

**CHARTER TOWNSHIP OF VAN BUREN BOARD OF TRUSTEES
MARCH 31, 2014 WORK STUDY MEETING, TENTATIVE AGENDA**

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Supervisor Combs	_____	Trustee McClanahan	_____
Clerk Wright	_____	Trustee Miller	_____
Treasurer Budd	_____	Engineer Nummer	_____
Trustee Hart	_____	Attorney McCauley	_____
Trustee Jahr	_____	Secretary Cline	_____

UNFINISHED BUSINESS:

1. Discussion on part time Human Resource job description.
2. Discussion on Begging Ordinance 58-180.

NEW BUSINESS:

1. Discussion on Leave of Absence (Personal) for a Paid on Call Fire Fighter, per the Michigan Association of Fire Fighters Collective Bargaining Agreement.

CLOSED SESSION:

1. To discuss attorney's opinion letter on begging ordinance.

ADJOURNMENT:

Charter Township of Van Buren

REQUEST FOR BOARD ACTION

WIS-UF # 1
 Agenda Item: BRO-NB # 4

WORK STUDY MEETING

DATE: MARCH 31, 2014

BOARD MEETING

DATE: APRIL 1, 2014

Consent Agenda

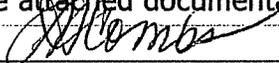
New Business

Unfinished Business

Public Hearing

ITEM (SUBJECT)	Consider approval of job description for HR Manager
DEPARTMENT	HR
PRESENTER	Supervisor Combs, Clerk Wright
PHONE NUMBER	734-699-8910
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)	

Agenda topic

ACTION REQUESTED	
Approve the job description for the HR Manager	
BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)	
As requested by the Board of Trustees, attached is the job description for a part-time HR Manager. The duties in this position are exclusive for a part-time employee, and they do not include benefits management or union/collective bargaining agreements. When this position is re-assessed in the near future for full-time consideration, both benefits management and union/collective bargaining agreements will be incorporated into the job description.	
BUDGET IMPLICATION	
IMPLEMENTATION NEXT STEP	
DEPARTMENT RECOMMENDATION	Yes
COMMITTEE/COMMISSION RECOMMENDATION	
ATTORNEY RECOMMENDATION	Attached
(May be subject to Attorney/Client Privilege and not available under FOIA)	
ADDITIONAL REMARKS	See attached documentation for additional information.
APPROVAL OF SUPERVISOR	

VAN BUREN TOWNSHIP

POSITION DESCRIPTION

POSITION TITLE: Human Resources Manager

EXEMPT: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> SHIFT: 1 HOURS: part-time LOCATION: 46425 Tyler Road, Van Buren Twp., MI	DEPARTMENT: Human Resources UNION: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
APPROVED BY:	DATE: March 21, 2014

POSITION SUMMARY

The Human Resources Manager maintains and enhances the organization's human resources by planning, implementing, and evaluating employee relations and human resources policies, programs, and practices. This employee plans, directs, and coordinates the administrative functions of the Human Resources Department for the Township; oversees the recruiting, interviewing, and hiring of new staff; consults with Township directors on strategic planning; serves as a link between the Township's directors and employees, and ensures adherence to the rules, regulations, policies, procedures and local, State and Federal laws.

See Exhibit A for complete list of **Position Functions, Duties and Responsibilities**.

POSITION REQUIREMENTS

FACTOR	MINIMUM QUALIFICATIONS
EDUCATION:	Bachelor's Degree in Human Resources, Business or related field required.
EXPERIENCE:	Minimum of 5-7 years of Human Resources experience required. 1-2 years of Supervisory experience preferred.
KNOWLEDGE/SKILLS/ABILITIES:	1. Supports workforce structure by: establishing a recruiting and interviewing program, providing counseling on candidate selection, arranging interviews, conducting and analyzing exit interviews and recommending changes where appropriate. 2. Strong analytical, organizational and interpersonal abilities. 3. Has the ability to be persuasive and relentless in reinforcing the best interests of

	<p>the Township.</p> <ol style="list-style-type: none"> 4. Ability to work well under pressure. 5. Communicates the Township's vision and values through words and actions. 6. Ability in decision making and problem solving. 7. Knowledge of laws, legal codes, court procedures, government regulations, agency rules regarding employment matters. 8. Knowledge of principles and procedures for personnel recruitment, selection, training, compensation and benefits, and personnel information systems. 9. Ability to read, analyze, and interpret complex documents. 10. Knowledge of business and management principles involved in strategic planning, resource allocation, human resources modeling, leadership technique, and coordination of people and resources.
PHYSICAL DEMANDS:	<p>With or without accommodation, can operate personal computer. Stands and walks frequently. Occasionally lifts and/or moves items of light to moderate weight. Required to sit; use hands to finger, handle, or feel; reach with hands and arms; and talk or hear.</p>
MENTAL DEMANDS:	<p>Must be able to problem solve and prioritize and handle multiple tasks.</p>
MACHINE EQUIPMENT:	<p>Able to operate calculator, fax machine, personal computer and related software.</p>
WORKING CONDITIONS:	<p>Normally work in an office environment.</p>
OTHER REQUIREMENTS:	<p>Ability to work effectively and professionally with organization's personnel and the public. Ability to maintain confidential information. Local travel may be required at times.</p>

EXHIBIT A

VAN BUREN TOWNSHIP POSITION DESCRIPTION

POSITION TITLE: Human Resources Manager

Position Functions, Duties and Responsibilities:

1. Ensures planning, monitoring, and appraisal of employee work results through timely planning and execution of the Township's annual Performance Management process. Encourages directors to timely coach and develop employees year round; hears and resolves employee grievances; conducts counseling with employees and supervisors.
2. Plans and conducts new employee orientation to foster positive attitude toward Township's goals.
3. Ensures legal compliance with State law by monitoring and implementing applicable human resource DOL policy requirements; conducts investigations; maintains confidential employee files and records; represents the organization at unemployment hearings.
4. Maintains past historical human resource records in accordance with State law. Custodian of Township employee's records.
5. Supports workforce structure by establishing a recruiting and interviewing program, provides counseling on candidate selection, arranges interviews, conducts and analyzes exit interviews, and recommends changes where appropriate.
6. Prepares employee separation notices and related documentation, and conducts exit interviews to determine reasons behind separations.
7. Responds to inquiries regarding policies, procedures, and programs.
8. Advises management in appropriate resolution of employee relations matters.
9. Identifies legal requirements and government reporting regulations affecting human resources functions and ensures policies, procedures, and reporting are in compliance.
10. Conducts job/careers fairs for Township, as needed.
11. May attend Township Board and other meetings, as needed.
12. Maintains absolute confidentiality of work-related issues, employee's records, and Township's information.
13. Maintains the work structure by updating job requirements and job descriptions for all positions.
14. Consults legal counsel to ensure that policies comply with Federal and State law.

15. Prepares budget of human resources operations.
16. Processes unemployment paperwork.
17. Contracts with outside suppliers to provide employee services, such as temporary employees, search firms, or relocation services.
18. Plans, directs, supervises, and coordinates work activities of subordinates and staff relating to employment, compensation, labor relations, and employee relations.
19. Ensures legal compliance by monitoring and implementing applicable human resource Federal and State requirements.
20. Performs other related duties as assigned.

Charter Township of Van Buren

WS-NB #1
 Agenda Item: BRD NB #3

REQUEST FOR BOARD ACTION

WORK STUDY MEETING

DATE: MARCH 30, 2014

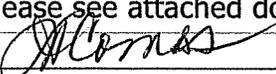
BOARD MEETING DATE:

APRIL 1, 2014

Consent Agenda _____ New Business x Unfinished Business _____ Public Hearing _____

ITEM (SUBJECT)	Leave of Absence – Personal
DEPARTMENT	Public Safety, Fire Department
PRESENTER	Fire Chief Dan Besson
PHONE NUMBER	734-699-8916
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)	

Agenda topic

ACTION REQUESTED	Approval
BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)	<p>Firefighter Jeffrey Schulz was formally offered full-time employment on March 14, 2014 with a start date of March 17, 2014. After speaking with his new employer his training and work demands will require his full attention for the next (6) months leaving him little time to commit to his current role as paid-on-call member of the fire department.</p> <p>As a result, Firefighter Schulz is formally requesting a Personal Leave of Absence, as outlined in Article XII of the collective bargaining agreement, from the date of board approval effective April 1st until October 1st, 2014. His request was not received in time for the last BOT meeting in March.</p> <p>Article XII indicates that his request requires the approval of the Director of Public Safety and the Board of Trustees.</p>
BUDGET IMPLICATION	NA
IMPLEMENTATION NEXT STEP	Approval
DEPARTMENT RECOMMENDATION	Yes
COMMITTEE/COMMISSION RECOMMENDATION	N/A
ATTORNEY RECOMMENDATION	N/A
(May be subject to Attorney/Client Privilege and not available under FOIA)	
ADDITIONAL REMARKS	Please see attached documentation for additional information.
APPROVAL OF SUPERVISOR	

Charter Township of Van Buren

Agenda Item: WS # 2

REQUEST FOR BOARD ACTION

WORK STUDY MEETING DATE:

MARCH 31, 2014

BOARD MEETING DATE:

Consent Agenda

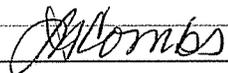
New Business

Unfinished Business

Public Hearing

ITEM (SUBJECT)	Ordinance 58-180, # _____
DEPARTMENT	Ordinance
PRESENTER	Supervisor Combs
PHONE NUMBER	734-699-8910
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)	Attorney Chris Hogg

Agenda topic

ACTION REQUESTED	
Discuss Ordinance 58-180 Begging Ordinance	
BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)	
Information from the attorney has been provided to the Board.	
BUDGET IMPLICATION	
IMPLEMENTATION NEXT STEP	
DEPARTMENT RECOMMENDATION	
COMMITTEE/COMMISSION RECOMMENDATION	
ATTORNEY RECOMMENDATION	
(May be subject to Attorney/Client Privilege and not available under FOIA)	
ADDITIONAL REMARKS	
APPROVAL OF SUPERVISOR	

CHARTER TOWNSHIP OF VAN BUREN
County of Wayne, State of Michigan

Ordinance No.: _____
 (Township Board Meeting Date)

AN ORDINANCE TO AMEND THE CURRENT CHAPTER 58 OF THE TOWNSHIP GENERAL CODE OF ORDINANCES, “OFFENSES AND MISCELLANEOUS PROVISIONS”, ARTICLE V, “OFFENSES AGAINST PUBLIC PEACE”, SECTION 58-180, “BEGGING”

AN ORDINANCE TO PROHIBIT AGGRESSIVE BEGGING, FRAUDULENT BEGGING, AND BEGGING ON PRIVATE PROPERTY.

The Charter Township of Van Buren ordains that Chapter 58 of the Township General Code of Ordinances, Article V, Section 58-180, (titled “Begging”) is hereby amended by striking all of its former language and to now read as follows:

Sec. 58-180. – Begging/Panhandling

A. Statement of Purpose and Intent:

This Ordinance is adopted by the Charter Township of Van Buren (the “Township”) in order to protect persons from being solicited for funds or other assistance in a manner that is fraudulent, threatening, intimidating and/or harassing, while at the same time recognizing that peaceful, non-aggressive, and non-fraudulent solicitation of funds or other assistance is generally protected under the First Amendment to the United States Constitution, and therefore, is generally permitted within the Township unless restricted by this Ordinance or any other applicable law or ordinance. Restricting the solicitation of funds that is fraudulent, threatening, intimidating and/or harassing is intended to keep public places safe and attractive for use by all members of the community and to maintain and preserve public places where all of the community can interact in a peaceful manner. This Ordinance is also intended to provide for the free flow of vehicular traffic on streets within the Township, to protect the safety of motorists and pedestrians, to promote tourism and business, and preserve the quality of life of Township residents and visitors. The solicitation of funds or other assistance in close proximity to entrances/exits of banks or automated teller machines, where persons have a reasonable expectation of privacy in conducting financial transactions, is inherently threatening and intimidating and should be restricted. Finally, in order to protect the rights of private property owners and occupants within the Township, both commercial and residential, the solicitation of funds or other assistance on these properties shall be restricted if the property owner or occupant has posted a sign clearly indicating that such solicitations are prohibited.

B. Definitions:

1. “Begging” or “Beg” means any method of panhandling or solicitation of funds or thing of value, or other assistance, for oneself, for another person, or for any entity. Purchase of an item for an amount far exceeding its value, under circumstances in which a reasonable person would understand that the purchase is, in substance, a donation, shall be considered begging. Solicitation to perform services, or to perform any act, made in person, for payment of money, gratuity, or other thing of value shall be considered begging.

2. "Aggressive Begging" shall mean:

- a. Approaching or speaking to a person, or following a person before, during or after begging, if that conduct is likely to cause a reasonable person to:
 - i. Fear bodily harm to oneself or to another, damage to or loss of property; or
 - ii. Otherwise be intimidated into giving money, goods or other things of value;
- b. Intentionally or recklessly touching or causing physical contact with another person without that person's consent in the course of begging;
- c. Using violent or threatening gestures, or any other conduct that would make a reasonable person feel intimidated, threatened, and/or or compelled to make a donation, before, during or after begging;
- d. Using profane, offensive or abusive language, either before, during or after begging, which is inherently likely to provoke an immediate violent reaction, or that would make a reasonable person feel intimidated, threatened, and/or or compelled to make a donation.
- e. Continuing to solicit from a person after the person has given a negative response to the solicitation or following within 5 feet behind, ahead or alongside a person who walks away after being solicited;
- f. Begging on any roadway whenever the person begging enters the roadway or would have to do so to accept the money, thing of value, or other assistance;
- g. Rendering, or attempting to render, any service to a motor vehicle, including but not limited to any cleaning, washing, protecting, guarding, door opening/closing, or repairing of said vehicle or any portion thereof, without the prior consent of the owner, operator or occupant of such vehicle, and thereafter soliciting or begging for payment for the performance of such service;
- h. Knocking on the window of, or physically reaching into, an occupied vehicle before, during or after begging;
- i. Intentionally or recklessly blocking or interfering with the safe or free passage of a pedestrian or vehicle by any means, including causing a pedestrian or vehicle operator to take evasive action to avoid physical contact before, during or after begging;
- j. Begging within 15 feet of any automatic teller machine (ATM) or the entrance and exit doorways of any bank;

3. "Fraudulent Begging" shall mean:

- a. Deceiving or attempting to deceive another, during the course of begging, into believing that the person(s) soliciting is stranded and/or from out of town when same is not true;
- b. Deceiving or attempting to deceive another, during the course of begging, into believing that the person(s) soliciting is a present or former member of the armed service when same is not true;
- c. Deceiving or attempting to deceive another, during the course of begging, into believing that the person(s) soliciting has a disability when same is not true;
- d. Deceiving or attempting to deceive another, during the course of begging, into believing that the person(s) is homeless when same is not true;

4. "Begging on Private Property" shall mean:

- a. Begging on private residential property if the property owner or occupant has posted a sign clearly indicating that such solicitations are prohibited on the property, or if no sign is posted, if the person soliciting has been informed that the property owner or occupant does not welcome such solicitations;
- b. Begging on private commercial property if the property owner or occupant has posted a sign clearly indicating that such solicitations are prohibited on the property, or if no sign is posted, if the person soliciting has been informed that the property owner or occupant does not welcome such solicitations;

C. Prohibitions on Begging:

1. It shall be unlawful for any person to engage in Aggressive Begging within the Charter Township of Van Buren;
2. It shall be unlawful for any person to engage in Fraudulent Begging within the Charter Township of Van Buren;
3. It shall be unlawful for any person to engage in Begging on Private Property within the Charter Township of Van Buren;

D. Repealer

All other ordinances or resolutions, or parts of ordinances or resolutions that are in conflict herewith are hereby repealed.

E. Savings

This amendment does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendments of this Ordinance.

F. Severability

If any provision of this ordinance or the application thereof to any person or circumstances is declared unconstitutional, void, illegal, or ineffective by any court of competent jurisdiction, and thereby ceasing to be a part of this ordinance, this shall not affect the validity of other remaining provisions of this ordinance, as a whole or in part, which may be given effect without the invalid provisions or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

G. Effective Date

The provisions of this Ordinance are ordered to take effect twenty-one (21) days after publication.

H. Date and Publication

This Ordinance is hereby declared to have been adopted by the Township Board of the Charter Township of Van Buren, County of Wayne, State of Michigan, at a regular meeting, called and held on the _____th day of _____, 2014 and ordered to be given publication in the manner prescribed by law.

Yeas (in favor of amendment): _____

Nays (opposed to amendment): _____

Absent: _____

I hereby approve the foregoing Ordinance.

Linda Combs,
Supervisor, Charter Township of Van Buren

Leon Wright,
Clerk, Charter Township of Van Buren

Date Adopted: _____

Date Published: _____

Date Effective: _____