow the normal corrective action process as outlined in the specific Collective Bargaining Agreement or Salary Benefits Manual.

## **7.25 Knowledge of Rules**

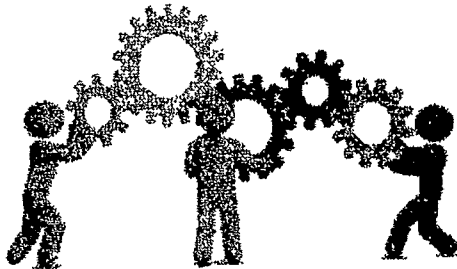
The township is committed to having in place rules that are reasonable and necessary so that the public may be served courteously, reliably and effectively. All rules contained in this manual are considered necessary for you to professionally render a quality level of service to the community.

The rules and regulations as set forth herein must be adhered to. All employees are advised to regularly review the manual for continued familiarity with its contents. Revisions and/or additions may be made when necessary in accordance with current contractual procedures. All employees will be provided with written copies of such changes for insertions in their manuals.

Each department director is encouraged to keep a copy of this manual immediately available to every employee under his supervision.

An employee may be required to submit his/her manual for inspection as to completeness and employees are to contact the Township Supervisor or designated representative should any pages of the manual become torn, lost or defaced. All employees will be held responsible for keeping their manuals updated and in good condition.

All employees are advised that nothing in this manual should be construed in such a manner as to be inconsistent with the Personal Services Agreements and Collective Bargaining Agreements currently in effect. Rather, the purpose of this manual is to serve as a general outline of policies to be followed by employees of the township as it pertains to the provision of quality public service.



# APPENDICES

**Appendix A**  
**Charter Township of Van Buren**  
**Violence in the Workplace Policy**

**STATEMENT OF PURPOSE:**

The Charter Township of Van Buren recognizes the need to provide for the safety and security of all employees and visitors. In doing so, Van Buren Township is complying with Section 5 (a), the Federal Occupational Safety and Health Act of 1970 (OSHA). Therefore, Van Buren Township will not tolerate threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on Van Buren Township's property. This includes physical attacks, verbal or physical threats, destruction of property, sexual harassment, intimidation, or abusive language.

**DEFINITIONS:**

Workplace Violence includes but is not limited to harassment, threats, physical attack or property damage.

Threat is the expression of an intent to cause physical or mental harm. An expression constitutes a threat without regard as to whether the party communicating the treat has the present ability to carry it out and without regard as to whether the expression is contingent, conditional or future.

Physical Attack is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving, biting, spitting, and throwing objects.

Property Damage is intentional damage to property which includes property owned by the Township, employees, visitors or vendors.

**PREVENTION**

The Charter Township of Van Buren, supports the prevention of workplace violence. Prevention efforts include, but are not limited to, informing employees of this policy, instructing employees regarding the dangers of workplace violence, communicating the sanctions imposed for violating this policy and providing a reporting procedure to report incidents of violence without fear of reprisal.

**PROHIBITED ACTIONS AND SANCTIONS:**

It is a violation of this policy to engage in any act of violence, except for law enforcement personnel as authorized by law and within the confines of the Law Enforcement agency policies.

No employee or third party, excluding law enforcement personnel, is permitted to bring weapons or firearms into the workplace, or onto Van Buren Township's property, or within Van Buren Township vehicles.

Any person who, in the opinion of the immediate supervisor, poses a threat to himself or others shall be removed from the premises and shall remain off the Charter Township of Van Buren's premises pending the outcome of an investigation. Such removal of any employee will be immediately reviewed by the Van Buren Township's Crisis Management Team identified in this policy.

The Charter Township of Van Buren will initiate an appropriate response which may include, but is not limited to, reassignment of job duties, suspension or termination of employment, suspension and/or termination of any business relationship, and/or criminal prosecution of the person or persons involved.

#### **EMPLOYEE RESPONSIBILITY**

Employees will be given a copy of this policy along with an explanation of how it is to be implemented, such as how to report incidents of violence, what to do if the employee is threatened and/or if an incident of violence actually takes place. This policy will be reviewed with new employees during orientation.

In the workplace, an employee witnessing violence directed against another or him/herself shall call a supervisor or 911, depending on the situation. The employee should also observe the situation and attempt to get information such as the name and description of the perpetrator, but only if it can be done without endangering the employee or others.

Any employee having knowledge of workplace violence involving any other employee (as victim or perpetrator) must report such act to a supervisor immediately. Disciplinary action may result if; the employee having knowledge of a suspected violent act fails to report the episode.

All employees who apply for or obtain a protective or restraining order which lists the Charter Township of Van Buren's property or the Charter Township of Van Buren's facilities as being protected areas must provide this information to the Director of his/her Department. The Director must report this information to the Director of Public Safety.

The Charter Township of Van Buren and its employees shall cooperate fully with police and other law enforcement officials in the investigation and prosecution of violent acts.

The Charter Township of Van Buren understands the sensitivity and confidentiality of the information requested, and recognizes and will respect the privacy of the reporting employee(s) to the extent authorized by law.

All employees should openly communicate with each other to be aware of any unusual activity that may identify the potential for or actual occurrence of workplace violence.

Recommendations for improved safety often come from suggestions from employees. These

suggestions are encouraged and may be channeled through supervisors or the Township Supervisor or designated representative.

#### **IMPLEMENTATION:**

##### **Managing a Potentially Violent Situation:**

**Employees are expected to assist the general public and fellow employees in a courteous manner, but not subject themselves to abusive conduct if confronted by:**

##### **I. A distraught, harassing or abusively angry person.**

**a. If person becomes angry or abusive, the employee should courteously attempt to calm the person down. If that does not work, the employee shall ask a supervisor to intervene.**

##### **2. A person threatening bodily harm.**

**If an employee feels that he/she or another person is threatened, and in danger of imminent bodily harm:**

**a. The employee should attempt to leave the scene, if it can be done safely.**

**b. If the supervisor is not aware of the situation, the employee must notify the supervisor as soon as it can be done safely.**

**c. If the situation warrants, the appropriate Law Enforcement agency must be notified.**

#### **REPORTING INCIDENTS-INTERNAL AND EXTERNAL**

**Each incident of violent behavior, whether committed by another employee or an external individual, must be reported to a Department Director. The Department Director will assess and investigate the incident and determine the appropriate action to be taken. The Township Clerk must be informed of all reported incidents of workplace violence.**

**In critical incidents, in which serious threat or injury occurs, emergency responders such as Public Safety (Police/Fire) and/or Ambulance personnel must be notified immediately. As necessitated by the seriousness of the incident, the Township Clerk may assemble a Crisis Management Team to establish the protocol to be followed in the aftermath of a violent incident.**

## **CRISIS MANAGEMENT TEAM**

The Crisis Management Team may consist of the Township Supervisor, Township Clerk, Public Safety Director, Township Attorney, and others as deemed necessary. The Crisis Management Team is responsible for the following:

**Evaluating potential violence problems**

**Assessing an employee's fitness for duty (through medical and/or mental health professionals)**

**Selecting intervention techniques**

**Establishing a plan for the protection of co-workers and other potential targets**

**Coordinating with the victims, families, other employees, media, and law enforcement personnel**

**Referring victims for appropriate assistance, including counseling.**

**Where the Crisis Management Team cannot be promptly convened as required, the Township Supervisor, and/or Township Clerk and/or Public Safety Director may act for the committee. Their actions will be reported to the full committee as soon as practical.**

## **CONCLUSION:**

**This policy is established for the benefit of all employees and visitors to ensure a safe workplace. Any questions regarding this policy or violence in the workplace should be directed to the Township Clerk.**



**REPORT FOR THREATS OR INCIDENTS OF VIOLENCE**

Name of Victim: \_\_\_\_\_

Name of Perpetrator: \_\_\_\_\_

If Name not known, what was business with the Township? \_\_\_\_\_

Date of Incident: \_\_\_\_\_ Time: \_\_\_\_\_

Where Incident Occurred (Place): \_\_\_\_\_

What happened immediately prior to incident? \_\_\_\_\_

Specific Language of Threat: \_\_\_\_\_

Specific Act of Violence (can include property damage): \_\_\_\_\_

Names of Others Directly Involved-Witnesses: \_\_\_\_\_

Name of Supervisor Involved: \_\_\_\_\_

What led up to Incident? \_\_\_\_\_

How Incident Ended: \_\_\_\_\_

Specific Actions Taken after Incident: \_\_\_\_\_

Suggestions for Prevention of Violence in Future: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**Appendix B**  
**Van Buren Charter Township**  
**Ethics Policy**

**Resolution 2003-45**

The following Resolution was offered by Trustee Hart and seconded by Clerk Payne.

**Purpose.**

Public office and employment are public trusts. Trust comes from requiring and maintaining integrity of the highest standard on the part of elected and appointed officials and employees, whenever conduct undermines that integrity and trust, either actual or perceived, confidence is jeopardized. Any attempt to realize personal gain through public office or public employment is a violation of that trust. The purpose of this policy is to set standards of ethical conduct that are clearly established and uniformly applied and to provide for penalties where appropriate. This policy is intended to be preventive in nature rather than punitive. It should not be construed to interfere or abrogate in any way the provisions of any federal law, Michigan statute, Township ordinance, or any rights and/or remedies provided for under a collective bargaining agreement.

**Responsibilities, of Public Office.**

Township officials and employees are bound to uphold the Constitution of the United States and the Constitution of the State of Michigan and to carry out impartially and comply with the laws of the nation, state and the Charter Township of Van Buren. Township officials and employees must not exceed their authority or breach the law or ask others to do so. Township officials and employees are bound to observe in their official acts the highest standards of morality and to discharge the duties of their offices faithfully, regardless of personal consideration, recognizing that their conduct in both their official and private affairs should be above reproach.

All Township officials and employees shall safeguard public confidence by being honest, fair and respectful of all persons and property with whom they have contact, by maintaining non-partisanship in all official acts, and by avoiding conduct which may tend to undermine respect for Township officials and employees and for the Township as an institution.

**Policy.**

It shall be the policy of the Township that all public officials and employees must avoid both conflicts and the appearance of conflicts between their private interests and those of the general public whom they serve. To nurture and promote the faith of the public in its government, it is necessary to establish rules for separating their roles as private citizens from their roles as public servants. Where government is based upon the consent of the governed, every citizen is entitled to have complete confidence in the integrity of his or her government. Every official, employee or advisor of the government must help to earn and must honor that trust by his or her own integrity and conduct in all official duties and actions.

**Definitions.**

Wherever used herein, the following terms shall have the following meanings:

**Agreement-** an understanding between two or more persons or entities; a contract.

**Appointed** — selected and installed in an office or position.

**Benefit** — advantage; any improvement in position, finances, power, or influence.

**Business-** commercial, residential or industrial enterprise, establishment, store, etc; work employment or profession of an individual or group; commerce.

**Candidate** — someone who seeks or has been proposed for an office, position or award.

**Compensation** — any money, thing of value, or other compensatory or pecuniary benefit received or to be received in return for or as reimbursement for services rendered or to be rendered.

**Conflict of interest** — either a personal interest or a duty or loyalty to a third party that competes with or is adverse to a Township official's or employee's duty to the public interest in the exercise of official duties or official actions.

**Contract agreement of mutual understandings supported by present or future consideration.**

**Decision making** — exercising public power to adopt laws, regulations or standards, render quasi-judicial decisions, establish executive policy, or determine questions involving substantial discretion.

**Gift** — anything of value given without consideration or expectation of return.

**Official** — any person holding an elected office of the Township or any appointed, non-employee member of any Township board or commission, including consultants who give professional advice or services regarding matters of his or her special knowledge or training.

**Official duties or Official action** — a decision, recommendation, approval, disapproval or other action or failure to act which involves the use of discretionary authority.

**Person** — any individual, entity, corporation, partnership, firm, association, union, trust, estate, and any parent or subsidiary of any of the foregoing, whether or not operated for profit.

**Potential conflict of interest** — a situation where the interests of the Township and the interests of someone else will, may or might conflict in the ordinary course of events.

**Relative** — a person who is related to an official or employee as spouse or as any of the following, whether by blood or by adoption: parent, child, brother or sister, aunt or uncle,

niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister, half-brother or half-sister or members of the official or employee's household.

**Township — Van Buren Charter Township.**

**Township employee — an employee of Van Buren Charter Township.**

**Rules.**

- 1. Gift, compensation or economic interest.** No official or employee of the Township shall solicit, accept, or receive, directly or indirectly, any gift, compensation, or anything of economic value, whether in the form of money, service, loan, travel, entertainment, hospitality or any other form, or a promise of any of these things for an agreement that the vote or the official action or decision of an official employee, or candidate for elected office in the Township would be influenced thereby.
- 2. Preferential treatment.** No official or employee of the Township shall use or attempt to use his or her position to secure, request or grant any privileges, exceptions, advances, contracts, or preferential treatment for himself or herself or any other person. All officials and employees of the Township shall treat all citizens of the Township with courtesy, impartiality, fairness, and equality under the law.
- 3. Use of information.** No official or employee of the Township who acquires information in the course of his or her official duties, which information by law or policy is not available at the time to the general public, shall use such information to further the private economic interest of himself or herself or any other person.
- 4. Use of Township property.** No official or employee of the Township shall, directly or indirectly, use or permit any other person to use Township property of any kind for his or her private economic interest or that of any other person. Township officials and employees shall strive to protect and conserve all Township property including equipment and supplies entrusted or issued to them. This rule does not preclude the use of publicly owned property that is made available by general practice to the public at large.
- 5. Political activity.** No official or employee of the Township shall use any Township time or property for his or her political benefit or for the political benefit of any other person seeking elective office, provided that the foregoing shall not prohibit the use of property or facilities available to the general public on an equal basis. No political activity shall interfere with the performance of the duties of any Township official or employee.
- 6. Doing business with the Township.** No official, employee, or his or her relative shall engage in any business with the Township, directly or indirectly, without filing a complete written disclosure statement for each business activity the official, employee, or relative has an interest in. Such disclosure shall be made on an annual basis and prior to any decision on a business activity not previously disclosed in an annual disclosure. No

public official or employee or his or her relative shall engage in any business transaction where the official or employee or relative may benefit financially from confidential information that the official or employee obtained or could have obtained by reason of that position or authority.

7. **Nepotism.** The spouse of any elected Township official or any appointed official shall be disqualified from holding any appointed office. The immediate family members of any elected Township official or appointed official and the spouses of any such family members shall be disqualified from holding full-time or permanent part-time employment with the Township during the term served by said elected official or during the tenure of the appointed official. This section shall in no way disqualify such relatives or their spouses who are bona fide appointed officers or employees of the Township at the time of the election of said elected official or appointment of said appointed official.
8. **Contracts with the Township.** No official or employee of the Township shall take any official action on any contract with the Township or any other matter in which he or she has a financial interest.
9. **Serving on an elected municipal governing board.** No official or employee of the Township shall serve on an elected municipal government board when such service is inconsistent with State law.
10. **Dual representation.** No public official or employee of the Township shall attempt to use his or her official position to secure special privileges or exemptions for himself or herself or for others.
11. **No official or employee of Van Buren Charter Township shall represent his or her personal opinion as that of the Township.**
12. **Full disclosure.** The following disclosure requirements are established to avoid both actual and perceived conflicts between the private interests and the public interests of public officials and employees.
  - a. **Self-interest.** No public official or employee, either on his or her behalf or on behalf of any other person, shall have an interest in any business transaction with any public body of the Township unless the person shall first make public disclosure of the nature of such interest.
  - b. **Disclosure and disqualification.** Whenever the performance of official duties shall require a public official or employee to deliberate and vote on any matter involving his or her financial or personal interest, that person shall publicly disclose the nature and extent of such interest and is disqualified from participating in the deliberations and voting on the matter unless State law specifies otherwise.

c. **Dual employment.** No public official or employee shall engage in employment with or render services for any person or entity that has business transactions with any public body of the Township without first making full public disclosure of the nature and the extent of the employment or service. Disclosures must be made before the time to perform his or her duties. If the official is a member of a decision-making or advising body, he or she must make disclosure to other members of the body on the official record. An appointed official or employee must make disclosure to the Township Supervisor. An elected official must make disclosure to the general public. However, this section shall not prohibit a part time elected official or appointed official from engaging in private employment or business on his or her own time as a private citizen, and where Township business is not involved. The Township Supervisor must make such a disclosure to the Township Board of Trustees.

13. **Reporting procedure for elected or appointed Township officials but not Township employees.** Conduct that may violate this Policy should be reported to the Township Supervisor. The report must be in writing and signed. The Supervisor will decide who will investigate the report. The Township Board of Trustees will make the final decision on whether the policy has been violated.

14. **Reporting procedure for Township employees, other than appointed employees.** Conduct that may violate this Policy should be reported to the Township Supervisor. The report must be in writing and signed. The Supervisor will investigate the report and if necessary carry out the appropriate discipline.

15. **Rules of conduct for employees that have outside business relationships are considered in appendix (A) to this Policy and as approved by the Township Board.**

16. **Full disclosure as described in section 12 including notice of all outside employment prior to accepting such employment, shall be made by the employee on prescribed forms and given to the Township Supervisor (See appendix B).**

**Penalty.**

All officials and employees are expected to follow this policy as a condition of employment or service to the community. Failure to do so by any employee will result in disciplinary action up to and including discharge. Failure to do so by any elected or appointed official will result in an evaluation by the Township Board of Trustees, and could result in the removal of the official if the Board decides it is appropriate, unless state law specifies otherwise. This section does not eliminate the possibility of criminal or civil charges being filed if the circumstances warrant such action.

The appropriate action to be taken in any individual case shall be at the discretion of the controlling authority and may include but is not limited to any of the following:

a. **Referral of the matter to a higher authority.**

- b. Pursuing further investigation.
- c. Taking appropriate disciplinary action including discharge.
- d. Deeming no action to be required.

e. Pursuing such other action which is reasonable, just and appropriate under the circumstances.


**This Resolution shall take immediate effect.**

**YEAS: King, Payne, Budd, Hart, Herman, Jahr and Rochowiak.**

**NAYS: None.**

**ABSENT: None.**

**I, Joannie D. Payne, CMC, Clerk of the Charter Township of Van Buren do hereby certify that the foregoing is a true and accurate resolution duly adopted by the Board of Trustees at their regular meeting held December 16, 2003 in the Board Room, Township Hall, 46425 Tyler Road, Van Buren Twp., Michigan.**

  
\_\_\_\_\_  
Joannie D. Payne, CMC  
Township Clerk  
Joannie D. Payne, CIVIC Township Clerk  
6

## Appendix C

### Van Buren Charter Township Rules of Conduct for Employees that have Outside Business Relations

#### Purpose.

Given the sensitive nature of Township work and the complications that can result from outside work or business interests, these rules shall pertain to all employees who have outside employment or who have outside relationships with business partners or any personal business relations that could cause a conflict with their Township work. These rules will be reviewed and are subject to the approval of the Township Board. Once approved, they shall be enforced by the Township Supervisor. A violation of the rules shall be cause for discipline or dismissal.

1. Employees are required to refrain from outside work or business arrangements that could cause a conflict with their Township work. If an arrangement occurs that could cause a conflict, the employee is required to follow these rules of conduct to avoid any conflict of interest. If such relationships interfere with the employee's ability to effectively perform his or her duties, the employee will be required by the Township Supervisor to sever his or her outside business relationship or give up his or her Township job.
2. An employee shall disclose to the Township Supervisor on or before taking work or entering into an outside business relationship, all work or business relationships in which he or she is a partner for profit or in which he or she is paid for services in any form or manner. (See appendix B).
3. There shall be no meeting, casual conversations, or business of any kind conducted during Township business hours, in or out of the office, with any business partner or other individual that pays an employee for any services whatsoever unless such is first approved by the Township Supervisor.
4. There shall be no Township inspections done or approvals, permits, or licenses issued by an employee to individuals or businesses in which the employee has any business relationship, is a partner for profit, or is paid for services in any form or manner whatsoever.
5. A business in which an employee is a partner for profit or is paid for any service shall not perform services for Van Buren Charter Township unless the business relationship is disclosed to the Township Supervisor. Approval of the proposed business dealing shall be determined by either the Supervisor, the majority of full-time elected officials or the Township Board based upon the thresholds outlined in the Township Purchasing Policy, with said approval being granted at least seven (7) days prior to any contract, transaction, or service being performed. For



example, if the proposed business dealing was not previously approved by the Township Board, i.e. at the time of budget adoption, and has a value up to \$3,499,99, said approval can be granted by two of the three full-time elected officials provided neither of the two granting approval is a partner for profit to the business dealing. At any time, the Township Supervisor, may at his/her discretion, forward any such proposed business dealing to the Board of Trustees for their consideration.

Appendix D

Van Buren Charter Township  
Request for Supplementary Employment and/or  
Disclosure of Business Interest of Employee or Family Member

Employer or business relationship \_\_\_\_\_ Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_ Phone \_\_\_\_\_

Current Van Buren Charter Township job \_\_\_\_\_ Department \_\_\_\_\_

What family interest is involved? \_\_\_\_\_

What employer or business interest is involved? \_\_\_\_\_

I certify that this employment or business relationship will in no way conflict or interfere with my Township employment. I further certify that I read, understand, and agree to the following conditions: This employment or business relationship must in no way conflict with the Township rules concerning supplementary employment or business relationship or cause a conflict with work hours required for Township employment.

1. This employment or business relationship will not interfere with the quality of my Township work or the satisfactory and impartial performance of my Township duties.
2. I must secure written approval from my Departmental supervisor and the Township Supervisor before engaging in or changing currently approved supplementary employment.
3. I am prohibited from working, whether for compensation or otherwise, for any business or organization that does business with or provides services to the Township without first giving at least seven (7) days' notice to and receiving approval from the Supervisor, the majority of full-time elected officials or the Township Board as provided for in section #5 of Appendix A to the Ethics Policy.

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_  
PRINT - Employee Name \_\_\_\_\_  
Signature of immediate supervisor \_\_\_\_\_ Recommendation Date \_\_\_\_\_  
Signature of Township Supervisor \_\_\_\_\_ Approved/Disapproved \_\_\_\_\_ Date \_\_\_\_\_  
Comments: \_\_\_\_\_

## Appendix E

### Charter Township of Van Buren

#### Electronic Mail Retention

January 18th, 2008

#### POLICY

In order for government to function administratively, undergo periodic audits, provide for its legal requirements and document its heritage, it must manage its records properly. Therefore, the Charter Township of Van Buren (the "Township") requires its employees to retain and destroy e-mail messages that are sent and received in the course of conducting official business in accordance with an approved records Retention and Disposal Schedule.

#### PROCEDURES

##### Definitions:

- **Electronic mail (e-mail):** 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. Transactional information can be found and printed or saved from the e-mail system.
- **Records Retention and Disposal Schedules:** Listings of records or records series that are maintained by government agencies in the course of conducting their official business that identify how long the records must be kept, when they may be destroyed and when certain records can be sent to the Archives of Michigan for permanent preservation. In accordance with Michigan law, records cannot be destroyed unless their disposal is authorized by an approved Retention and Disposal Schedule. Retention and Disposal Schedules are developed by the Department of History, Arts and Libraries, Records Management Services, through consultation with an agency about its records. These schedules are then approved by the Michigan Historical Center and the State Administrative Board.
- **Michigan Township Record Retention General Schedule #10:**  
Van Buren Township follows this State of Michigan approved schedule identifying when certain public records may be disposed of or destroyed. This document can be viewed via the Internet at the below address:

**Public Records:** Recorded information that is prepared, owned, used, in the possession of, or retained by the Township in the performance of an official function. E-mail messages may be Public Records if they are created or received as part of performing a Public employee's official duties.

**General Schedule 1 - Non Records:** The approved schedule identifying non record materials and when they may be disposed of or destroyed, a copy of which is attached.

**Non Records:** Recorded information in the possession of the Township that is not needed to document the performance of an official function.

**Transitory records:** Recorded information related to Township activities that have temporary value and do not need to be retained once their intended purpose has been fulfilled. The recommended retention period for this information is thirty (30) days.

**Personal Records:** Recorded information that documents non-government business or activities. See the Township's Computer Policy and Usage Guide for further information and requirements.

**Elected Official and Employee Responsibilities:**

- Senders and recipients of e-mail messages shall evaluate each message to determine if they need to keep it as documentation of their role in an official function or process. (see attached "E-Mail Retention Criteria Checklist")
- Senders are generally considered to be the person of record for an e-mail message. However, if recipients of the message take action as a result of the message, they should also retain it as a record.
- Recognize that Township business conducted on home computers or other personal e-mail devices are subject to this policy.
- It is recommended that only the final message in a communication string that documents the contents of all previous communications be retained. This is preferable to retaining each individual message, containing duplicate content. In the case that multiple employees are addressed to the same message it is the receiver or receivers of the e-mail that are addressed "To" that have the responsibility to retain that message chain. Those who are addressed as "cc:" are not required to retain the message.
- Shall evaluate the content and purpose of each e-mail message to determine which Retention and Disposal Schedule defines the message's approved retention period. Please

refer to the "Michigan Township Record Retention General Schedule #10" for the appropriate retention period designated for your respective department. If you are still unsure please contact the Township Clerk for guidance and a final determination.

- Shall retain e-mail that has not fulfilled its legally-mandated retention period by any or all of the following:

- Retaining the message within the Township "live" E-mail system.

- Printing the message and filing it with other paper records that document the business process.

- Storing the message in an e-mail folder that resides on the Township's "live" E-Mail system. (Messages should NOT be stored in a Personal Folder on your PC or Laptop!)

- Saving the message on a network drive in a folder that contains other electronic records that document the business process.

- Shall retain transactional information (see definition of e-mail above) with the e-mail message if there is a substantial likelihood of relevancy to a claim (with the Township's insurance carrier) or litigation, either pending, threatened or reasonably foreseeable.

- Shall organize their e-mail messages so they can be easily located and used. (Ex. by subject, date, project number, case number, sender, etc)

- Shall dispose of transitory, non-record and personal e-mail messages from the e-mail system on a monthly basis if not sooner.

- Shall dispose of e-mail messages that document the official functions of the Township in accordance with an approved Retention and Disposal Schedule. Note: Records, including e-mail, shall not be destroyed if they have been requested under FOIA, or if they are part of on-going litigation even if their retention period has expired.

- Shall provide access to their e-mail to the FOIA or Department Director and/or Township attorney upon request.

- Shall retain all work-related appointments, tasks and notes stored in the e-mail system for 2 years.

- Recognizing that e-mail messages that are sent and received using the Township's e-mail system are not private, elected officials and employees are encouraged to manually delete personal appointments (such as dental appointments, personal appointments, etc) from the e-mail system after the event takes place. Per the Township's Computer Usage and Policy Guide it is understood that personal e-mail is to be kept to a minimum level.

- Any questions concerning these responsibilities should be directed to the appropriate Department Director, Township Clerk and/or the Information Technology Director.

#### **Township Responsibilities:**

- Shall ensure that its records are listed on an approved records Retention and Disposal Schedule (Van Buren Township follows the Michigan Township Record Retention General Schedule # 10)
- Shall ensure that all elected officials and employees with e-mail accounts are aware of and implement this policy, and monitor compliance.
- Shall notify the "Department of Information Technology" when the accounts of former employees can be closed.
- Shall ensure that the e-mail messages (and other records) of former elected officials and employees are retained in accordance with approved Retention and Disposal Schedules.
- Shall notify the FOIA Coordinator and/or the Township attorney when the Township becomes involved in litigation or when litigation is threatened or reasonably foreseeable, or receives a FOIA request.
- Exceptions to the procedures in this document may be granted in writing by the Township Supervisor or Township Clerk (who is also the FOIA Coordinator). The Township Clerk is the Township's statutory "Keeper of Records".
- Shall develop and maintain a backup schedule and process for Township servers and off-site storage. (see attached "Van Buren Township Backup Schedule and Process")

#### **FOIA Coordinator Responsibilities: (VBT FOIA Coordinator is the Township Clerk)**

- Shall identify if the records that are requested by the public are stored in e-mail, even if the public does not specifically request e-mail.
- Shall notify affected elected officials and employees that a FOIA request involving e-mail was received to prevent the destruction of relevant messages.
- May in appropriate instances notify the "Department of Information Technology" that a FOIA request involving e-mail was received to prevent the destruction of relevant messages.
- Shall identify all records relevant to litigation (pending, threatened or reasonably foreseeable) to which the Township is a party that are stored in e-mail.

- Shall notify the "Department of Information Technology" that e-mail related to litigation, whether stored in active accounts or backup tapes, cannot be destroyed until after the case is closed.

#### E-Mail Retention Criteria Checklist

- ✓ Does the message form part of a Township transaction?
- ✓ Does it add value to an existing record?
- ✓ Does it show how a Township transaction was dealt with?
- ✓ Does it show how a Township decision was made?
- ✓ Does it show when or where a Township event happened?
- ✓ Does it indicate who was involved or what advice was given?
- ✓ Is it a formal draft of an agreement or legal document?
- ✓ Do I need to keep this message to document my work?
- ✓ Is it evidence? Is there a substantial likelihood of relevancy to a claim (with the Township's insurance carrier), dispute, FOIA request or litigation, either pending, threatened or reasonably foreseeable.

If the answer to any of these questions is YES then the message cannot be destroyed.

## Van Buren Township Backup Schedule and Process

The Van Buren Township I.T. Department performs a full backup of the Township Servers every week night. \*Full Backups are performed Monday – Friday each night. Both Servers have separately labeled tapes that correspond to each weekday. \*\*In addition, a “First Monday of the Month” full backup is done which is then stored off-site for a one month time period.

	Monday	Tuesday	Wednesday	Thursday	Friday
Week 1	Monday (Full) Monthly	Tuesday (Full)	Wednesday (Full)	Thursday (Full)	Friday (Full)
Week 2	Monday (Full)	Tuesday (Full)	Wednesday (Full)	Thursday (Full)	Friday (Full)
Week 3	Monday (Full)	Tuesday (Full)	Wednesday (Full)	Thursday (Full)	Friday (Full)
Week 4	Monday (Full)	Tuesday (Full)	Wednesday (Full)	Thursday (Full)	Friday (Full)

**Monday (Full) Monthly Backup** - Performed the first Monday of every month and saved off-site until the following month when this tape is overwritten again on the first Monday of the following month.

*(This tape is stored off-site for one month.)*

**All other Days receive Full Backups -**

With the specific Monday/Tuesday/Wed/Thursday/Friday tape which is then overwritten the following week on that specific day using the corresponding weekday labeled tape.

*(These tapes are stored off-site for one to four days.)*

This backup process allows the Township to restore any data back to a server going back to the previous week for the most recent data restore capability or restoring up to the previous month using the “First Monday of the Month” monthly tape.

\* This process has been in effect since the year 2000

\*\* This process has been added this year (2007)

**Note:** Off-Site Storage was implemented in October of 2006.





## Appendix F

### Charter Township of Van Buren Van Buren Township, MI Computer Policy and Usage Guide Revised March 6, 2012

#### Introduction

This document is designed as a guide regarding access to all Van Buren Township computer and network resources by Township employees. This policy does not apply to Township Elected Officials or authorize the monitoring or inspection of Elected Officials e-mails or computer usage. Elected Officials shall not be considered to be Township Employees for the purposes of this policy. One (1) copy of this document will be available in each Township Department including Township Fire Stations, Parks Building, and the Belleville Area Museum. The Township reserves the right to modify this policy at any time. All modifications will be made available throughout the Departments stated above.

#### Policy Statement and Purpose

The use of Van Buren Township automation systems, including computers, laptops, IPADS, other mobile technology and equipment, portable storage media, fax machines, and all forms of Internet/Intranet access, is for Township business and for authorized purposes only. Brief and occasional personal use of the electronic mail system or the Internet is acceptable as long as it is not excessive or inappropriate, occurs during personal time (lunch or other breaks), and does not result in expense to the Township. However, all personnel are expected to demonstrate a sense of responsibility and not abuse this privilege.

Use is defined as "excessive" if it interferes with normal job functions, responsiveness, or the ability to perform daily job activities. Electronic communication should not be used to solicit or sell products or services that are unrelated to the Township's business; distract, intimidate, or harass coworkers or third parties; or disrupt the workplace.

Use of Township computers, networks, and Internet access is a privilege granted by management and may be revoked at any time for inappropriate conduct carried out on such systems, including, but not limited to:

- Sending chain letters or participating in any way in the creation or transmission of unsolicited commercial e-mail ("spam") that is unrelated to legitimate Township purposes;
- Engaging in private or personal business activities, including excessive use of instant messaging and chat rooms (see below);
- Misrepresenting oneself or the Township or intending to represent the Township official view of a public issue unless authorized to do so;
- Violating the laws and regulations of the United States or any other nation or any state, city, province, or other local jurisdiction in any way;
- Engaging in unlawful or malicious activities or activities contrary to the Township's policy or business interest;
- Deliberately propagating any virus, worm, Trojan horse, trap-door program code, or other code or file designed to disrupt, disable, impair, or otherwise harm either the Township's networks or systems or those of any other individual or entity;
- Sending, receiving, or accessing pornographic, obscene or sexually explicit materials;
- Causing congestion, disruption, disablement, alteration, or impairment of Township networks or systems;
- Maintaining, organizing, or participating in non-work-related Web logs ("blogs"), Web journals, "chat rooms", or private/personal/instant messaging;
- Failing to log off any secure, controlled-access computer or other form of electronic data system to which you are assigned, if you leave such computer or system unattended;
- Using recreational computer games excessively;
- Defeating or attempting to defeat security restrictions on Township systems and applications;
- Violating any license governing the use of software or copyrights.
- Leaving mobile equipment in an unsecured fashion, making it vulnerable to theft, damage or accessible to unauthorized individuals.
- Failure to properly maintain the charge of mobile equipment for use, which causes a disruption of the assigned duties using such equipment.

Using Township automation systems to access, create, view, transmit, retrieve, store or receive discriminatory, harassing, defamatory, derogatory, racist, abusive, profane, sexist, threatening, or otherwise objectionable language or illegal material is strictly prohibited. "Material" is defined as any visual, textual, or auditory entity. Such material violates the Township's anti-harassment policies and is subject to disciplinary action.

The Township's electronic mail system, Internet access, and computer systems must not be used to violate the laws and regulations of the United States or any other nation or any state, city, province, or other local jurisdiction in any way. Use of Township resources for illegal activity can lead to disciplinary action, up to and including dismissal, legal action and criminal prosecution.

The Township will comply with reasonable requests from law enforcement and regulatory agencies for logs, diaries, archives, or files on individual Internet activities, e-mail use, and/or computer use.

Unless specifically granted in this policy, any non-business use of the Township's automation systems is expressly forbidden.

If you violate these policies, you could be subject to disciplinary action, up to and including dismissal.

#### **Ownership and Access of Electronic Mail, Internet Access, and Computer Files**

The Township owns the rights to all data and files in any computer, network, or other information system used at the Township. The Township also reserves the right to monitor electronic mail messages (including personal and or private instant messaging systems) and their content, as well as any and all use of the Internet and of computer equipment used to create, view, or access e-mail and Internet content. Employees must be aware that the electronic mail messages sent and received using Township equipment are not private and are subject to viewing, downloading, inspection, release, and archiving by Township officials at all times. In addition, Freedom of Information Act ("FOIA") regulations provide that any electronic activities generated with Township resources are subject to FOIA, unless a specific exclusion applies due to the nature of the information.

Township Management, in accordance with the procedure set forth in this policy, shall have the right to inspect any and all files of Township employees including e-mail, Internet related usage, files stored in private areas of the network or on individual computers or storage media in order to assure compliance with policy and state and federal laws.

No employee may access another employee's computer, computer files, or electronic mail messages except in accordance with the provisions of this policy.

The following process which is to be done via Township e-mail or written request is to be followed regarding searches or monitoring of any Township employee's e-mail or Internet related usage.

If a request is made to search an employee's computer records, notice shall be given in writing or by e-mail to all three Township full-time elected officials. Upon receipt of written or email authorization from at least two of the three full-time elected officials, the I.T. Director is authorized to conduct such search and provide the information to the three-full-time elected officials.

The three full-time elected officials may lawfully use or release such information as they deem appropriate.

The Township has licensed the use of certain commercial software application programs for business purposes. Third parties retain the ownership and distribution rights to such software. No employee may create, use, or distribute copies of such software that are not in

compliance with the license agreements for the software. Violation of this policy can lead to disciplinary action, up to and including dismissal, legal action and criminal prosecution.

#### **Confidentiality of Electronic Mail**

As noted above, electronic mail is subject at all times to monitoring, and the release of specific information is subject to applicable state and federal laws and Township rules, policies, and procedures on confidentiality.

Existing rules, policies, and procedures governing the sharing of confidential information also apply to the sharing of information via commercial software. Since there is the possibility that any message could be shared with or without your permission or knowledge, the best rule to follow in the use of electronic mail for non-work-related information is to decide if you would post the information on the office bulletin board with your signature.

It is a violation of Township policy for any employee, including system administrators and supervisors, to access electronic mail and computer systems files to satisfy curiosity about the affairs of others.

Employees found to have engaged in such activities will be subject to disciplinary action up to and including dismissal, legal action and criminal prosecution.

#### **Electronic Mail Tampering**

Electronic mail messages received should not be altered without the sender's permission; nor should electronic mail be altered and forwarded to another user and/or unauthorized attachments be placed on another's electronic mail message.

#### **Policy Statement for Internet/Intranet Browser(s)**

The Internet is to be used to further the Township's mission, to provide effective service of the highest quality to the Township's residents and staff, and to support other direct job-related purposes. Department Director's should work with employees to determine the appropriateness of using the Internet for professional activities and career development. The various modes of Internet/Intranet access are Township resources and are provided as business tools to employees who may use them for research, professional development, and work-related communications. Limited personal use of Internet resources is a special exception to the general prohibition against the personal use of computer equipment and software.

Employees are individually liable for any and all damages incurred as a result of violating Township security policy, copyright, and licensing agreements. Employees shall also indemnify and hold the Township harmless from any claims, damages, loss, costs, liabilities or expenses related to these violations.

All Township policies and procedures apply to employees' conduct on the Internet, especially, but not exclusively, relating to: intellectual property, confidentiality, Township information dissemination, standards of conduct, misuse of Township resources, anti-harassment, and information and data security.

#### **Personal Electronic Equipment**

Employees should not bring personal computers to the workplace or connect them to Township electronic systems unless expressly permitted to do so by the Township. Any employee bringing a personal computing device or image recording device onto Township premises thereby gives permission to the Township to inspect the personal computer or image recording device at any time with personnel of the Township's choosing and to analyze any files, other data, or data storage media that may be within or connectable to the personal computer or image recording device in question.

Employees who do not wish such inspections to be done on their personal computers or imaging devices should not bring such items to work at all.

Employees are forbidden to copy any sensitive Township data such as Social Security Numbers or resident addresses and phone numbers to portable storage devices. Non-sensitive Microsoft Word or Excel documents are permitted to be placed on portable storage devices for work at home. Employees should seek approval of their Department Supervisor if they are unsure of the document sensitivity.

Employees should not connect any Township portable computing or storage device to any Non-Township network.

Violation of this policy, or failure to permit an inspection of any device covered by this policy, shall result in disciplinary action, up to and possibly including immediate termination of employment. In addition, the employee may face both civil and criminal liability from the Township or from individuals whose rights are harmed by the violation.

Sign and return to: \_\_\_\_\_

I have read the Van Buren Township "Computer Policy and Usage Guide" and understand my responsibilities in the use of Van Buren Township computer and network resources and agree to comply with the foregoing policies, rules and conditions.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Director: \_\_\_\_\_

Dated: \_\_\_\_\_

**Appendix G**

**Charter Township of Van Buren County of Wayne  
Resolution 2014-13**

**Prohibition against Interdepartmental Employment by Township Employees**

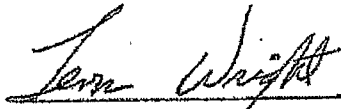
**Effective immediately, Township personnel will not be allowed to be employed in more than one job classification. Current Township personnel employed in more than one job classification will be allowed to continue in that capacity until such practice is phased out.**

**Yeas: Combs, Wright, Jahr and Miller.**

**Nays: None.**

**Absent: Budd, Hart and McClanahan.**

**I hereby certify that the foregoing is a true and correct resolution adopted by the Board of Trustees of the Charter Township of Van Buren at its regular meeting of May 6, 2014.**



---

**Leon Wright, Clerk  
Charter Township of Van Buren**

**Appendix H**

**Charter Township of Van Buren  
County of Wayne, Michigan  
Resolution 2015-07**

**Prohibition against Using Accrued Time While still working for the Township**

**EFFECTIVE IMMEDIATELY, Township employees will not be permitted to use any accrued time (vacation, personal and/or comp time) while at the same time working for the Township in some other paid capacity.**

**Yeas:**

**Nays:**

**Absent:**

**I hereby certify that the foregoing is a true and correct resolution adopted by the Board of Trustees of the Charter Township of Van Buren at its regular meeting of March 3, 2015.**

\_\_\_\_\_  
**Leon Wright, Clerk**                      **Date** \_\_\_\_\_  
**Charter Township of Van Buren**

## Appendix I

### Van Buren Charter Township Resolution 2005-41 Social Security Number Privacy Policy

Moved by, Trustee Hart, seconded by, Treasurer Budd

#### 1. Purpose.

Van Buren Charter Township ("Van Buren Charter Township") is required by the Michigan Social Security Number Privacy Act, Public Act 454 of 2004, MCL 445.81 *et seq.*, (the "Act") to create a privacy policy concerning the Social Security numbers that it possesses or obtains.

Pursuant to the Act, the privacy policy must at least:

- a. Ensure to the extent practicable the confidentiality of the Social Security numbers.
- b. Prohibit unlawful disclosure of the Social Security numbers.
- c. Limit who has access to information or documents that contain the Social Security numbers.
- d. Describe how to properly dispose of documents that contain the Social Security numbers.
- e. Establish penalties for violation of the privacy policy.

This Privacy Policy sets forth Van Buren Charter Township's policies and procedures regarding how Social Security numbers are obtained, stored, transferred, used, disclosed and disposed.

#### 2. Policy.

It is the policy of Van Buren Charter Township to protect the confidentiality of Social Security numbers obtained in the ordinary course of Van Buren Charter Township's 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 Van Buren Charter Township obtains or possesses except in accordance with the Act and this Privacy Policy.

#### 3. Procedure.

- a. **Obtaining Social Security Numbers.** Social Security numbers should 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 Van Buren Charter Township employee benefit plans.
- Social Security numbers may be obtained from employees for the issuance of business related credit card accounts.
- Social Security numbers may be obtained from creditors or vendors for tax reporting purposes.

**b. Public Display.** All or more than four sequential digits of a Social Security number shall not be placed 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.

**c. Account Numbers.** All or more than four sequential digits of a Social Security number shall not be used as a primary account number for an individual.

**d. Computer Transmission.** All or more than four sequential digits of a Social Security number shall not be used or transmitted on the Internet or on a computer system or network unless the connection is secure or the transmission is encrypted.

**e. Mailed Documents.** Van Buren Charter Township documents containing all or more than four sequential digits of a Social Security number shall only be sent 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.

**f. 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 or otherwise rendered unreadable before the document or copy of a document is disclosed.

**g. 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.

**h. Access to Social Security Numbers.** Only personnel who have legitimate business reasons to know will 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 Van Buren Charter 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.

**i. Disposal.** Documents containing Social Security numbers will 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.

**j. Unauthorized Use or Disclosure of Social Security Numbers.** Van Buren Charter 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 the Act carry criminal and/or civil sanctions. Van Buren Charter 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 Van Buren Charter Township for unlawful purposes.

Yeas: King, Payne, Budd, Hart, Herman, Jahr and Rochowiak.  
Nays: None.  
Absent and excused: None.

I, Joannie D. Payne, Clerk of Van Buren Charter Township, hereby certify that the foregoing is a true and correct copy of a Resolution approved by the Van Buren Charter Township Board of Trustees at a meeting held December 20, 2005.

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Joannie D. Payne, CMC  
Township Clerk

## Appendix J

<b>Point classification table</b>	
<b>Incident</b>	<b>Points</b>
Incident was beyond the driver's control	0
Driving aggressively or discourteously	1
Failing to make allowance for adverse light, road, weather, and vehicle load or traffic conditions.	1
Operating a vehicle with defective equipment.	1
Failing to properly adjust vehicle mirrors, seat, and headrest or sun visor.	1
Failing to secure loose objects inside the vehicle.	1
Failing to heed warning labels of medications.	1
Fatigue, falling asleep at the wheel.	2
Exceeding posted speed limit.	2
Lack of proper type or valid license, or failing to comply with license restriction.	2
Failing to maintain sufficient clearance when operating vehicle.	2
Following too closely (tailgating).	2
Failing to signal intentions.	2
Overloading vehicle or not following operating manual.	2
Operating vehicle in an unsafe manner.	2
Improperly backing the vehicle.	2
Disregarding stop signs or signals.	3
Making an improper turn, lane change or other movement errors.	3
Driving on the wrong side of the road.	3
Failing to yield the right-of-way or other failure to yield error.	3
Committing involuntary manslaughter or criminally negligent homicide.	12
Attempting to elude a law officer, or hit/run.	12
Operating a vehicle while operator's license is suspended or revoked.	12
Operating vehicles under the influence of alcohol or drugs.	12
<b>Total points</b>	