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**Supervisor** Jason Negri **Clerk** Mike Dolan **Treasurer** Jennifer Daniels **Trustees** Chuck Menzies, Patricia Hughes, Nick Miller, Joanna Hardesty

## **TOWNSHIP BOARD WORK-STUDY SESSION**

**Tuesday, February 03, 2026 at 12:00 PM**  
**Hamburg Township Hall Board Room**

### **AGENDA**

**CALL TO ORDER**

**PLEDGE TO THE FLAG**

**ROLL CALL OF THE BOARD**

**CALL TO THE PUBLIC**

**CONSENT AGENDA**

**APPROVAL OF THE AGENDA**

**UNFINISHED BUSINESS**

1. APPM - updates
2. APPM Edit Section 3.16

**CURRENT BUSINESS**

3. Park Ranger Position
4. Insurance Waiver - APPM
5. Fund Balance Policy - APPM

**CALL TO THE PUBLIC**

**BOARD COMMENTS**

**ADJOURNMENT**



# **HAMBURG TOWNSHIP ADMINISTRATIVE POLICIES & PROCEDURES MANUAL**

Updated: December 16, 2025



# HAMBURG TOWNSHIP

## ADMINISTRATIVE POLICIES & PROCEDURES MANUAL

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# HAMBURG TOWNSHIP

## ADMINISTRATIVE POLICIES & PROCEDURES MANUAL

### 0.0 DEFINITIONS

The words and phrases below have the following meanings for the Hamburg Township Administrative Policies and Procedures Manual:

**Bankers' Acceptance (BA):** A draft or bill or exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

**Broker:** A broker brings buyers and sellers together for a commission paid by the initiator of the transaction or by both sides.

**Callable Bond:** A bond issue in which all or part of its outstanding principal amount may be redeemed before maturity by the issuer under specified conditions.

**Certificate of Deposit:** A time deposit with a specific maturity evidenced by a certificate. Large denomination CDs are typically negotiable.

**Collateral:** Securities or property pledged by a borrower to secure payment.

**Commercial Paper:** An unsecured promissory note with a fixed maturity of no more than 270 days. Commercial paper is normally sold at a discount from face value.

**Construction work:** new construction, alterations, repair, installation, completion, demolition, or improvement of a Township-owned or Township-occupied building or other public works.

**Construction project:** labor and material necessary for the construction, renovation, repair or improvements of a Township-owned building, except repair in emergency situations.

**Content:** Words, Video, Audio, or any combination of these things, which are used to relay a message to the public through Social Media Networks.

**Craftsmen, mechanics and laborers:** all skilled and unskilled craftsmen, mechanics, laborers, workers, and apprentices, but not executive, administrative, professional, supervisory, office or custodial employees.

**Dealer:** A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his/her own account.

**Debenture:** A bond secured only by the general credit of the issuer.

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**Delivery Versus Payment:** There are two methods of delivery of securities: delivery versus payment and delivery versus receipt (also called free). Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

**Discount Securities:** Non-interest-bearing money market instruments that are issued at a discount and redeemed at maturity for full face value.

**Diversification:** Dividing investment funds among a variety of securities offering independent returns.

**Emergency Management Director:** Township Official, or staff member, as listed in the Emergency Management Plan Resolution, who is authorized to direct staff to post on any platform, for purposes of relaying timely information to the public in an emergency situation.

**Executive Team:** A group of elected officials consisting of the Supervisor, Clerk and Treasurer, who are responsible for providing day-to-day direction and control over all Township activities that are not assigned by State law to another official, and to provide a liaison between the Board and the various Township departments.

**Fringe benefits:** compensation due an employee pursuant to a written contract or written policy for holiday, time off for sickness or injury, time off for personal reasons or vacation, ~~stipend~~**bonuses**, authorized expenses incurred during the course of employment, and contributions made on behalf of an employee.

**Federal Deposit Insurance Corporation (FDIC):** A federal agency that insures bank and savings bank deposits.

**Federal Funds Rate:** The rate of interest at which Fed funds are traded. The Federal Reserve currently pegs this rate through open-market operations.

**Fed Wire:** A computer system linking member banks and other financial institutions to the Fed, used for making inter-bank payments of Fed funds and for making deliveries of and payments for Treasury, agency and book-entry mortgage backed securities.

**Investment Adviser's Act:** Legislation passed by Congress in 1940 that requires all investment advisers to register with the Securities and Exchange Commission. The Act is designed to protect the public from fraud or misrepresentation by investment advisers.



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**Liquidity:** A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value.

**Local Government Investment Pool:** A pool of funds authorized under the laws of the State that receives deposits from one or more local units and pays returns based upon each local unit's share of investment in the pool.

**Locality:** the Township of Hamburg or Livingston County.

**Lowest responsive, responsible bidder:** responsible contractor with the lowest bid which satisfies the requirements of all local, State and Federal laws, this section, any bid documents used to solicit bids, and any other guidelines and specifications required for the construction project.

**Mark-to-market:** The process whereby the book value or collateral value of a security is adjusted to reflect its current market value.

**Market Value:** Current market price of a security.

**Master Repurchase Agreement:** A written contract covering all future transactions between the parties to repurchase or reverse repurchase agreements that establish each party's rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller-borrower.

**Maturity:** The date upon which the principal or stated value of an investment becomes due and payable.

**Medium or media:** includes, but is not limited to, website postings, Cable TV postings, advertisement in trade magazines, direct mailings, and advertisement in a newspaper of general circulation in The Township.

**Most appropriate medium or media:** notification in a medium or combination of media which, in the best judgment of the Department, will result in the greatest number of responsible vendors.

**Money Market Mutual Fund:** A mutual fund that limits its investments to some or all types of money market instruments.

**Net Asset Value:** The market value of one share of an investment company, such as a mutual fund.

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**No Load Fund:** A mutual fund that does not levy a sales charge on the purchase or sale of its shares.

**NRSRO:** Nationally Recognized Statistical Rating Organizations - organizations that issue credit ratings for securities.

**Portfolio:** Collection of securities held by an investor.

**Primary Dealer:** A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC) registered securities broker/dealers, banks, and a few unregulated firms.

**Project:** construction work to be contracted by the Township by one or more contracts for which the Township establishes a single budget; or construction work to be contracted by the Township when the Township Board declares a contract or group of contracts to be a project. The Township Board shall make this declaration at the time of establishing the budget for the work or later, but before bidding the contracts for the construction work to be declared a project.

**Prudent Person Rule:** Standard of investing which states that investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

**Rate of Return:** The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

**Ratings:** An evaluation of an issuer of securities by Moody's, Standard & Poor's, Fitch, or other rating services of a security's credit worthiness.

**Repurchase Agreements:** A transaction whereby a holder of securities sells securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate the buyer. Dealers use repurchase agreements extensively to finance their positions.

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**Responsible contractor:** any contractor or sub-contractor who is sufficiently qualified to satisfactorily perform the construction project, or any relevant part of the construction project as determined by the Township.

**Rule 2a-7 of the Investment Company Act of 1940:** Applies to all money market mutual funds and mandates such funds to maintain certain standards, including a 13-month maturity limit a 90-day average maturity on investments and maintenance of a constant net asset value of one dollar (\$1.00).

**Safekeeping:** Holding of assets (e.g., securities) by a financial institution.

**Social Media Activities:** Include, but are not limited to: Social Media Posts, Advertising, Township Newsletter, Local Newspaper Articles, Cable Channel Programming, Printed Media, Public speaking engagements and/or presentations.

**Social Media Networks:** Examples of this are Facebook, Twitter, Instagram, Cable Channel, Website, etc.

**Social Media Specialist(s):** Staff member and/or Township Board or Committee member who has been granted authority by the Social Media Director to perform the duties outlined in this policy as relates to social media for their particular category.

**Social Media Director:** Township Official, or designee, who has been granted authority by the Township Board of Trustees to oversee, or perform, all social media activities of the Social Media Specialist, and approve content for the category they have been assigned. They work with the Township Clerk for all press releases no matter the category of content.

**Technology Director:** Head of the IT Department, or designee, who maintains a list of approved social media networks and sites for official use. Has final authority to edit or remove official social media sites, and any content therein, should there be a security issue, or at the direction of the Township Board.

**Township:** the Township Board of Trustees, ~~Township Supervisor, Purchasing Agent or their designees.~~

**Township Clerk:** Maintains all record of public comment, backups, and is main point of contact for all Press releases.

**Treasury Bills:** A non-interest-bearing discount security issued by the U.S. Treasury to finance the national debt. Treasury Bills are issued with maturities ranging from a few days to 26 weeks.

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**Treasury Bonds:** Long-term U.S. Treasury securities having initial maturities of more than ten years.

**Treasury Notes:** Intermediate term coupon bearing U.S. Treasury securities having initial maturities of from one to ten years.

**Wages:** all earnings of an employee whether determined on the basis of time, task, piece, commission, or other method of calculation for labor or services except those defined as fringe benefits.

**Yield:** The rate of annual income returns on an investment, expressed as a percentage.

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## ADMINISTRATIVE POLICIES & PROCEDURES MANUAL

### **1.0 INTRODUCTION** – adopted 12-16-2025

#### **1.1 Purpose**

The administrative policies and procedures manual is adopted to provide for the efficient and uniform application of administrative policies and procedures in Hamburg Township, where such procedures have not been provided for under State law. This policy and procedure manual supersedes any and all prior practices and policies of the Township, oral or written, and rescinds prior policies, procedures, handbooks, or general Township rules previously in effect.



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## ADMINISTRATIVE POLICIES & PROCEDURES MANUAL

### **2.0 TOWNSHIP BOARD ADMINISTRATION** - adopted 12-16-2025

#### **2.1 Township Board Powers**

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

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

In the interest of promoting the efficient operation of the Township, and pursuant to MCL41.96, as well as implied powers of the Township Board, the Hamburg Township Board assigns to various Township elected and appointed officials the authority to exercise the following non-statutory administrative responsibilities, in accordance with the specific policies and procedures contained herein.

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

The Executive Team shall provide department heads and employees, interpretations to implement the provisions of the administrative policies and procedures manual. These interpretations shall be considered authoritative and binding, when made by a majority of the Executive Team unless the interpretation is appealed to the Township Board. Any such appeal shall be made at the next regular meeting of the Township Board. The Township Board may uphold, overturn or alter all or part of any interpretations made pursuant to this section.

#### **2.4 Board Meeting Administration**

##### **2.4(a) Postings**

The Township Clerk shall be responsible for posting all regular and special meetings of the Township Board. The Township Clerk will post annually all special and regular meetings of the Commissions in conformance with the Michigan Open Meetings Act.

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

The Township Clerk in consultation with the Supervisor and Treasurer shall prepare the agenda at least four days prior to every Township Board meeting. Any board member or department head, who desires to have an item placed on the agenda will notify the Clerk

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## ADMINISTRATIVE POLICIES & PROCEDURES MANUAL

with a cover memo and supporting documentation in Municode by 12:00 PM on the Wednesday the week before the meeting. Information required to be redacted (i.e. social security numbers, personal phone numbers, name etc.) from items are the responsibility of the board member or department head who places said item on the agenda. The general public wishing to add agenda items may make a request by addressing the board at the Call to the Public of any Board meeting, see section 2.4(f). Digital Packets will be available on the Township website Thursday by 5:00 p.m. before the Tuesday meeting. Closed session information will be provided in paper form to Board members, and to Legal Counsel. Agenda requests will be evaluated for inclusion on the agenda by the Board.

The proposed agenda shall be approved by majority vote following the roll call of the Board members at each Board meeting. The agenda shall conform to the following format:

1. Call to Order
2. Pledge to the Flag
3. Roll Call of the Board
4. Call to the Public
5. Approval of the Consent Agenda
6. Approval of the Agenda
7. Unfinished Business
8. Current Business
9. Call to the Public
10. Board Comments
11. Adjournment

### **2.4(c) Consent Agenda**

The ~~Supervisor and~~ Clerk shall prepare a consent agenda for the Board which shall be provided to each board member prior to the meeting, along with the meeting agenda. The consent agenda shall contain all items of business such as, but not limited to, the following:

- ~~1. Correspondence~~
- 2.1. Public Information
3. Board and Committee Meeting Minutes
4. Clerk's Warrant & Payables
5. Committee/Boards/Department Monthly Reports

Any Board member may request that an item be removed from the consent agenda and be placed on the regular agenda under new business.

### **2.4(d) Board Rules**

Orderly meetings will be conducted using parliamentary procedure and utilizing Robert's Rules of Order simplified per the following guide to conduct meetings fairly and efficiently.



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## ADMINISTRATIVE POLICIES & PROCEDURES MANUAL

### Motions:

- All motions must be seconded and are adopted by a majority vote unless otherwise noted.
- All motions may be debated.
- Each motion presented for consideration is entitled to full and free debate with each Board member being given fair and equal time for discussion.
- Every member has rights equal to every other member and shall fully participate in the meetings.

### Points:

- Point of Order: When a Board member believes that the rules of the Board are being violated, he/she can make a Point of Order (or raise a question of order) thereby calling upon the chair for a ruling and an enforcement of the rules.
- Point of Information: a request for information on a specific question, either about process or about the content of the motion.

### Amendments:

- An amendment is a motion to change, to add words, or to omit words from, a pending motion.

### Table:

- A motion to table is to set aside temporarily without setting a time for resuming its consideration but with the provision that the motion can be taken up again whenever the majority decides.

### Abstaining:

- A Board member must abstain (refrain from voting) when he/she has a conflict of interest. A Township Board member has a conflict of interest when he or she, individually, has a direct personal financial interest in the matter before the Board.
- If a Board member or commission member has a conflict of interest, he or she shall recuse him or herself. The person must remove him or herself from participating in any discussion, hearings, deliberations and information gathering regarding that decision.
- A Township Board cannot force a member to abstain. Where there is no conflict of interest, a Board Member has a duty to vote.

## **2.4(e) Board – Work-study Session**

The Township Board shall conduct a work-study session prior to each regularly scheduled meeting of the Board of Trustees, provided a request has been submitted. Any elected official, or department head, requesting the meeting with the Board must do so by noon on the Wednesday preceding the work-study by submitting a memo and any supporting documents into Municode.

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The Clerk will notify the Board of Trustees, via email, if the work-study session has been canceled due to lack of an agenda. Work-Study sessions shall be publicly noticed meetings that will not be televised but rather audio recorded. Minutes from the work-study session will be included in the succeeding consent agenda. In keeping with the intent of a work-study session, generally speaking, no motions will be made in a work-study session, and no action will take place in the board meeting that immediately follows where an issue is raised but may be included in any other future meeting as directed by the Board.

### **2.4 (f) Public Participation**

Members of the public shall have an opportunity, under Call to the Public, to address the Board for no more than three (3) minutes on any item. The Board may suspend the time limitation when warranted. When all persons who wish to address the Board have been heard, the Supervisor shall announce that public comment is concluded.

### **2.4(g) Board Correspondence**

~~Board Correspondence shall be included in the Consent Agenda.~~ A motion request may be made to consider the correspondent's request under current business. If no such request motion is made to consider the request, the correspondence will be received and filed.

Informational written correspondence that does not require Board action will be forwarded to Board members in a timely fashion.

### **2.4(h) Board Consultants**

The Township Board reserves to itself the authority to appoint the following consultants:

1. Attorney
2. Auditor
3. Engineer
4. Labor Relations Attorney
5. Planning Consultant
6. Risk Manager
7. Bond Counsel
8. Other (As Appropriate)

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

1. Term of the Agreement
2. Description of Services
3. Method of Payment (retainer, hourly, project, or combination thereof)
4. Schedule of Payment
5. Documentation of Services Provided

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## ADMINISTRATIVE POLICIES & PROCEDURES MANUAL

6. Method of Resolving Disputes
7. Which Township Officials are Authorized to Direct Work or Assign Tasks to Consultant

Consultants shall serve at the pleasure of the Board. The Board shall establish a line item for consulting services.

### **2.4(i) Litigation**

- The initiation of any lawsuit, litigation, claim for injunctive relief or writ of mandamus shall require a majority vote of the Township Board, except when there are extenuating circumstances, as defined below:
- Extenuating circumstances are defined as an emergency situation or a situation in which a violation of any State, Federal, or local ordinance constitutes a public nuisance or otherwise endangers the public and in which the continued existence of such a condition, emergency or violation shall be detrimental to the health, safety and welfare of the Township.
- Extenuating circumstances also include any case where the continued existence of any condition, emergency or violation may jeopardize the legal position of the Township in securing the intended remedy in any lawsuit, litigation or other proceeding.
- The initiation of a lawsuit, litigation or other proceeding for extenuating circumstances shall be allowed only upon the written directive of the Supervisor, Clerk and one other Board Member. In the event that such action is taken, the matter shall be brought to the Board's attention at its next meeting. The Board shall meet in closed session to discuss the litigation, including the reasons for initiating legal action, without the full board's prior review and approval.

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

To promote efficient administration, the Township Board authorizes the Executive Team, to provide day-to-day direction and control over all Township activities that are not assigned by State law to another official, and to provide a liaison between the Board and the various Township departments.

Any directives or complaints made by a member of the Board regarding a department head or employee, shall be directed to the elected official responsible for the department. All requests for information by a board member should be directed to the responsible elected official.



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### **2.4(k) Board Minutes**

Minutes will be prepared and published according to the MTA Clerk Guide to Township Government, and applicable MCL(s).

### **2.5 Committee Administration**

All sub-committees, boards, and commissions of the Hamburg Township Board shall be conducted in accordance with the Michigan Open Meetings Act, excluding ad hoc and personnel committee.

#### **2.5(a) Committee Postings**

Department Heads are responsible for posting any meetings for any boards, commissions, or committees related to their department.

#### **2.5(b) Committee Rules**

All other boards, commissions or committees not addressed in section 2.4 shall follow their applicable bylaws.

#### **2.5(c) Committee Meeting Participation**

Members of the public shall have an opportunity, under the Call to the Public portion of the agenda, to address the Committee for three (3) minutes on any item deemed appropriate.

#### **2.5(d) Committee Minutes**

Minutes will be prepared and published according to the MTA Clerk Guide to Township Government, and applicable MCL(s). Minutes will be prepared by the committee secretary, approved by Committee, and submitted to the Township Clerk. The Clerk is designated as the keeper of the minutes and is responsible for forwarding a copy of the approved minutes to the Township Board. All committees shall have board approved bylaws governing their operations.

### **2.6 Township Board Laptop Computers**

#### **2.6(a) Use of Township Board Laptops**

Laptops shall be provided to Township Board members. For the Executive Team, the Township Board may elect to provide a dual-use laptop for support of digital packets as

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### ADMINISTRATIVE POLICIES & PROCEDURES MANUAL

well as a day-to-day office machine as a full-time member of the Township network.

Per the applicable policy.

#### **2.6(b) Security**

Township approved anti-virus software will be installed in all Township owned laptops. Users will agree to not disable the anti-virus software.

#### **2.6(c) Personal Use**

Non-profit/recreational/casual use will be permitted for laptops provided to Township Board members. Private business or profit-making uses of Township laptops is strictly prohibited.

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## ADMINISTRATIVE POLICIES & PROCEDURES MANUAL

### **3.0 PERSONNEL ADMINISTRATION** - adopted effective 10-1-2025

#### **3.1(a) Department Heads and Supervisors**

Department Heads shall be responsible for all of the following:

1. Recommend appropriate pay grade and compensation for all employees. Annual compensation is subject to Township Board approval.
2. Develop new Job Description. New Job Descriptions are subject to Township Board approval.
3. Annual review and update all Job Descriptions to ensure their accuracy.
4. Recruit and interview applicants for job vacancies in accordance with section 3.6.

#### **3.2 Employee Recordkeeping**

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

The Clerk's department shall maintain a personnel record of each Township employee. All records shall be maintained in accordance with all state and federal law. At a minimum, each employee's personnel file shall contain the following:

1. Personal data, including full name, Social Security number, current address, and resume and/or application submitted.
2. Date of Hire.
3. Performance Evaluations.
4. Use of authorized leaves.
5. Commendations and/or disciplinary actions.
6. Tax withholding information.
7. Beneficiary information.
8. Record of positions held.
9. Insurance and pension records.

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

The contents of the employee personnel files shall be considered confidential. Any employee may examine the contents of his or her personnel file under the direct supervision of the Clerk or designee of the Clerk. A record is kept within the file of the person requesting to view the file, together with the date. The contents of an employee's personnel file shall not be removed by anyone except the Clerk. Confidential information contained in a personnel file shall be released to others only with the written authorization of the employee.



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

Requests for copies of documents contained in the personnel files that are made pursuant to the Freedom of Information Act will be released only after confidential information that may be contained on the document is deleted, with the Clerk's approval. The Township attorney may be contacted for advice in responding to a Freedom of Information Act request involving personnel records. Pursuant to the Michigan Freedom of Information Act, the FOIA Coordinator, after consulting with the Township attorney, shall notify in writing any party requesting confidential information that the request is denied. Employees are to be immediately notified that information from their file has been requested by a FOIA.

### **3.3 Classification and Compensation**

The Township Board shall establish an equitable compensation system for Township employees. The Board shall determine a pay range for all Township positions. Each employee shall be paid an annual salary or hourly wage as determined by the Township Board and as appropriated in the Township budget.

Salaries for elected officials are set once a year by resolution of the Township Board and can only be changed with the official in agreeance and board action. Per diem rates are paid in addition to salaries for Trustees, and committee members. For those individuals who receive per diem payments from the Township, the following requirements apply:

1. The ~~establishment payment~~ of a per diem must be approved by a motion or resolution of the Township Board.
2. A daily per diem rate will be paid for approved, scheduled seminar or conference attendance to officials not compensated with a salary by the Township.
3. Payment of a per diem for scheduled meetings will be made only when the following conditions have been met:
  - a. The Board, Commission, or Committee meeting must have been legally posted with public notice by the Clerk's office. This does not apply to the Union Contract Negotiating Township Board appointed Committee.
  - b. The meeting must be held in handicap accessible, public facilities.
  - c. Minutes of the meeting must be taken and supplied to the Township Clerk. This does not apply to the Union Contract Negotiating Township Board appointed Committee.
  - d. Item (b) above may be waived if the notice states that the meeting will consist of visiting another site and is for that purpose only.

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## ADMINISTRATIVE POLICIES & PROCEDURES MANUAL

- e. With the exception of Township Trustees scheduled meetings during Township business hours are not eligible for a per diem payment when individual is compensated by an approved salary.

### **3.3(a) Benefits**

Benefits are provided to all full-time regular employees and the Supervisor, Clerk and Treasurer. Township Board elected trustees receive the retirement benefit established by the current plan. Employee benefits include health insurance, short- and long-term disability insurance, life insurance, retirement, sick/personal and vacation time.

#### **3.3(a)(1) Health Insurance Options**

Health care coverage is provided to all full-time regular employees and the Supervisor, Clerk and Treasurer. Full-time regular employees having health insurance coverage from another source available to them will be eligible for compensation in lieu of health care coverage in the amount of \$3,000.00. To be eligible for this program the employee would have to provide written verification of alternate coverage from a recognized health care provider. Employees wishing to exercise their choice for this program would be limited to an open enrollment period each year unless a change in status is documented.

### **3.4 ADA Coordinator**

The ADA Coordinator shall be appointed by The Township Board of Trustees. It shall be the duty of the ADA Coordinator to assess the general working conditions of the Township on a continual basis. Any conditions that create a safety hazard shall be corrected immediately. The ADA Coordinator shall report to the Township Board any unsafe conditions that will require a modification of any board adopted policy or procedure or the expenditure of funds exceeding \$750.00 to eliminate that condition.

### **3.5 Authorized Work Force**

The Township Board shall determine the number of employees assigned to the various Township departments. The following procedure shall be followed to obtain authorization to establish a new position:

The Department Head shall present the need for the new position to the Township Board. The Department Head shall include in his/her proposal a written justification for the position as well as a draft of the position's job description, along with cost that has been reviewed by the Accounting Director. Upon receiving authorization from the Township Board, the Department Head may initiate the employee selection procedure.



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### **3.6 Employee Selection**

The Department Head shall utilize the following procedures in filling any vacant employment position.

#### **3.6(a)**

The Department Head shall develop a notice of position vacancy based on the current job description. Requires approval from an executive team member who oversees said department head.

#### **3.6(b)**

The position of vacancy notice shall be placed on the Township website and published and posted on other websites as the Department Head sees fit.. All resumes and applications should be sent to the attention of the Department advertising. The Clerk shall make available a central file storage for the retention of applications according to current record retention rules. The Department Head shall forward application files to the Clerk.

#### **3.6(c)**

The Department Head will conduct interviews with the selected applicants. Any additional screening procedures such as pre-employment testing or the use of an assessment center shall require prior Board approval. At least three non-related references shall be contacted for a background check.

#### **3.6(d)**

The Department Head shall select the candidate that best meets the job prerequisites for education, experience, personal traits, and management style, if appropriate.

#### **3.6(e)**

The Department Head shall present the selected candidate to the Township Board for final approval.

#### **3.6(f)**

Following Township Board concurrence, the candidate will be offered the position pending the satisfactory completion of a physical examination and drug testing at the expense of the Township. Failure to pass the examination or testing shall result in an automatic termination of employment.

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### **3.7 Employee Supervision**

Department head shall provide direction to employees in a manner that complies with the provisions of these administrative policies and procedures manual, as well as Federal and State laws, Township ordinances and the Township personnel policies manual.

### **3.8 Employee Evaluation**

Employee Evaluation will be done for all employees. Additionally, all new employees shall be considered probationary employees for a period of at least six months following their initial date of employment. During the orientation period, employees will be evaluated on an on-going basis and shall receive a formal written evaluation at the end of three months or end of six months. A probationary employee may be discharged pursuant to Section 3.9(a) without recourse to the appeal process provided in Section 3.9(b).

#### **3.8(a)**

In January of each year Department head will review the job growth with each employee within that department through a performance review. Performance Review form is attached a.

#### **3.8(b) Wage Schedule**

In July of 2021, the Township commissioned a wage study. The Board approved the study in September 2021. This wage study will be used as the base for wages moving forward. Each year the base wage study will be increased by the rate of inflation that the Board will set at the strategic planning meeting in March.

### **3.9 Employee Discipline**

Department heads may administer documented verbal and written warnings pursuant to guidelines adopted in the Township employee handbook in Section 9.0 Dispute Resolution Procedure.

#### **3.9(a) Suspension or Discharge**

The application of discharge shall be authorized by the Township Board, pursuant to guidelines adopted in the Township employee handbook. Additionally, any member of the Executive Team is authorized to take immediate action and relieve any employee (with pay) or volunteer at any time they deem it is in the best interest of the Township. An employee or volunteer shall immediately vacate the premises until which time they are contacted by

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the Executive Team or their Department Head with further direction. Such action shall be reported to the Township Board through email or phone communication by the Executive Team when reasonably possible. Recommendations for termination can be made by the Department head or a member of the Executive Team to the Township Board for action for all employees except probationary employees.

### **3.9(b) Appeals**

A suspension or discharge may be appealed within three (3) days. An appeal shall be made in writing to the Township Clerk, who shall promptly notify the Board of the appeal and all relevant facts that gave rise to the application of the disciplinary measure. The appeal shall be heard at the next Township board meeting, or at a special meeting called for that purpose by the Supervisor or by the majority of the Township Board.

### **3.10 Collective Bargaining**

The Township Board delegates to the Union Contract Negotiating Committee appointed by the Board the authority to represent the Township Board in collective bargaining negotiating sessions. The Township Board may hire a Labor Relations Attorney to assist in the collective bargaining process. Prior to beginning negotiations, the Township Board shall meet in closed session to develop negotiation strategy regarding wages, hours, conditions of employment and any non-mandatory topic to which the Township Board agrees to negotiate. Any proposed agreement shall be brought to the Township Board for its ratification or rejection.

### **3.11 Employee Recognition**

Department heads shall bring to the attention of the Board any examples of meritorious conduct by any Township employee, volunteer or appointed official. The Township Board shall recognize meritorious actions that the Board deems worthy through the adoption of resolutions of tribute.

### **3.12 Ethical Standards**

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

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Any official, employee or volunteer who believes that he or she may be placed in a potential conflict of interest shall immediately notify the Township Board, and any subsequent action shall be in conformance with State law.

No employee shall accept employment or participate in any outside activities that conflict with performing his or her Township duties. No employee shall participate in solicitation or use his/her influence of position for personal gain.

No official or employee shall accept any gift of material value in excess of \$10.00 from a person or company providing goods or services to the Township, or who is soliciting Township business.

### **3.12(a) Nepotism Policy**

The employment of relatives can cause various problems including but not limited to charges of favoritism, conflicts of interest, family discord and scheduling conflicts that may work to the disadvantage of both the agency and its employees.

For the purpose of this policy the term "relative" shall include the following relationships: relationships established by blood, marriage or legal action. Examples include the employee's spouse, mother, father, son, daughter, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, stepparent, stepchild, aunt, uncle, nephew, niece, grandparent, grandchild or cousin. The term also includes domestic partners (a person with whom the employee's life is interdependent and who shares a common residence) and a daughter or son of an employee's domestic partner.

It is the goal of Hamburg Township to avoid creating or maintaining circumstances in which the appearance or possibility of favoritism, conflicts or management disruption exist. Hamburg Township may allow existing personal relationships to be maintained or employ individuals with personal relationships to current employees under the following circumstances:

- Individuals may not work under the supervision of the same manager or department;
- They may not create a supervisor/subordinate relationship with a family member;
- They may not supervise or evaluate a family member;
- The relationship will not create an adverse impact on work productivity or performance;
- The relationship may not create an actual or perceived conflict-of-interest
- They may not audit or review in any manner the individual's work;
- They may not be eligible for employment as a department head if a member of the employee's immediate family (spouse, children, parents, grandparents, brothers, sisters, step family members, in-law family members) serves on the Board of Trustees.



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No personal employee relationship covered by this policy will be allowed to be maintained, regardless of the positions involved, if it creates a disruption or potential disruption in the work environment, creates an actual or perceived conflict of interest or is prohibited by any legal or regulatory mandate.

This policy must be considered when hiring, promoting or transferring any employee.

Should relationships addressed within this policy be identified with either candidate for employment or, current employees the matter should be immediately reported to the Human Resource Director and the following policies and procedures will be followed:

- A determination will be made whether the relationship is subject to the agency's Nepotism policy based on the conditions described above.
- If the relationship is determined to fall within one or more of the conditions described in this policy the Township Clerk in consultation with the affected employee supervisor and the Township Supervisor will attempt to resolve the situation through the transfer of one employee to a new position or identifying some other action (e.g., Supervisory reassignment) which will correct the conflict or issue identified. If accommodations are not feasible then, with affected employee suggestions, the Human Resource Director in consultation with the Township Supervisor shall determine which employee must resign in order to resolve the situation.

The agency reserves the right to exercise appropriate managerial judgment to take such actions as may be necessary to achieve the intent of this policy.

It is the responsibility of every employee to identify to their Department Head any potential or existing personal relationship which falls under the definitions provided in this policy. Employees who fail to disclose personal relationships covered by this policy will be subject to disciplinary action up to and including the termination of employment.

### **3.13 Workplace Violence**

Please See: The Employee Handbook Section 6.0 Code of Conduct.

### **3.14 Non-Smoking Policy**

In accordance with Michigan State Law, smoking is prohibited in all Hamburg Township buildings. It is Hamburg Township policy that smoking is prohibited within 10 feet of any entrance to Township owned buildings and, in all Township, owned vehicles.

### **3.15 Tuition & Fitness Membership Reimbursement (Non-Bargaining Unit Employees)**

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Hamburg Township supports the professional development and well-being of its employees. To encourage continued education and skill development, the Township will reimburse full-time employees for tuition, registration fees, and required textbooks for approved college-level coursework. Reimbursement shall not exceed **\$9,000 per employee per fiscal year**.

Effective **January 1, 2026**, a portion of this benefit—up to **\$100 per family per month**—may be used for reimbursement of gym or fitness memberships for full-time employees and their household family members. The purpose of this policy is to promote employee health and well-being by encouraging regular physical activity. Supporting gym memberships helps foster healthier lifestyles, reduce stress, and contribute to lower long-term health insurance costs for both employees and the organization.

To qualify for **fitness membership reimbursement**, full-time employees must submit the following to the Accounting Department within **30 days** of payment:

1. Proof of monthly membership payment(s), and
2. A completed reimbursement form signed by their department head.

To qualify for **tuition reimbursement**, the following criteria must be met by non-bargaining unit employees:

- A. Employee must be full-time and have completed one year of service prior to enrolling in a college level course.
- B. All course work must be related to a position at Hamburg Township.
- C. The employee must submit a Hamburg Township Tuition Reimbursement Approval Request Form (PE-101-1003) to their Department Head in advance of enrolling in the course(s). The Department Head, or his/her designee, must approve all course work prior to enrollment. The completed, approved form is to be filed in the employee's personnel file prior to the start of the course.
- D. Denial of approval by the Department Head, or his/her designee, may be appealed first to the Elected Official responsible for that Department, and second, if necessary, to the Township Board of Trustees.
- E. The employee shall agree that in the event the employee voluntarily leaves Township employment within two years of the completion of the course work, he/she shall reimburse the Township for all costs and authorize repayment through final payroll deductions.
- F. The employee shall agree that the program course work must not adversely affect job performance, must be taken on personal time, and outside of regularly scheduled work hours.

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- G. The Township will reimburse the cost of registration, tuition, and books based upon successful completion of the course (i.e., with a passing grade of "C" or better).
- H. Upon successful completion, an expense request form, together with a transcript or report card indicating the grade, and receipts for tuition, registration, and book expenses must be submitted to the Department Head for reimbursement.
- I. None of the above shall apply to any courses/training mandated by the employer.

Note: Tuition & Fitness reimbursement for bargaining unit employees is governed by their Collective Bargaining Agreement.

#### **3.16 Adverse Weather Policy**

Hamburg Township regular business hours are Monday through Thursday from 7:30 a.m. to 5:30 p.m. Should severe weather (snow and/or ice) arise during regular business hours, the Supervisor, or the Clerk in the absence of the Supervisor, will determine the necessity to close the Township offices and dismiss employees for the remainder of the day. Those employees whose job responsibilities prohibit them from being dismissed, will be compensated for hours worked at time and one-half.

The Supervisor or Clerk will activate a notification "BLAST" on the Township phone system notifying employees, and the general public who call the Township, that the Township offices are closed. This "BLAST" will be in place by 6:30 a.m. If the Township phone system is inoperable, employees should contact their supervisor for Township closure information. When the Township office is closed due to inclement weather, the employees will be compensated at their regular pay rate. Those employees whose job responsibilities require them to report to work, will be additionally compensated their regular rate of pay at time and one-half.

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### **4.0 FINANCIAL ADMINISTRATION** - adopted 12-16-2025

#### **4.1 Accounts Payable**

##### **4.1(a) Department Head Authorization**

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

##### **4.1(b) Warrant Reports**

The Accounting Specialist shall prepare an accounts payable listing-report for the Board showing the vendor name, nature of the expense, invoice number and account number. Any items paid prior to board audit, as discussed in Section 4.8(e), shall be noted on the warrant report.

The Clerk and Treasurer, shall sign the accounts payable checks for all claims approved by the Board.

#### **4.2 Payroll**

##### **4.2(a) Time Sheets**

All completed time sheets shall be submitted to the payroll department by 10:00 a.m. on the Monday of the biweekly pay period. Time sheets will be submitted by the employee and approved by the employee's department head. Time sheets are also required for per diem requests.

##### **4.2(b) Deductions and Withholdings**

The Accounting Department shall be notified at least 5 days prior to the end of the pay period of any changes in voluntary deductions or withholding allowances desired by an employee. All voluntary deductions shall be authorized in writing.

##### **4.2(c) Pay Advances**

Pay advances shall not be authorized under any circumstances.



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### **4.2(d) Payroll Problems**

Employees will immediately notify the Accounting & Benefits Coordinator and the Director of Accounting of any problems or errors on their paychecks. A written account of the problem and its resolution shall be prepared by the Accounting Department.

### **4.3 Cash Receipts**

#### **4.3(a) Fiduciary Bonds**

All employees authorized to receive funds shall be bonded through the Township's liability insurance provider.

#### **4.3(b) Receipts**

A Township receipt shall be issued for all payment types received at the Treasurer's window. The receipt shall include the date and amount received, name of the payer, and purpose.

#### **4.3(c) Deposits**

Total cash collected shall be reconciled to the sum of the receipts and shall be deposited in the appropriate Township bank account. The following positions are authorized to make bank deposits: All Treasury Department employees.

#### **4.3(d) Bank Reconciliations**

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

The bank reconciliation shall be prepared by the Accounting & Benefits Coordinator and approved by the Director of Accounting.

### **4.4 Accounts Receivable**

#### **4.4(a) Invoice Preparation**

All invoices shall include a remittance advice to be returned to the Township with payment. The remittance advice shall include the name, amount invoiced, general ledger number and purpose. A copy of the invoice shall be supplied to the department responsible for generating the invoice.

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### **4.4(b) Posting and Distribution**

A copy of all invoices or receipts by the Township shall be given daily to the Accounting Specialist who shall supply the information to the Accounting & Benefits Coordinator for posting receivables to the general ledger.

The Accounting Specialist shall maintain a detailed subsidiary record by individual which shall be reconciled to the general ledger on a monthly basis.

### **4.4(c) Method of Accounting**

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

### **4.4(d) Utility Billing**

Hamburg Township bills residents quarterly for flat rate sewer. When the residents receive their utility bill they have thirty (30) days to pay without a penalty. On the thirty-first (31) day a penalty will be added according to the Township Fee schedule. The residents can pay their bill at the township or through the township's web site. Removal of these penalties must be approved by the Treasurer, Accounting Director or the DPW Director \* Procedure Coming from Accounting.

For any utility bill outstanding as of August 31, the outstanding amount will be rolled over to the tax bills for payment, with a fee according to the Township Fee schedule added to the balance.

### **4.4(e) Portage-Base Lakes Area Water and Sewer Authority**

Hamburg Township has entered into an agreement with Portage-Base Lakes Area Water and Sewer Authority to provide operations, maintenance, testing and monitoring, repairs, financial record keeping, and emergencies. This contract covers the cost of these tasks and that Portage-Base Lakes Area Water and Sewer Authority agrees to pay.

## **4.5 Financial Reporting**

### **4.5(a) Finance Control Book**

The Treasurer and the Director of Accounting shall prepare a monthly financial report (Finance Control Book) for the Board of Trustees. The Finance Control Book shall include the following:

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## ADMINISTRATIVE POLICIES & PROCEDURES MANUAL

1. 5-year Financial Projections
2. 10-year taxable values
3. Cash Summary for Month
4. Consolidated Cash Flow Statement
5. Yearly Debt Schedule
6. Fund Balance History
7. Millage Rate History
8. Monthly Investment Report
9. Monthly Revenue and Expenditure Reports
10. Approved Financial Institution Report

### **4.6 Inventory of Fixed Assets**

#### **4.6(a) Responsibility**

The Accounting Department shall maintain an inventory of the Township's fixed assets that are tangible, have an expected useful life of at least one year and have a value of at least \$5,000.00.

#### **4.6(b) Updating**

The Accounting Department shall add or remove fixed assets from the inventory at the time of acquisition or disposal.

#### **4.6(c) Disposal of Fixed Assets**

The Department heads shall prepare a list of all such equipment recommended for disposal and shall submit the recommended disposal of fixed assets list to the Board for approval. The Board shall determine the method of disposal, which may include MIBid, sealed bids, auction, negotiated sale, or disposal. Township officials and employees are not eligible to purchase Township fixed assets by negotiated sale without the approval of the Board. An elected official shall refrain from voting on any negotiated sale involving the elected official.

### **4.7 Budgeting**

#### **4.7(a) Designation of Budget Officer**

The Supervisor shall be responsible for the development of the Township budget.

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### **4.7(b) Timetable**

The proposed budget schedule shall be developed by the Supervisor and Director of Accounting each year and approved by the Board.

### **4.7(c) Adoption**

Unless noted in the General Appropriations Act, all Township funds are adopted on a department of function basis.

### **4.7(d) Transfer Authority**

The Director of Accounting shall have authority to make transfers among the various line items within departments. Transfers between departments may be done by Board approval only. The Board shall be notified at its next meeting of any such transfers made, and the Board may modify, amend or nullify any such transfers made. Under no circumstance may the total amount of appropriations be changed without prior Board approval.

## **4.8 Purchasing Policy**

### **4.8(a) Purpose**

The purchasing policy is used to initiate and control purchases. The purpose of the purchasing policy procedure is to facilitate a more complete accounting control and the preparation of accurate, up-to-date, financial reports. The program allows the issuance of purchases with pre-defined terms. This will assist in making purchases at the best price possible and the best terms.

### **4.8(b) Purchasing Procedure**

For all purchases, the Department Head must ensure that budgeted funds are available before the purchase can be ordered. Once the item is received by the department the shipping receipt along with the invoice should be approved by the Department Head and the expense account listed. Then the invoice will be forwarded to the Accounting Department for processing. Purchases up to \$7,501.00 (provided that the funds are available pursuant to the approved department budget) are approved by the Department Heads. Purchases between \$7,501.00 and \$10,000.00 will require the additional approval of Executive Team member. Purchases exceeding \$10,000.00 must receive Township Board approval except in cases where the expense is considered an emergency – to protect the health, welfare, safety and wellbeing of the community. In this case, the purchase may be authorized by the Executive Team. . Check Township Emergency Management Plan. Expenditures necessary to perform the daily operation functions, i.e:



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monthly utilities, membership, yearly maintenance agreements, software renewals and professional services previously approved will not require any additional Board approval.

### **4.8(c) Vendor List**

A W9 form must be obtained from all vendors before the vendor information can be entered into the Accounts Payable program. Service-providing vendors must also provide proof of liability/casualty insurance and workers comp insurance with the Township to be named as an additional insured on the vendor's insurance policy. If the vendor company is licensed as an LLC they must obtain a Certificate of Liability from their insurance company for workers compensation. Sole proprietors and contractors with no employees are eligible with a waiver from the township attorney. Upon collection of the necessary documentation by the Department, the vendor information shall be forwarded to the Accounting Specialist to enter new vendors into the Accounts Payable program.

### **4.8(d) Receiving Goods Ordered**

In most cases the goods ordered will be delivered directly to the Department from the source. Immediately check the goods for condition and quantity. If there are any issues with the shipment, contact the vendor.

### **4.8(e) Invoice Approval**

Once the invoice is received, it must be approved by the Department Head and forwarded to the Accounting Department for payment.

### **4.8(f) Petty Cash & Petty Cash Purchases**

The Treasurer shall maintain petty cash for small emergency purchases, reimbursements to employees, or to pay for a service where payment is demanded prior to delivery.

Petty cash will not be used for purchases that exceed \$100.00. A copy of each receipt and a receipt signed by the recipient of a petty cash disbursement shall accompany all disbursements.

Petty cash accounts are maintained at \$200 for General Fund, \$200 for Police Department, \$300 for Senior Center, and \$300 for Fire Department and may be used by Departments for small purchases, reimbursements and other transactions for which the use of Township checking accounts would be inefficient or impractical.

1. Petty cash funds are "impress" accounts. This means that a specific amount of cash is provided to a Department to be used for departmental business. The petty cash amount is established by the Township Board. One departmental employee

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must be designated as the "Petty Cash Custodian". This person will be responsible for the Department's petty cash balance.

2. Original requests for petty cash funds must be submitted to the Department Head for approval using the "Petty Cash Request/Replenishment Form".
3. There are two methods of withdrawing funds from petty cash:
  - a. The reimbursement method: Petty cash may be used to reimburse an individual for a purchase that was made using his/her personal funds. Upon presentation of an original receipt, vendor invoice, or other adequate documentation to support the expenditure, the petty cash custodian will reimburse the individual for the exact amount of the purchase.
  - b. The petty cash custodian may advance petty cash to an individual in anticipation of a purchase. Since the purchase has not yet been made at the time of the petty cash withdrawal, the amount withdrawn may vary from the amount of the actual purchase. Documentation must be submitted to the petty cash custodian within three days of purchase. If the actual expenditure is less than the amount advanced, the individual must return the excess cash together with valid documentation of the expenditure. If the actual expenditure was more than the amount advanced, the individual may be reimbursed for the excess amount after submitting adequate documentation to support the expenditure.
4. When the fund needs replenishing, the petty cash custodian will summarize all expenditures on the "Petty Cash Request/Replenishment Form". The total of all invoices and petty cash vouchers must equal the total of the summarized expenditures. The completed "Petty Cash Request/Replenishment Form" must be signed by the petty cash custodian and approved by the Department Head and submitted to the Accounting Department.
5. Once the Accounting Department has reconciled the activity, they will process the replenishment of the petty cash balance.
6. Petty cash should be secured at all times.
7. A petty cash expenditure is no different from any other expenditure in that all withdrawals from petty cash must be supported by adequate vendor documentation and budgeted funds must be available for the purchase. The employee making the purchase must write on the receipt what was purchased and for what purpose.

### **4.8(g) Credit Card and Charge Account Use Policy**

This policy is in accordance with Michigan Public Act 266 of 1995, which requires that all municipalities have a written policy when authorizing the use of credit cards to purchase goods and services for official business of the municipalities. This policy also authorizes the use of charge accounts to purchase goods and services for official business of the municipality.

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## ADMINISTRATIVE POLICIES & PROCEDURES MANUAL

This policy applies to all employees, officials, and departments of Hamburg Township.

1. The Director of Accounting with the approval of the Executive Team, is responsible for issuing, accounting for, monitoring, retrieving and generally overseeing compliance with the Township's Credit Card and Charge Account Use Policy.
2. The Director of Accounting shall maintain a list of all credit cards owned and charge accounts used by the Township, along with the name of the officials or employee who have been issued the credit card, the credit limit established, the date issued and the date returned, or the date access was granted, and the date access was terminated for charge accounts.
3. An official or employee who is issued a credit card is responsible for its protection and custody. If a credit card is lost or stolen, the Director of Accounting shall be notified immediately. The entity issuing the lost or stolen credit card shall be immediately notified to cancel the card. The officials or employee must immediately surrender the card upon termination from employment.
4. The official or employee using the credit card or charge account must submit documentation detailing the goods or services purchased, cost, date of purchase, necessary approval(s) and the official business to the Accounting Department.
5. The Director of Accounting shall monitor the use of credit cards and charge accounts, and shall review each credit card and charge account statement as soon as possible to ensure that transactions comply with this policy. Transactions that do not comply with this policy shall be reported to the Township Supervisor.
6. Employees who use a Township credit card and/or charge account in a manner contrary to this policy shall be subject to disciplinary action and/or termination of employment, as well as to legal action to recover losses incurred by such use.

Authorized use of Township credit cards and charge accounts may be used only by an official or employee of the Township under the following conditions.

1. The purchased goods and/or services are for the official business of the Township.
2. The types of goods and/or services to be purchased are those established by the department heads and the Township's purchasing policy and procedures.
3. The cost of the proposed purchase does not exceed the purchasing policy and procedures.

Payment of Credit Cards and charge account charges:

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1. The department head will ensure that sufficient funds are available to pay for each purchase and must approve credit card and charge account purchases prior to payment of the invoice.
2. The balance including any interest due on an extension of credit shall be paid for within not more than 60 days of the initial statement.



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### **CREDIT CARD AND CHARGE ACCOUNT USER AGREEMENT**

Requirements of the use of Township-issued credit card and charge account:

1. The credit card and charge account is to be used only to make legal purchases for the legitimate business of Hamburg Township.
2. The credit card and charge account must be used in accordance with the provisions of the adopted credit card and charge account use policy established by Hamburg Township.

Violation of these requirements will result in disciplinary measures up to and including dismissal, appropriate criminal and/or civil action.

**I have read and understand the Hamburg Township Credit Card AND CHARGE ACCOUNT USE Policy and Procedures and I agree to adhere to them.**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

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### 4.9 PURCHASE CONTROL

Any purchase in excess of \$25,000 requires Township Board approval, and shall provide proof of solicitation of a minimum of three (3) bids.

Any purchase in excess of \$75,000 requires Township Board approval, following the sealed bid policy.

1. **Exceptions:** MIBid, sole source vendors, emergency repairs or replacements; routine and operational services; small purchases; and when such procedures are deemed unnecessary and burdensome and not in the best interests of the Township by the Township Board of Trustees are exceptions to the sealed bid and sealed proposal requirements of this Section.
2. **Purchases of \$25,000 or Less:** All supplies and contractual services not exceeding twenty-five thousand dollars (\$25,000) in cost may be made in accordance with purchase procedures established by the Township Board.

#### 4.9(a) INVITATION FOR BIDS

1. The Invitation for bids is used to initiate the competitive bid process.
2. The Invitation for Bids should generally include:
  - a. Instructions to bidders (time and date set for receipt of bids, address where bids are to be delivered, other special information).
  - b. Description of proposed purchase.
  - c. Contract terms and conditions.
3. The Invitation for Bids should always reserve the municipality's right to reject any and all bidders.
4. The bidding time (the period of time between the date of distribution of the Invitation for Bids and the time and date set for receipt of bids) should be set to provide bidders a reasonable time to prepare their bids.
5. The Invitation for Bids may provide a form that includes a space in which the bid price may be inserted and which the bidder must sign and submit along with all other necessary submissions.
6. Invitations for Bids or notices of the availability of Invitations for Bids should be furnished to sufficient number of bidders for the purpose of securing competition. In the case of larger purchases, notices shall be placed in newspapers or applicable trade publications.

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7. If the Township delegates the bid process to an outside entity, that entity's policies will be followed.

#### **4.9(b) NOTICE SOLICITING SEALED BIDS OR PROPOSALS in excess of \$75,000.00**

1. **Publication:** A notice inviting bids or requesting proposals shall be published at least once in the most appropriate medium or media, as determined by the Department, at least seven days before the last day set for receiving proposals or bids by the Township. This seven-day time period may be reduced if a written determination is made by the Department that the acquisition is urgent and sufficient vendors have been notified directly. The notice shall include a general description of the articles or services to be acquired and shall state where the complete solicitation package may be secured. The notice shall also include the time and place for submitting and opening bids.
2. **Posting:** The Department shall also advertise all pending invitations for bid and requests for proposals by posting a notice on the Township's website.

#### **4.9(c) PRE-BID CONFERENCES**

1. Pre-bid conferences may be conducted to explain the procurement requirements. If used, they should be announced to all prospective bidders known to have received an Invitation for Bids.
2. The conference should be held long enough after the Invitation for Bids has been issued to allow bidders to become familiar with it, but sufficiently before bid opening to allow consideration of the conference results in preparing their bids.
3. Nothing stated at the pre-bid conference should change the Invitation for Bids unless a change is made by written amendment.

#### **4.9(d) PRE-OPENING MODIFICATION OR WITHDRAWAL OF BIDS**

1. Bids may be modified or withdrawn by written notice received in the office designated in the Invitation for Bids prior to the time and date set for bid opening.
2. **Disposition of Bid Security:** If a bid is withdrawn prior to the time and date set for bid opening, the bid security, if any, should be returned to the bidder.
3. **Records:** All documents relating to the modification or withdrawal of bids should be made a part of the appropriate procurement file.

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### 4.9(e) LATE BIDS, LATE WITHDRAWALS AND LATE MODIFICATIONS

1. **General Discussion:** Any bid received after the time and date set for receipt of bids is late. Any withdrawal or modification of a bid received after the time and date set for opening of bids at the place designated for opening is late.
2. **Treatment:** No late bid, late modification or late withdrawal shall be considered unless received before contract award, and the bid modification or withdrawal would have been timely but for the action or inaction of municipal personnel directly serving the procurement activity.
3. **Records/Notice:** Bidders submitting late bids that will not be considered for award should be so notified as soon as practicable. Records shall be made and kept for each late bid, late modification, or late withdrawal.

### 4.9(f) MISTAKES IN BIDS

1. **General Discussion:** Correction or withdrawal of a bid because of an inadvertent, non-judgmental mistake in the bid requires careful consideration to protect the integrity of the competitive bidding system, and to assure fairness.
  - a. If the mistake is attributable to an error in judgment, the bid may not be corrected.
  - b. Bid correction or withdrawal by reasons of a non-judgmental mistake is permissible, but only to the extent that it is not contrary to the interest of the Township or the fair treatment of other bidders.
2. **Mistakes discovered before opening:** A bidder may correct mistakes discovered before the time and date set for bid opening by withdrawing or correcting the bid.
3. **Confirmation of Bid:** When the Department knows or has reason to conclude that a mistake has been made, the Department should request a bidder to confirm the bid. Examples:
  - a. Obvious apparent errors on the face of the bid, or
  - b. Bid unreasonably lower than the other bids submitted.
4. **Mistakes discovered after Award:** Mistakes may not be corrected after award of the contract, except where the Township Board of Trustees makes the determination that it would be unconscionable not to allow the mistake to be corrected.

### 4.9(g) BID DEPOSITS

Under certain circumstances, bid security (cash deposits, bonds, etc.) may be advisable.



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When deemed necessary by the Department, bid deposits shall be required and shall be prescribed in any published notice inviting bids, as well as in the bidding documents. Unsuccessful bidders shall be entitled to return of such deposit or surety. A successful bidder shall forfeit any surety or deposit required by the Township if he fails to enter into the contract within the time required in the specifications or bidding documents, unless such forfeiture is waived or the time limit extended by the Township Supervisor or Board of Trustees.

### **4.9(h) RECEIPT, OPENING, AND RECORDING OF BIDS**

1. **Receipt:** Sealed bids shall be submitted only to the office indicated on the prescribed forms, on or before the date and time specified for the receipt of bids or proposals in the invitations to bid and bidding instructions. Upon its receipt, each bid and modification should be time-stamped but not opened and should be stored in a secure place until the time and date set for bid opening.
2. **Opening and Recording**
  - a. Bids shall be publicly opened by the Department or the designee of the Department, in the presence of 1 or more witnesses, at the time, day and place specified in the invitation to bid and bidding instructions. All persons interested shall be allowed to be present at the bid opening. The names and addresses of witnesses shall be recorded at the opening.
  - b. The name of each bidder and the total amount of each bid shall be read aloud by the Department representation or their assistants, as well as, in appropriate cases, the unit cost of each substantial item making up the total amount of each bid.
  - c. All bids and specifications and invitations to bid shall be preserved and available for public inspection at the office of the Department for a period of not less than one year from the date the bids are submitted, with respect to any specific commodity or proposal.
    - i. Exceptions shall be limited to the extent that trade secrets or other proprietary data may be confidential under the Freedom of Information Act. Confidential material that accompanies the bids must be readily separable from the bid in order to facilitate public inspection of the non-confidential portion of the bid.
    - ii. **Tabulation:** A tabulation of all bids shall be made by the Department and be available for public inspection. Tabulations may be posted on the Township's website.
    - iii. **Analysis:** The Township Board of Trustees or designee of the Board shall examine all bid tabulations and recommendations from the Department to select the lowest responsible bidder.

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- iv. **Substantially Low Bid Review:** In the event the amount of the lowest bidder's bid appears disproportionately low when compared with estimates undertaken by or on behalf of the Township and/or compared to other bids submitted, the Department reserves the right to inquire further of the apparent lowest bidder to determine whether the bid contains mathematical errors, omissions, or erroneous assumptions and whether the apparent lowest bidder has the capacity to perform a complete contract for the bid amount.

### 4.9(i) REQUESTS FOR PROPOSAL (RFP) OPENING PROCEDURE

Requests for proposals (RFP) are often used to solicit professional services, i.e. Engineers, Auditors, Attorneys, Planners, and other professional consultants; this process is referred to as Qualifications-Based Selection ("QBS").

An RFP should include as much detail about the proposed project or requested services as possible. More information will allow more complete and relevant proposals. Successful RFP's should include the following:

1. The RFP should solicit relevant information about the firm's personnel, their particular qualifications, and experience with similar engagements.
2. The Township may consider publishing the notice of RFP in relevant trade publications to increase the response rate.
3. Send the RFP to firms recommended by other municipalities (call around to other municipal officials or the applicable municipal association).
  - a. **Receipt of Sealed Proposals:** Sealed proposals shall be submitted only to the office of the Department on the prescribed forms, or another Township official as designated in the solicitation for proposals on or before the date and time specified in the request for proposals and related instructions. Sealed proposals shall be marked as to the time and date received at the office of the Department or other designated Township official by someone in that office.
  - b. **Opening:** Proposals shall not be considered fully received for the purpose of Freedom of Information Act requests until the Township has determined that no additional clarifications or revisions of offers shall be accepted; therefore, no details of proposals shall be released until contract award. After contract award, all proposals shall be preserved and available for public inspection at the office of the Department for a period of not less than one year from the date the proposals are submitted.
  - c. **Analysis:** The Township Board of Trustees or designee of the Board shall examine all proposal recommendations from the Department to select the proposal of best value or to select those firms they wish to further review prior to awarding a

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contract. If the Board wishes to interview those selected firms, the following should be completed:

- i. Interview each firm, meet the professionals who will actually do the work.
  - ii. Contact references and past clients.
  - iii. Visit the firms' offices and specific projects they have handled (if applicable).
  - iv. Rank the firms based upon Board consensus.
- d. **Rejection of Proposals:** A member of the Executive Team, , Department Head, or the Township Board of Trustees has the authority to waive any irregularity of informality in any proposal and reject any or all proposals, in whole or in part.

### 4.9(j) AWARDING OF CONTRACTS

1. **Authority:** Except as provided by subsection (b) of this section, the Township Board shall award all contracts after receiving the recommendation of the Department or other designated Township official.
2. **Exceptions:** An Executive Team member is authorized to enter:
  - a. All contracts that do not exceed twenty-five thousand dollars (\$25,000)
  - b. All contracts for expenditures necessary to perform statutory functions, i.e. assessment notices, tax bills, etc. do not require prior Board approval provided that the goods or services are within budget, and if the contract adheres to current purchasing policies; and
  - c. All sole-source contracts not more than twenty-five thousand dollars (\$25,000)
3. **Bid Selection:** Contracts, except as otherwise provided in this chapter, shall be awarded by the Township Board giving consideration to the following;
  - a. The ability, capacity and skill of the bidder to perform the contract or provide the service required;
  - b. Whether the bidder can perform the contract or provide the service promptly or within the time specified, without delay or interference;
  - c. The character, integrity, reputation, judgment, experience and efficiency of the bidder;
    - i. The Township shall require the bidder to provide proof that they are responsible in paying their property taxes; both real and personal; whether it be in this township or other municipalities.
  - d. The quality of performance of previous contracts or services;
  - e. The previous and existing compliance by the bidder with laws and ordinances relating to any contract or service;
  - f. The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service;

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- g. The quality, availability and adaptability of the supplies or contractual services to the particular use required;
- h. The ability of the bidder to provide future maintenance and service for the use of the subject of the contract; and
- i. The number and scope of conditions attached to the bid.
  - i. **Tie Bids:** If two or more low bids are received for the same total amount or unit price, and the quality and service are equal, the contract shall be awarded to one of the tie bidders by drawing lots in public, unless one of the bidders is a taxpayer or resident of the Township, in which case such taxpayer or resident shall be awarded the contract.
  - ii. **Default:** The Department shall not accept the bid or proposal of a vendor or Contractor who is in default to the Township.

### 4.9(k) AWARDING OF CONSTRUCTION PROJECT CONTRACTS

**Bid Selection:** The Township Board of Trustees shall award Municipal building construction project contracts in the amount of twenty-five thousand dollars (\$25,000) or more to the lowest responsive, responsible bidder as determined by this section.

**2. Responsibility Criteria:** The Board of Trustees shall consider at least each of the criteria listed in this section in determining whether a contractor is a responsible contractor. The list set forth in this section does not preclude any additional criteria that the Township may deem relevant for making a determination of contractor responsibility. Any criteria deemed relevant by the Township that is in addition to the items listed in this section shall be specified in the documents soliciting bids together with the requirements of this section.

**3. Bid Documents:** This bid documents for a construction project shall require any contractor or subcontractor bidding on the construction project, or any part of the construction project, to submit with its bid, written responses and other supporting or explanatory information demonstrating its compliance, or non-compliance and the reason for such non-compliance, with the listed responsibility criteria and any other criteria declared pertinent by the Township and included in the bid documents. For each separate bid package of a construction project, the Township may accord such weight as it deems appropriate to the responsibility criteria and any other criteria included in the bid documents for purposes of determining whether a contractor is a responsible contractor.

**4. Criteria:** The Township will consider the following information in determining whether or not a contractor is a responsible contractor. As used in this section, "contractor" includes any subcontractor holding a subcontract of twenty-five thousand dollars (\$25,000) or more. This list is not intended to be all inclusive or exhaustive:



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- a. General information about the contractor's company, its principles and its history, including the State and date of incorporation;
- b. Trade categories of contractor's employees and information regarding the State and local licenses and license numbers held by the contractor;
- c. A confirmation that all subcontractors, employees and other individuals working on the construction project will maintain current applicable licenses with the Michigan Bureau of Construction, Codes and Fire Safety, and as may otherwise be required by law for all licensed occupations and professions;
- d. The ratio of masters or journey persons to apprentices proposed to be used on the construction project job site;
- e. Documentation that the contractor maintains, participates in and contributes to a bona fide apprentice training program in which less than full journey-persons utilized on the project will be participants; as used in this section "bona fide apprentice training program" means a training program registered and approved by the United States Department of Labor, Bureau of Apprenticeship and Training Programs;
- f. Documentation of a completed Michigan Occupational Safety and Health Administration approved safety training program for employees used on the proposed job site;
- g. Evidence of the contractor's Workers' Compensation Experience Modification Rating (EMR). A bidder with a current EMR greater than 1.1 will not be considered a responsible contractor under this section;
- h. A list of similar or comparable projects completed within the past five years, including dates of work and each project's approximate dollar value and size. Documentation from these previous projects of comparable size or complexity, including but not limited to all costs related to the bidder's timeliness, performance, quality of work, extension requests, contractual fines and penalties imposed, including proof of such fines and penalties, and liens filed, history of claims for extra work and any contract defaults with an explanation of the reason for the default and how the default was resolved;
- i. Evidence of contractor's experience with construction techniques, trade standards, quality workmanship, project scheduling, cost control, management of projects of comparable size or complexity, and building codes by documenting the bidder's ability and capacity to perform the project. The bidder must identify those portions of the project it reasonably believes will be subcontracted and the names of the subcontractors;
- j. A list of individuals or contact persons for entities that have received in the past five years, or are currently receiving, the contractor's services from which references may be obtained, which shall include contacts for any similar or

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- comparable projects; and include information regarding the records of performance and job site cooperation;
- k. Audited financial information current within the past twelve months, such as a balance sheet, statement of operations, and bonding capacity. Evidence that the applicant has financial resources to start up and follow through on the project and to respond to damages in case of default, as shown by written verification of bonding capacity equal to or exceeding the amount of the project. The written verification must be submitted by a licensed surety company rated B+ or better in the current A.M. Best Guide and qualified to do business within the State of Michigan.
  - l. A warranty statement regarding labor and materials;
  - m. A list of all litigation and arbitrations currently pending and within the past five years, including an explanation of each. Evidence of satisfactory resolution of claims filed by or against the contractor asserted on projects of the same or similar size within the past five years. Any claim against the contractor shall be deemed to have been satisfactorily resolved if final judgment is rendered in favor of the contractor or any final judgment rendered against the contractor is satisfied within ninety days of the date the judgment became final;
  - n. Proof of insurance, including certificates of insurance naming the Township as an additional insured, confirming existence and the amount of coverage for liability, property damages, workers' compensation and any other insurances required by the proposed contract documents;
  - o. Evidence of compliance with the Fair Labor Standards Act, and with regulatory agencies such as the Environmental Protection Agency; the Michigan Department of Labor and Economic Growth, including the Occupational Safety and Health Administration, Workers' Compensation Agency, the Wage and Hour Division; and all other applicable State and Federal laws or agencies;
  - p. Evidence of any quality assurance program used by the contractor and the results of any such program on the contractor's previous projects;
  - q. Contractor's policy addressing drugs and alcohol use for employees working on the project site;
  - r. Documentation of whether the contractor provides health insurance and pension benefits to its employees;
  - s. Assurance that all construction work for this project shall proceed economically, efficiently, continuously and without interruption.

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### **4.9(I) PURCHASE ORDERS**

Where required the purchase order is the legal document used by the Township to initiate and control purchases. A purchase order shall be deemed a sufficient written contract within the meaning of this Section when the interests of the Township are protected by its use.

### **4.9(m) RESPONSIBILITY FOR INSPECTION AND ACCEPTANCE**

The responsibility for the inspection and acceptance of all materials, supplies or services purchased by the Township shall rest with the Department or other Administrative officer as may be designated by the Township Board, with respect to the particular commodity or service purchased.

### **4.9(n) PREVAILING WAGES ON TOWNSHIP PROJECTS**

If, and to the extent required by state or federal law, or by a voluntary agreement between an employer and the Township in connection with the provision of services directly to the Township or in connection with the receipt of a grant, tax abatement, or tax credit from the Township, no project, in an initial amount of two thousand dollars (\$2,000.00) or more for the performance of services or work for and on behalf of the Township, involving craftsmen, mechanics and laborers employed directly upon the site of the work, shall be entered into, approved or executed unless a contract, agreement, understanding or arrangement provides and requires that all craftsmen, mechanics and laborers so employed are to be paid not less than the wages and fringe benefits prevailing in the locality of the building trades industry for corresponding classes of craftsmen, mechanics and laborers, as published as of the time of execution of the contract by the Michigan Department of Labor and Economic Growth, Wage and Hour Division. In addition, such contract, agreement, understanding or arrangement, shall provide that all subcontracts entered into by the contractor shall contain the provisions set forth in this subsection with respect to the contractor, and all such contracts, agreements, understandings or arrangements shall provide that all contractors and subcontractors engaged in the performance of services or work for the Township, to which this section applies, shall as required by this section, furnish payrolls to the Township if applicable.

2. All solicitations for construction projects shall contain the prevailing wages and fringe benefits in effect at the time the solicitation is issued. The wage scales to be paid shall be posted by the contractor in a prominent and easily accessible place at the work site. The Township Supervisor is hereby directed to see that the provisions of this section are contained in and complied with in all contracts, agreements, understandings or arrangements for work or services to be performed for the Township in accordance with this section.

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3. If applicable, certified weekly payrolls covering the project contractor's and each subcontractor's work force shall be submitted to the Township Director of Accounting or the Township's designee. All payrolls submitted shall identify by name all employees working on the project contract during the weekly reporting period, their place of residency, their trade, their classification within that trade, and all wages and fringe benefits paid. Supervisory personnel must be reported as well as craftsmen, mechanics and laborers to ensure full Township income tax compliance. Failure to make any such report can result in the Township withholding payments on the contract until such reports are filed, at the Township's option. In addition, each failure to file such payroll within seven (7) business days of the receipt of a notice from the Township of such failure, or any deliberate misrepresentation or false statement contained in such report, shall be deemed a violation of this section, punishable pursuant to guidelines established by the Township Board.

4. The Township Supervisor or his or her designee is hereby authorized to withhold payment to such project contractors or subcontractors who fail to pay prevailing wages and fringe benefits as required in subsection (a) hereof in such amounts as may be required to compensate such craftsmen, mechanics and laborers with the amount of money they should have received under subsection hereof.

#### **4.9(o) EQUAL OPPORTUNITY AND FELONY RE-ENTRY EMPLOYMENT**

1. The Township shall accept bids for goods and/or services in the amount of twenty-five thousand dollars (\$25,000) or more from only those persons, partnerships or corporations that are committed to equal opportunity employment of all persons, consistent with Article I, Section 26 of the Michigan Constitution and which has adopted a hiring policy which does not preclude a person with a felony conviction from being considered for employment unless otherwise precluded by State or Federal law.
2. This section shall apply to all subcontractors holding subcontracts of twenty-five thousand dollars (\$25,000) or more when such subcontractors are a direct and inclusive result of a Township purchase or contract of twenty-five thousand dollars (\$25,000) or more.
3. Any contractor, subcontractor, supplier or vendor which is subject to this section and who employs fifteen or more employees, shall submit equal opportunity employment compliance documentation with their bid or proposal.
4. Any contractor, subcontractor, supplier or vendor which is subject to this section and who employs fifteen or more employees, shall submit in writing with its bid or proposal, its hiring policy which shall provide that a felony conviction is not an absolute bar to, or otherwise preclude, possible employment with the contractor, subcontractor, supplier or vendor.



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5. Failure to submit the equal opportunity employment and felony conviction re-entry to employment policy documentation required by this section shall render the bid or proposal non-responsive.

#### **4.9(p) DISPOSITION OF UNCLAIMED PROPERTY**

All unclaimed, abandoned or other property of any description which comes into the possession of the Hamburg Township Police Department shall be disposed of in compliance with state law and pursuant to Hamburg Township Police Department SOP# 300-3: *Evidence and Property*.

#### **4.9(q) DISPOSAL OF SURPLUS MATERIAL OR EQUIPMENT, SALVAGE AND UNCLAIMED PROPERTY**

Shall be auctioned on MIbid for not less than 10 days.

#### **4.10 Expense Reimbursements**

**4.10(a) Request Form:** The Township shall reimburse all officials and employees for necessary expenses incurred in performing their duties. All requests for expense reimbursement shall be made on the proper expense reimbursement form.

**4.10(b) Reimbursement Rates:** Travel shall be reimbursed at the current IRS approved mileage rate. Personal use of vehicles is restricted to when Township vehicles are not available. Reasonable meal and lodging expenses will be reimbursed.

**4.10(c) Personal Expenses:** Receipts shall accompany any reimbursement requests. Commuting from residence to the Township hall or the employee's official work station shall not be eligible for reimbursement. Board and committee members shall not receive mileage to attend Board meetings that are a statutory duty of their office. Personal expenses that are unnecessary in conducting Township business, such as entertainment and alcohol consumed, shall not be eligible for reimbursement.

#### **4.11 Investment Policy**

The Township will have and maintain an Investment Policy – please see appendix A.

##### **4.11(a) Purpose**

It is the policy of Hamburg Township to invest public funds in a manner, which will provide maximum security with the highest investment return while meeting the daily cash flow demands of the Township and conforming to all State statutes and local Ordinances governing the investment of funds.

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### 4.11(b) Scope

This investment policy applies to all transactions involving the financial assets and related activity of the Township except for its employee pension/retirement funds and employee deferred compensation funds that are organized and administered separately. These funds are accounted for in the audit report and include the following funds:

1. General Fund
2. Enterprise Fund
3. Capital Improvement Fund
4. Trust and Agency Fund
5. Road Fund
6. Police Fund
7. Fire Fund
8. Park Land Purchase Fund
9. Drug Enforcement Fund
10. Special Assessment Funds
11. Any new funds created by the Township Board, unless specifically exempted by the Township board

### 4.11(c) Investment Objectives

Funds of the Township will be invested in accordance with Michigan Public Act 20 of the Public Acts of 1943, as amended, and in accordance with the following objectives in order of priority.

1. **Safety** – Safety of principal is the foremost objective of the investment program. The primary objective of the Hamburg Township investment activities is the preservation of capital in the overall portfolio and the protection of investment principal.
2. **Diversification** – The investments shall be diversified or restricted by specific maturity dates, individual financial institution(s) or a specific class of securities as may be set forth by Board amendment to this policy and in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.
3. **Liquidity** – The investment portfolio will remain sufficiently liquid to enable Hamburg Township to meet operating requirements that might be reasonably anticipated. Further, it is specifically intended that an investment strategy that ensures short term (two years or less) versus longer term be followed.

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4. **Return on Investment** – Subject to the foregoing constraints, Hamburg Township will strive to maximize the return on the investment portfolio. The portfolio shall be designed with the objective of obtaining a rate of return appropriate to existing budgetary and economic cycles, taking into account the investment risk constraints and cash flow characteristics of the portfolio.

### **4.11(d) Investment Procedures**

The Treasurer shall establish written administrative procedures for the operation of the Township's investment program as well as internal controls which shall include clear delegation of authority to personnel responsible for investment transactions. The procedure shall be designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties or imprudent actions by employees and officers of the Township.

### **4.11(e) Delegation of Authority**

Responsibility for the establishment of the Township's Investment Policy rests solely with the Township Board of Trustees.

Authority to manage the investment program related to implementation of the Township Investment Policy is derived from MCL 41.75, as amended. Management responsibility for the investment program is hereby delegated to the Township Treasurer (Investment Officer), who shall establish written procedures and internal controls for the operation of the investment program, consistent with this investment policy. No person may engage in investment transactions except as provided under the terms of this policy and the procedures established by the Investment Officer.

The Investment Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

An Investment Committee may meet on an as-needed basis, whose sole purpose shall be to advise the Treasurer on overall Banking, Depository and Investment strategy, Primary banking structure and relationship and specific investment selection and evaluation of the Township's Investment portfolio. The committee shall consist of the Director of Accounting, the Deputy Treasurer and two members of the Township's Board of Trustees.

### **4.11(f) Ethics and Conflict of Interest**

Officers and employees, including any officials appointed to an Investment Committee by the Township Board, shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to

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make impartial investment decisions. Employees, Investment Committee members, and investment officials shall disclose to the Township Board any material financial interest in financial institutions that conduct business with this Township and they shall disclose any large personal financial/investment positions that could be related to the performance of the Township's portfolio. Employees, Investment Committee members, and officials shall subordinate their personal investment transactions to those of the Township particularly with regard to the timing of purchases and sales.

### **4.11(g) Qualified Financial Dealers and Institutions**

The Township shall maintain a listing of depositories and financial institutions, which are approved for depository and investment services by the Board of Trustees. In addition, the list will include approved security broker/dealers, who maintain an office in the State of Michigan or who are "primary" dealers or regional dealers that qualify under Security & Exchange Commission Rule 15C3-1. No public deposit shall be made except in a qualified public depository as established by State statute.

All financial Institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply to the Treasurer and the Board, at minimum, their quarterly and annual audited financial statements for the most recent fiscal year, certification of having read the Hamburg Township investment policy and the pertinent State statutes, proof of National Association of Security Dealers certification if appropriate and proof of State registration, where applicable. In addition, they must provide schedules of rates and fees for all transaction types and investment products.

Changes in the financial condition of "Approved Financial Institutions" shall be immediately brought to the attention of the Board of Trustees with an associated recommended action for the Board's consideration.

It shall be the responsibility of the Board, Investment Committee or the Treasurer to ensure compliance with these provisions.

### **4.11(h) Authorized and Suitable Instruments**

All investments shall be made in strict accordance with Public Act 20 of the Public Acts of 1943, as amended, (see attachment "Investment of Surplus Funds of Political Subdivisions") and Public Act 7 of the Public Acts of 1967, as amended (see attachment "Urban Cooperation Act of 1967"). The State of Michigan does not require collateralization of all public funds, but the Township will seek collateralization of its investments that exceed the FDIC insured amount, and require collateralization of any repurchase agreements (see below).

The following investment types are specifically authorized:



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- Bonds, securities, and other obligations of the United States or an agency or instrumentality of the United States.
- Certificates of deposit, savings accounts, or depository receipts of a financial institution, but only if the financial institution complies with MCL 129.91(2); certificates of deposit obtained through a financial institution as provided in MCL 129.91(5); or deposit accounts of a financial institution as provided in MCL 129.91(6).
- Commercial paper rated at the time of purchase within the 2 highest classifications established by not less than 2 standard rating services and that matures not more than 270 days after the date of purchase.
- Repurchase agreements consisting of bonds, securities, and other obligations of the United States or an agency or instrumentality of the United States. In such cases, a Master Purchase Agreement shall be entered into only with **primary dealers** reporting to the Federal Reserve Bank of New York (or with firms that have a primary dealer within their holding company structure), or with **approved depository banks** that have executed an approved Master Repurchase Agreement with the Township. The Treasurer shall maintain a copy of the Township's approved Master Repurchase Agreement along with a list of the counterparties who have executed a Master Repurchase Agreement with the Township. All repurchase agreement investments must be collateralized.
- Bankers' acceptances of United States banks.
- Obligations of this state or any of its political subdivisions that at the time of purchase are rated as investment grade by not less than 1 standard rating service.
- Mutual funds registered under the investment company act of 1940, 15 USC 80a-1 to 80a-64, with authority to purchase only investment vehicles that are legal for direct investment by a public corporation. However, a mutual fund is not disqualified as a permissible investment solely by reason of any of the following:
  - (i) The purchase of securities on a when-issued or delayed delivery basis.
  - (ii) The ability to lend portfolio securities as long as the mutual fund receives collateral at all times equal to at least 100% of the value of the securities loaned.
  - (iii) The limited ability to borrow and pledge a like portion of the portfolio's assets for temporary or emergency purposes.
- Obligations described herein if purchased through an interlocal agreement under the Urban Cooperation Act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.
- Investment pools organized under the Michigan Surplus Funds Investment Pool Act, 1982 PA 367, MCL 129.111 to 129.118.
- The investment pools organized under the Local Government Investment Pool Act, 1985 PA 121, MCL 129.141 to 129.150.

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Prior to investing in any governmental-sponsored investment pools or money market mutual funds, the Treasurer must review the potential investments for fiscal soundness and reputation and compliance with this Policy.

Except as may be determined by Board Action, all deposits and investments shall be strictly segregated by Fund type. It is understood that there are times when deposits are transferred to our accounts from an external source in a comingled form with allocation instructions. These funds should be segregated as soon as possible upon receipt.

### **4.11(i) Competitive Selection of Investment Instruments**

1. Before the Township invests any funds, competitive proposals from qualified financial institutions shall be sought. If a specific maturity date is required, whether for cash flow purposes or for conformance to maturity guidelines, proposals shall be requested for instruments that meet the maturity required. If no specific maturity is required, an analysis will be conducted to determine which maturates would be most advantageous.
2. Quotes will be requested from financial institutions for various options with regard to terms and instruments. The Township will accept the quotes, which provide the highest rate of return that is within the maturity term required and that comply with the parameters of the Investment Policy and particularly with regards to the safety of the investment.
3. Records indicating the quotes offered, the quotes accepted and brief explanation of the decision which was made regarding the investment, shall be kept for future review.

### **4.11(j) Short-Term versus Long-Term Portfolio**

1. The Township shall attempt to match its investment maturities as closely as possible to its anticipated cash flow requirements. With the exception of Debt Service Funds, Capital Funds and Special Assessment Funds, it is strongly advised that all funds be invested in instruments whose maturities do not exceed two years at the time of purchase unless specifically agreed to by the Investment Committee and reported to the Board.
2. Debt Service Funds, Capital Funds, and Special Assessment Funds, may be invested in securities exceeding two years provided the maturity dates match anticipated need for the funds.

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### **4.11(k) Investment Performance and Reporting**

1. Information indicating a loss or prospective loss of capital on existing instruments and material deviations from projected investment strategies shall be reported immediately to the Board of Trustees.
2. All Township investments are benchmarked to both US Treasury Bills and market CD rates and are reviewed at least monthly for performance and new investment opportunities that comply with this Policy and compare favorably with existing investments.
3. A Comprehensive Financial Condition Report shall be developed cooperatively by the Treasurer, Director of Accounting, Chief Budget Officer and Assessor and presented to the Board of Trustees at its second Board meeting each month. The report will address each of the following in summary and in detail:
  - a. Tab 1—Revenue & Expenditure Report; Cash Summary by Account
  - b. Tab 2—Cash Flow Analysis; Debt Payment Schedule
  - c. Tab 3—10-yr tax Collection Comparison; Property Tax Roll 10-year graph; Roll Distribution Chart
  - d. Tab 4—Monthly Bank and Investment Report; Approved Financial Institutions List
  - e. Tab 5—Five Year Forecast and Capital Reserve
4. The Township's investment operations will be reviewed as part of the annual audit.

### **4.11(l) Access to Financial Information**

1. By resolution the Hamburg Board of Trustees has determined that the following Officers shall have the right to all financial and investment information (including on line "read only" access) from all depositories and financial institutions with whom the Township does business:
  - a. Township Supervisor
  - b. Township Clerk
  - c. Township Treasurer and Deputy Treasurer
  - d. Township Trustees (4)
  - e. Township Director of Accounting
  - f. Township Attorney
2. Additionally, by resolution the Hamburg Board of Trustees has determined that the following employees shall have the right to all financial and investment information (including on line "read only" access) from all depositories and financial institutions with whom the Township does business for Library Accounts:

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- a. Director of the Library
- b. Library Accountant

### **4.11(m) Safekeeping and Custody**

1. All security transactions including collateral for repurchase agreements and institution deposits entered into by the Township shall be on a cash (or delivery vs. payment) basis. Securities may be held by a third-party custodian designated by the Treasurer and evidenced by safekeeping receipts as determined by the Treasurer.
2. A Trust Receipt from the contra-party and proof of SIPC and other insurance will be required when the transaction is covered by insurance. Non-negotiable, non-collateralized Certificates of Deposit, as in the law in the State of Michigan shall be evidenced by safekeeping receipt from the issuing bank.

### **4.11(n) Prudence**

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation but for investment, considering the probable safety of their capital as well as the probable income to be derived.

### **4.11(o) Amendment**

This Investment Policy and its associated Investment Procedures may be amended from time to time by a majority vote of the Hamburg Township Board of Trustees.



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### CERTIFICATION

I, hereby certify that I have received a copy of the Investment Policy of Hamburg Township. I have read and fully understand the State of Michigan Public Act 20 of Public Acts of 1943, as amended. I have personally read the Investment Policy, and agree to comply with the terms of the Investment Policy, and Public Act 20, regarding the investment of the Township funds. Any investment not conforming to your Investment Policy will be disclosed promptly. We also pledge to exercise due diligence in informing you of all foreseeable risks associated with financial transactions conducted with your Township.

**By:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Institution:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City/State/Zip:** \_\_\_\_\_

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### **4.12 Notary Public**

Hamburg Township will support any employee that needs to become a Michigan notary public to fulfill the job requirements. The State of Michigan requires a surety bond of \$10,000 for the notary. The Township will secure that bond through the township's insurance company Michigan Municipal Risk Management (MMRMA). With the Township providing the surety bond through MMRMA, the employees are only allowed to use their notary for township business, or township residents, during Township business hours.

### **4.13 Grants**

#### **4.13(a) Purpose and Scope**

The purpose of this policy is to establish procedures for approval, acceptance, implementation, compliance and reporting of all grant applications submitted on behalf of Hamburg Township. The intent of the Board of Trustees is to ensure fiscal and administrative accountability of all funding sources including: federal government, state government, other local governments, non-profit agencies, and private businesses and citizens, as well as property and other assets awarded to Hamburg Township. For the purposes of this policy, a grant is defined as a financial award that is subject to requirements imposed by the awarding agency.

#### **4.13(b) Application of Policy**

The Hamburg Township Grant Policy applies to all Hamburg Township Employees, Departments, and the Elected Officials.

#### **4.13(c) Grant Application**

Prior to applying for any grant, a Grant Transmittal form (Appendix A) must be completed and submitted to a member of the Executive Team and the Township Coordinator for application approval. Once the submittal is approved, all completed grant applications must be forwarded to the grant coordinator, who will provide copies to the Accounting Director, as needed. No submissions shall be made until approval is received. An exception to this policy is the Michigan Municipal Risk Management Authority's R.A.P. Grant which departments are able to apply for directly without notice to the Township Coordinator.

1. The Hamburg Township Director of Accounting shall be designated as the grant fiscal officer for all grants.
2. The department head, elected official, or division wishing to submit a grant application shall work with the Township Coordinator and Director of Accounting on all grants.

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3. The Township Coordinator can provide administrative assistance with grant application issuance and submittal, and is in charge of all record retention for grants applied for and received in the Township.
4. Grantor must send grant funds directly to the Hamburg Township Treasury. All financial institution information related to the grant application must be completed by the Director of Accounting, Hamburg Township Treasurer or Deputy Treasurer.
5. Grants requiring a cash match must be approved by the Township Board of Trustees. Sources for matching funds must be identified by the Director of Accounting.
6. Grants that allow for reimbursement of indirect costs must include the costs in the grant application budget.
7. Grants that allow for reimbursement of administrative time and other costs related to administering the grant shall have those expenses clearly recorded by the Director of Accounting.
8. Grants requiring an expenditure budget to be included with the application or annual request, must submit the proposed budget to the Director of Accounting for review prior to submission.
9. The department head will provide copies of all correspondence, including copies of the approved and executed grant application, grant award letter, executed grant contract, approved budget, etc. Copies of all motions pertaining to approval will be retained in those records as well.

### **4.13(d) Grant Management**

Each grant must have an individual designated as Grant Coordinator, who is responsible for requesting grant funds, fulfilling the financial reporting requirements of the grant, and ensuring the proper revenue has been received before closing the file. The Township Coordinator may be directed to serve this function for the Department Head and is responsible for all final records and their retention.

The Hamburg Township Director of Accounting is responsible for maintaining an inventory of fixed assets purchased with grant funds. The Township Coordinator is responsible for making such fixed assets physically available for inspection during a grant audit, or will complete and file self-certification audits, if applicable with assistance from the grant requestor. The sale or disposal of these assets must follow grant requirements and must be coordinated with the Director of Accounting. A list of all parkland and trail assets and property that are required to remain as recreational assets in perpetuity, shall be maintained by the Director of Accounting. The Township Coordinator shall be responsible for maintaining proper signage and arranging announcements and ribbon-cutting ceremonies, as may be required by the terms of the Grant.

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The Township Coordinator is responsible for fulfilling the program requirements of the grant and promptly submitting the required program monitoring reports to the funding agency. Progress, financial, and final reports must be provided to the Director of Accounting who will complete the information on the Grant Transmittal to close the file.

Should a vendor be hired to draft and submit grants on the Township's behalf, it must be done so only after the Township Board has entered into an agreement with the vendor and approved the grant's submittal. The Township Coordinator is responsible for acting as the liaison between the grant writer and the Township, maintaining all records for the project, and providing any support which is required by the vendor for the proper execution of the grant.

The Grant Coordinator shall work with the Department Head to review financial transactions, such as contract invoices, vouchers, travel reimbursements, purchase documents, and various other documents that obligate Hamburg Township. When reviewing documents, the Grant Coordinator and Director of Accounting are responsible for verifying the following:

1. Charges to the grant correctly represent materials received or services rendered;
2. Charges represent activities that are allowable under the grant and comply with the budget that is established for the grant;
3. Funds are available in the grant to cover authorized charges; and
4. The transactions comply with all relevant internal or external regulations, policies and procedures, and are applied to the proper general ledger code.

### **4.13(e) Grant Accounting**

Fiscal control and fund accounting procedures shall be established to assure the proper dispersal of and accounting for grant funds. Such procedures shall ensure that all financial transactions are conducted and records maintained in accordance with generally accepted accounting principles with the following objectives.

1. Maintain financial records in the shared file system (V-drive) ensuring that the file contains sufficient detailed information to accurately account for grant revenue, expenditures, assets, liabilities and obligated balances.
2. All grants shall be processed in accordance with GASB-33.
3. Grant monitoring and budgetary control reports shall be made throughout the life of the grant.
4. All grants are subject to the rules and procedures as outlined by the agreement the Hamburg Township Board of Trustees enters into with the Grantor.



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5. All records shall be maintained by the Township Coordinator and filed in the Clerk archive based on the Records Retention and Disposal Schedule for Michigan Township Clerks, by the Department of History, Arts and Libraries – Record Management Services. [www.michigan.gov/recordsmanagement/](http://www.michigan.gov/recordsmanagement/)

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### Section 14 - Appendix 1



## Grant Transmittal

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

### **Project:**

Name of Project: \_\_\_\_\_

Expected Completion: \_\_\_\_\_ Fund Deadline: \_\_\_\_\_

Project Description: \_\_\_\_\_

\_\_\_\_\_

Project Manager: \_\_\_\_\_ Email: \_\_\_\_\_

### **Department:**

Approved by Supervisor/Official: \_\_\_\_\_ Date: \_\_\_\_\_

Grant Coordinator: \_\_\_\_\_ Email: \_\_\_\_\_

### **Financial:**

Total Estimated Project Cost: \_\_\_\_\_ Expected Match: \_\_\_\_\_

Match Funding from GL#: \_\_\_\_\_ F/Y Impacted: \_\_\_\_\_

### **Grant Application:**

Grantor Name: \_\_\_\_\_ Contact: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Email: \_\_\_\_\_ Contact Phone: \_\_\_\_\_

Grant Amount Requested: \_\_\_\_\_ Award Date: \_\_\_\_\_

### **Admin Use:**

Project Completed: \_\_\_\_\_ Reimbursement Submitted: \_\_\_\_\_

Grant Funding Received: \_\_\_\_\_ Coded to GL#: \_\_\_\_\_

Director of Accounting Signature: \_\_\_\_\_ To Clerk/Retention: \_\_\_\_\_

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### 4.14 Cell Phone Usage & Re-Imbursement

#### 4.14(a) PURPOSE

This policy is established for the purpose of establishing guidelines for the acquisition, use, maintenance, and reimbursement of cell phone equipment and services utilized for conducting Township business and services. It is intended to minimize Township expenses while maximizing efficiency and convenience for employees.

#### 4.14(b) POLICY

It will be the policy of Hamburg Township to establish guidelines for the proper use of cell phones owned by the Township for employee use. The Township will also issue a stipend or reimbursement to employees for time and equipment based on the criteria established in this procedure. It is also the policy of Hamburg Township to comply with all Internal Revenue Service guidelines for income tax withholdings for personal use of equipment and services.

#### 4.14(c) DEFINITIONS

**Employer-Owned Cell Phone & Equipment** - Shall be defined, for purpose of this policy, as any cell phone, charger, holder, mount, wireless service agreement, obtained by and/or paid for by Hamburg Township.

**Employee-Owned Cell Phone & Equipment** - Shall be defined, for purpose of this policy, as any cell phone, charger, holder, mount, wireless service agreement, obtained by and/or paid for by a employee of Hamburg Township.

**Cell Phone Stipend** - A monthly payment made to a Township employee based on the established stipend category recommended by an employee's department head and approved by the Township Board.

**Cell Phone Reimbursement** - A payment made to a Township employee based on a standardized calculation of use or a receipt itemizing business usage of an employee's personal cell phone equipment and services.

#### 4.14(d) CELL PHONE STIPEND LEVELS

Cell phone stipend levels are as listed below. Department heads may make a written request for an employee to receive a cell phone stipend to the Township board. Positions that have been approved for a stipend do not need individual approval. The request will include a stipend level recommendation by the Department head and the employee's position, responsibilities, and need for business related cell phone services. All cell phone

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stipends will be established by a majority vote of the Township Board. Cash amounts for each stipend level will be established by the Board and reviewed or adjusted at their discretion.

1. **Administrative Stipend;** an executive level or critical employee that "must have" cellular phone service for emergency contact. This position or work assignment has a high level of responsibility and accountability for delivery of government services. This employee requires an extremely high volume of demand for communication with subordinates, business partners, and citizens.
2. **Supervisory Stipend;** a management or supervisory level employee who "needs to have" cellular phone service while either on call or in a position to give 24-hour work direction to others. These employee responsibilities require regular and ongoing need for accessibility and communication either throughout the workday and while off duty.
3. **Staff Stipend;** a front-line employee where it is convenient to have cellular services to enhance the productivity and efficiency of Township services.

### **4.14(e) EMPLOYEE OWNED CELL PHONES**

1. Employee participation in the cell phone stipend program is voluntary and can be canceled by the employer or the employee at any time for any reason.
2. Employees receiving a cell phone stipend shall do the following:
  - a. Provide their cell phone number to their immediate supervisor.
  - b. Maintain their cell phone in active service.
  - c. Have cell phone turned on and available for contact according to requirements of the stipend level and/or job requirements to which he/she is assigned.
  - d. Maintain a sufficient amount of cellular minutes available to conduct the level of business appropriate to the job requirements to which he/she is assigned.
  - e. Assume responsibility for all charges for cell phone services and equipment.
3. Hamburg Township retains the right to determine eligibility and participation in employee owned cell phone stipend program.
4. Personal use of employee owned cell phones shall be kept to a minimum during business hours or while the employee is on duty.

### **4.14(f) TOWNSHIP OWNED CELL PHONES**

1. Department heads may make a written request for an employee or work group to be issued either single use or multi use Township owned cell phone to the Township Board. The request will include a type of use, the employee's or work groups position, responsibilities, and need for business-related cell phone services. All Township-owned cell phone levels will be established by a majority vote of the Township Board.



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2. Township-owned cell phones will be designated by the following two types:
  - a. Multi-user or On-call phone assigned to a work group or division that uses the phone for business only while performing a specified task
  - b. Single user Township owned phone assigned to a specific person that is utilized for both business and personal use.
  - c. Monthly personal use fees for Township-owned phones will be determined by a monthly review of the phone bill. Any personal calls will be totaled and the total will be given to the Accounting Department for inclusion in the employee's taxable income.
  - d. Any employee authorized for use of a Township owned single user phone may use the phone for personal use and will be taxed on the personal usage on a monthly basis. Personal calls should be kept at a minimum and should not interfere with Township business.

### Employee Owned Cell Phones

<b>Stipend Level</b>	<b>Monthly Stipend Rate</b>
Administrative	\$50.00
Supervisory	\$35.00
Staff	\$20.00

### Township Owned Cell Phones

<b>Assignment Type</b>	<b>Monthly Use Rate</b>
Single User Basic	\$15.00
Multi-User	Signed Statement "No Personal Use"

## **4.15 Automated Clearing House (ACH) Arrangements and Electronic Funds Transfer (EFT) Policy**

### **4.15(a) PURPOSE**

The following policy shall govern the use of Automated Clearing House (ACH) and Electronic Funds Transfer (EFT) arrangements for Hamburg Township.

### **4.15 (b) DEFINITIONS**

**Automated clearing house or "ACH"** - means a national and governmental organization that has authority to process electronic payments, including, but not limited

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to, the national automated clearing house association and the federal reserve system.

**ACH arrangement** - means the agreement between the originator of the ACH transaction and the receiver of an ACH transaction.

**ACH transaction** - means an electronic payment, debit, or credit transfer processed through an automated clearinghouse.

**ACH policy** - means the procedures and internal controls as determined under this written policy developed and adopted by the Hamburg Township Board of Trustees.

**Electronic transactions officer or "ETO"** - means the person designated under the Electronic Funds Transactions Act, Public Act 738 of 2002, as set forth in MCL 124.301, et seq., by the Township.

### 4.15(c) AUTHORITY

The Township Treasurer, is designated by the Act as the Township's ETO and may enter into an ACH arrangement as provided by the Act.

### 4.15(d) GUIDELINES

1. The Township shall not be a party to an ACH arrangement unless the Hamburg Township Board has adopted a resolution to authorize electronic transactions and the Hamburg Township Director of Accounting has presented a written ACH policy to the township board.
2. An ACH arrangement under PA 738 of 2002 is not subject to the Revised Municipal Finance Act, Public Act 34 of 2001 (MCL 141.2101, et seq.), or to provisions of law or charter concerning the issuance of debt by a local unit.
3. Responsibility for ACH Agreements. The Hamburg Township Director of Accounting is responsible for Hamburg Township's ACH agreements, including payment approval, accounting, reporting, and generally for overseeing compliance with the ACH policy.
4. The Accounting Specialist shall submit to the board documentation detailing the goods or services purchased, the cost of the goods or services, the date of the payment, and the department levels serviced by each payment of public funds made by electronic transfer. This report may be contained in the Townships electronic general ledger software system or in a separate report to the Township board.

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### **4.15(e) INTERNAL ACCOUNTING CONTROLS TO MONITOR USE OF ACH TRANSACTION MADE BY TOWNSHIP**

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

1. The Accounting Specialist shall prepare a list of vendors authorized to be paid by ACH transaction and provide that list to the Hamburg Township Board of Trustees.
2. The Accounting Specialist initiates the transaction upon receipt of an invoice included on the authorized ACH list approved by the appropriate township official. ACH invoices must be approved before payment.
3. The Accounting Specialist presents a report of ACH bills for payment to the township board for approval. The board approves all transactions prior to disbursement. [If the township board has established a policy identifying specific payments that have pre-approved authorization (monthly utility bills, payroll etc.), it must post-audit those payments and confirm their disbursement at the next board meeting following their disbursement. Include in the ACH policy the list of specific types of payments pre-authorized for post approval by the board.]
4. Following board approval, the Treasurer and Clerk, or their designees, sign the report of ACH bills, the Accounting Specialist initiates the electronic transaction with the vendor, and the Director of Accounting reviews and approves the transfer of funds.
5. The Director of Accounting shall retain all ACH transaction documents for audit purposes.
6. The Director of Accounting shall retain all invoices for audit purposes.
7. Vendors will be contacted with their phone number on file for any ACH setups or ACH changes to verify the information before any changes are made.

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### **5.0 PROPERTY MANAGEMENT - adopted 12-16-2025**

#### **5.1 Hours of Business**

The Township hall shall be open to the public at 7:30 a.m. and shall be closed at 5:30 p.m. on every normal business day, Monday through Thursday.

#### **5.2 Building Access**

The first person arriving each morning should make sure that all public access doors are unlocked and the security system is deactivated.

Prior to leaving, each employee will make his or her work station secure by checking their work area to ensure any open windows are closed & locked, turning off lights, equipment and doors are locked (if applicable).

The last person to leave the Township hall at night shall check to see that the building is secure and alarmed.

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

#### **5.3 Security & Building Access**

The following positions are authorized to receive a key to the main door: all employees and all Township Board members.

If a key is lost, the Director of Technical Services & Utilities shall be informed immediately. A replacement key shall be issued. If the Director of Technical Services & Utilities has reason to believe that the missing key may be used for unauthorized entry, new locks will be installed. Upon termination of employment, the employee shall return his or her office keys to the Director of Technical Services & Utilities. No person shall duplicate a key without authorization from the Township Supervisor or the Director of Technical Services & Utilities or make a key available to any unauthorized person.

Each department head shall determine who shall be issued a key to the department's door or any secured facilities, such as a safe, election equipment, cash drawer or filing cabinet, within the department. Only Clerk approved person(s) shall have access to storage areas of election equipment.

The executive team shall be provided with keyed access, coded access, alarm system monitoring to all township owned property. Working with the IT Director, the executive team shall ensure the Township property is appropriately monitored.



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### 5.4 Safety

Flammables and hazardous materials shall be stored and handled in compliance with applicable MIOSHA regulations.

In the event of a fire, all employees will immediately exit the building and shall gather together for a head count.

All department staff shall refer to their department safety manual or Standard Operation Procedures, if applicable.

### 5.5 Staff Use of Township Equipment, Labor or Premises

1. **Lost or Damaged Equipment** - Any lost or damaged equipment shall be reported immediately to the employee's department head.
2. **Personal Use of Township Property** - Township property should not be used by township personnel for personal use
3. **Copier** - Employees may use the Township copier for incidental use with the approval of the department head.
4. **Bulletin Boards** - Employees and residents who wish to post notices on Township bulletin boards must have the prior approval of the Township Clerk or their designee.
5. **Electronic Communications Policy**
  - a. **Purpose** - The purpose of the electronic communications system is to assist Hamburg Township's day-to-day conduct of business activities. This section sets forth the policies regarding the use of the Internet and e-mail system. Hamburg Township reserves the right to change these policies at any time.
  - b. **Ownership** - The e-mail system is the property of Hamburg Township. All data and other electronic messages within this system are the property of the Township. E-mail messages either composed or received in therefore may be subject to Freedom of Information Act requests and other legal disclosure. Staff and elected officials should use assigned township email addresses.
  - c. **Monitoring/Privacy** - Hamburg Township reserves the right to monitor all e-mail/Internet messages/information either composed or received in the system. It is possible that e-mail sent from the Township's system can be intercepted on the system and on the Internet; therefore, the user should not expect any degree of privacy regarding e-mail messages. E-mail messages deleted by the user may be retrievable from the hard drive, backup tapes or the receiving or sending e-mail system.

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No monitoring of any e-mail, internet activity, or server files without the consent from the Executive Team or Township Board. Any violations of this policy may result in disciplinary action up to and including termination.

d. **Users** - Only Hamburg Township employees who have been assigned by an Executive Team member are permitted to use the Internet system. Only Hamburg Township employees who have been assigned an e-mail account and password are permitted to use the e-mail system. Accounts will only be established once the employee has read the Township's Electronic Mail/Internet Policy and has signed the Township's E-Mail/Internet Policy Acknowledgment Form. Upon termination of employment, that user's account and privileges will be revoked.

e. **Prohibited Uses** - Certain uses of the Township's e-mail/Internet system are not allowed. Prohibited uses include, but are not limited to:

- Using the system for any purpose which violates State and Federal Laws.
- Using the system in a way that violates copyright laws.
- Using the system to circumvent the Open Meetings Act.
- Sending or receiving confidential communications related to litigation, negotiations, or investigations.
- Misrepresenting one's identity to compose or intercept messages.
- Revealing your access code or password to another employee.
- Using the system for commercial or personal purposes other than the business of Hamburg Township.
- Using the system for the purposes of lobbying.
- Creating offensive or malicious messages. These would include, but not limited to, messages which contain profanity, sexually explicit content, race, natural origin or gender specific comments, threats or harassment.
- Using the system for religious or non FOIA related political purposes.
- Using the system for gambling, betting pools or investment clubs.
- Chain letters.
- Engaging in any e-mail/Internet activity that would create liability for Hamburg Township.
- Browsing sites, chat rooms, or publishing unrelated to work.
- Using the Internet to purchase or sell goods or services.

f. **Disclosure** - Hamburg Township reserves the right to use any e-mail found in its system for its business activities and to disclose e-mail contents to appropriate personnel.

### 5.6 Vehicle Acquisition, Disposal and Use

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1. **Purpose** - To provide a procedure by which Hamburg Township vehicles are acquired, their official use, and disposal.
2. **Intent** - The intent of the Hamburg Township Board of Trustees is to develop a formal policy for the usage, acquisition/disposition, and maintenance of all Township vehicles.
3. **General Policies**
  - a. All vehicles owned by Hamburg Township and operated by any department therein, shall be managed by the Township Board. The Board will make all final decisions regarding acquisition, usage, inventory, and replacements.
  - b. All vehicles purchased/owned by Hamburg Township shall be titled in the name of Hamburg Township. The Supervisor and/or Clerk shall be authorized to sign all titles for newly acquired vehicles on behalf of the Township as well as titles of vehicles sold (when approved by the Township Board). All titles are to be stored in the Clerk's office and under the direct responsibility of the Clerk.
4. **Specific Policies**
  - a. **Assigned Vehicles** - The Hamburg Township Board shall assign-vehicles to specific staff members or departments on documented need through a motion of the Board, individual employment contracts, adopted policies or through Collective Bargaining Agreements. Township vehicles kept at home overnight shall be stored in a garage or driveway and shall not be parked overnight on the street. Use of exclusively assigned vehicles shall be limited to travel to and from work and business only. No personal use of Township owned vehicles is permitted which generates additional mileage.
  - b. **Township Vehicle Use** – Township owned vehicles are to be used to perform the daily functions of the departments. These include but are not limited to the following:
    - Policing/Patrolling
    - Undercover/Surveillance Work (Unmarked Vehicles)
    - Attending Court Cases
    - Reviewing Properties for Assessing Purposes
    - Reviewing Properties for Zoning Violations/Inspections
    - Reviewing Properties for Construction Activities
    - Attending Meetings and Conferences
    - Attending Educational Classes
    - Re-Evaluating Properties
    - Attending Work Related Meetings
    - Maintenance of Township Properties and Utilities Systems
    - Verification and Maintenance of special assessments
    - Banking, mail and election activities

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- c. **Fuel** – Township owned vehicles driven by authorized Township employees on official business shall be authorized to receive fuel from the designated Township supplier. For approved out-of-town travel, employees will be reimbursed for fuel pending receipt submittal.
- d. **Vehicle Acquisition** – The Township shall acquire vehicles to meet the needs of each department either by lease or purchase. Method of acquisition will be determined by the Township Board. The model, type and specific standards for vehicles needed may vary by department. This decision shall be at the discretion of the Township Board.
  - i. **Replacement** - Public Safety vehicles will be replaced when the lease has expired, or the repairs to the vehicle are such that it is no longer cost effective to maintain serviceability of the vehicle, whichever occurs first. However, the Director of Public Safety may, at his discretion, request the Township Board of Trustees exempt a specific vehicle from this policy by providing a written maintenance expense summary and vehicle safety inspection certification from an independent certified mechanic who does not regularly maintain the vehicle. The Township Board of Trustees, should it choose to grant the exemption, shall specify the period or number of miles the vehicle is to remain in service beyond the parameters listed above.
  - ii. **Budgeting** - Each department shall be responsible for budgeting for vehicles. In instances where vehicles are shared, the department requesting use of another department's vehicle, shall budget an appropriate amount of funds for fuel, fluids, and general maintenance, i.e. cleaning, etc.
- e. **Disposal** – The Township Board shall direct the advertising for sale of any Township vehicle that will be replaced. The proceeds from the sale will be applied to the department that had use of the vehicle, to defray the costs of acquiring a replacement. All vehicle disposals should be through MIBid unless approved by the Township Board of Trustees.
- f. **Maintenance** – Each department shall be responsible for the daily maintenance of the vehicle(s) assigned to their respective department. This maintenance includes, but shall not be limited to the following:
  - Cleaning** – The interior and exterior of all Township vehicles shall be kept clean. The users of each vehicle are responsible for cleaning.
  - i. **Fuel, Oil, and Fluids** – At no time shall the fuel level drop below one-quarter (1/4) tank. Fluids (power steering, brake, washer, oil, transmission, etc.) shall be checked periodically. Fluid levels are to be maintained at all times according to manufacturer recommendations. This maintenance shall be the responsibility of each user of the department's vehicle at a location, or source approved by the Township Board. Oil changes shall be performed at manufacturer suggested intervals at a site approved by the Township Board.

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- ii. **Repairs** – Minor repairs shall be promptly taken care of. The Township Board shall make decisions regarding major repairs. The department head shall notify the Supervisor or Clerk of needed repairs.
- g. **Vehicle Operation** - Township vehicles may be provided for use by employees for work-related travel. No personal business shall be conducted while operating a Township owned vehicle. Employees are expected to observe all traffic laws, posted speed limits, and use care and caution while operating these vehicles. Use of seat belts for drivers and passengers is mandatory. Smoking in Township vehicles is prohibited. Employees involved in traffic accidents while driving a Township vehicle are required to notify his/her supervisor as soon as possible after the accident and when so directed, file a complete written report with respect to the accident. If it is determined by the Township that the employee was negligent, the Township may institute disciplinary action against that employee.
- h. **Vehicle Use – The Clerk’s office is responsible for scheduling pool use and keys.**  
  
In the event of public emergencies, priority for vehicle sharing shall be given to the Police Department. Expenses incurred during such emergencies shall be borne by the Police Department.
- i. **Eligible Drivers** – Employees who are eligible to use Township vehicles shall possess a valid Michigan driver’s license.
- j. **Driving Record Oversight** - Hamburg Township will contract with a vendor of their choice for this service. Whenever there is activity on an employee’s driving record (accidents, traffic citations, convictions, etc.) Hamburg Township automatically receives notification. The service also provides an automatic yearly copy of employee driving records regardless of the activity.

All employees must immediately notify the Township in writing of any suspension, revocation or restrictions placed on the employee’s driver’s license.

Hamburg Township may refrain from hiring new employees based on an evaluation of the applicant’s driving record.

Hamburg Township will rescind an employee’s authorization to drive on Township business and/or to operate a Township vehicle when the Township determines that the employee has compiled a poor driving record.

The following conditions or convictions are examples that are deemed unacceptable and may result in disciplinary action up to and including dismissal



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or reassignment as determined on a case by case evaluation by the Human Resource Director who will confer with the Executive Team.

- i. Two (2) at-fault accidents in the past three years, or
- ii. Failure to stop and/or report an accident, or
- iii. Operating after the ingestion of, or being under the influence of, alcohol or controlled substances, or
- iv. Operating with an unlawful blood alcohol content, or
- v. Negligent homicide, manslaughter, or assaults involving the operation of a motor vehicle, or
- vi. Driving on a suspended or revoked license, or
- vii. Operating a vehicle while taking medications that may impair safe vehicle operation.

It is the employee's responsibility to notify his/her supervisor when the employee has taken prescription or non-prescription drugs which may impair the employee's ability to safely operate a motor vehicle.

### **5.7 Public Use of Township Facilities**

**5.7(a) Availability** – When it is not used by the Senior Center Director for programming, the Hamburg Township Senior/Community Center is available for use by Hamburg Township taxpayers, local non-profit organizations, and/or civic organizations for meetings and/or events as outlined in the Senior/Community Center Rental – Facility Information packet. The rates for use are available in the Hamburg Township Administrative Fee Schedule which can be found in the Hamburg Township Code of Ordinances.

**5.7(b) Reservations** - Application for use forms shall be made available at the office of the Township Clerk and/or on the Hamburg Township website. The Parks Coordinator shall record each reservation on a facility calendar on a first-come-first-served basis, process invoices, and facilitate the customer's access to the building by assigning key fobs. For regular users, a code may be assigned by Director of Technical Services & Utilities which will be given to them along with a regular key. The Parks Coordinator will keep record of all key and code assignments.

### **5.7(c) Rules and Regulations for Use**

1. Use of the Hamburg Township Senior/Community Center is limited to **Hamburg Township residents, businesses, and/or local non-profit or civic organizations**. All applications for use must be submitted to the Township Clerk's Department for review and approval.
2. All applications for use of the facility shall be submitted no less than two weeks prior to the requested date of use. All such uses shall terminate at the end of the Township's

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fiscal year (ending June 30th of every year). Thereafter, a new application must be made for each succeeding Township fiscal year or portion thereof. **Maximum capacity of the building is 150.**

3. Applications shall be made on forms provided by the Clerk's Department. All applications must be signed by an authorized party representing the group or organization or an individual who must also provide contact information. The Township Board reserves the right to revoke any approved use with due notice. Uses may be rescheduled at any time based on availability or other uses required by Hamburg Township/Senior Community Center.
4. The applicant may be asked to furnish proof of liability insurance with an endorsement showing Hamburg Township as an additional insured for an event, if the Clerk or the Hamburg Township Board so requests, in amounts to be established by the Township.
5. A front door entrance key and alarm code will be assigned to any applicant who applies for a reoccurring meeting. There will only be one key assigned per group. Annual payment for use is required at the time of issuance and is non-refundable. The applicant agrees that said key will not be copied or loaned to others. If said key is lost (and/or loaned) a charge of \$100 will be invoiced to the applicant. Changes in scheduled use must be approved by the Clerk's Department. **Unscheduled use of the facility will result in an automatic loss of rental privileges.**
6. A front door entrance key and key fob will be assigned to any applicant who applies for infrequent meeting such as annual or quarterly. Payment is required at the time of issuance and is non-refundable. Approval can take up to 5 business days. The applicant agrees that said key will not be copied or loaned to others. If said key is lost (and/or loaned) a charge of \$100 will be invoiced to the applicant. Changes in scheduled use must be approved by the Clerk's Department. **Unscheduled use of the facility will result in an automatic loss of rental privileges.**
7. The facility is accessible through the front double doors of the building. It is the responsibility of the applicant to secure, lock and alarm the building prior to exiting. Should the facility be left unlocked and unalarmed, the organization will be charged a fee as outlined **Hamburg Township Administrative Fee Schedule – Appendix A**. Future use may not be guaranteed for habitual offenders.
8. For infrequent use, Applicants have seven (7) days after the scheduled date of the use of the facility to return the key (and fob if applicable) to Hamburg Township or the applicant may be charged a fee as outlined in the **Hamburg Township Administrative Fee Schedule – Appendix A**.
9. All approved users will be responsible for any damage done to the Community Center resulting from their use of the premises and fees are outlined in the **Hamburg Township Administrative Fee Schedule – Appendix A**. Hamburg Township is not responsible for damages to any property that belongs to the applicant or users of the

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premises. Any property that is brought on premises must be removed when the function ends, before the building and premises are vacated.

10. Hanging of any documents, signs, posters, pictures or similar items, is not permitted on any surface in the Senior/Community Center. If for any reason, it is determined that it is necessary to re-key the Senior/Community Center due to the negligence of the party who has utilized the facility, the Township has the right to charge the applicant for any costs incurred.
11. All approved users shall have the facility cleaned up, locked up and shall vacate the Township premises by **11:00 p.m.** No applicant shall be on the premises after this time without express permission from the Township Board.
12. If applicants serve food or refreshments, all means of serving same shall be furnished by the applicant. None of the facility's cooking or refrigeration equipment or supplies may be used. **NO SMOKING, VAPING, OR TOBACCO PRODUCTS IN THE BUILDING. NO ALCOHOLIC BEVERAGES ARE ALLOWED ON THE PREMISES. PARTIES AND SHOWERS ARE ALLOWED AT AN EVENT RATE, PROHIBITING USE OF THE KITCHEN, AND REQUIRE A NON-REFUNDABLE DEPOSIT. NO MEETINGS OF A PARTISIAN POLITICAL NATURE. NO RELIGIOUS ACTIVITIES OR SERVICES. FUNDRAISING EVENTS MAY BE APPROVED BY TOWNSHIP BOARD MOTION. IT IS THE RESPONSIBILITY OF THE ORGANIZATION TO REMOVE THEIR TRASH AND RETURN ALL ROOMS TO THEIR ORIGINAL CONDITION. KITCHEN USE IS PROHIBITED FOR ALL USERS.**
13. All items dealing with the application requirements, not specifically mentioned or defined above shall be subject to the interpretation and discretion of the Township Board and Township Clerk.

### **5.7(d) Release of Liability Waiver**

1. In further consideration of entering into this agreement, to the fullest extent permitted by law, the Applicant agrees to defend, pay on behalf of, indemnify, and hold harmless Hamburg Township, its elected and appointed officials, employees and volunteers, and others working on behalf of Hamburg Township against any and all claims, demands, suits or loss, including all costs connected therewith, and for any damages which may be asserted, claimed, or recovered against or from Hamburg Township, by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof, which arises out of, or is in any way connected or associated with this contract.
2. The Applicant covenants and agrees that it will have a representative on the premises at all times to monitor the set-up, use and tear-down of the use and all activities related thereto and under no circumstances shall the use of the Senior/Community Center be

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granted or sublet to any other group or organization without the express written permission of the Hamburg Township Board of Trustees.

3. Any Applicant or group or entity co-hosting the use must comply with all rules, regulations and policies of the Township pertaining to the said use and will be ultimately responsible for any and all damages to any Hamburg Township property resulting from the use, and shall otherwise restore the Township property to its previous condition.
4. No private property shall be kept, stored or maintained in and on the Hamburg Township Senior/Community Center property without the express written permission of the Hamburg Township Board of Trustees. All private property kept, stored or maintained in and on the Hamburg Township Senior/Community Center property shall be so kept, stored or maintained at the risk of the Applicant.
5. The Applicant acknowledges that he/she/they are an authorized officer of the group/event applying for use of the Senior/Community Center.

### **5.8 Routine Maintenance**

**5.8(a) Responsibility** - The Director of Technical Services & Utilities shall be responsible for monitoring the need for repairs and improvements to Township property. The Director of Technical Services and Utilities shall use the Township purchasing and bidding procedure, as outlined in Section 4.8(b), to procure all non-emergency repairs to Township buildings, land, and equipment.

All building maintenance, construction, repairs, building and grounds problems, buildings and grounds equipment, in short, anything associated in any way with the maintenance of any township property, regardless of the department it is associated with will be directed to the Director of Technical Services and Utilities, for approval. If the associated project does not require Township Board approval, do not proceed with any purchase or maintenance without the Director's written approval. This does not apply to routine day-to-day maintenance like switches, lightbulbs, furnace filters and ongoing routine, reoccurring maintenance, etc.

### **5.9 Snow Removal Policy**

The Buildings and Grounds Department is responsible for salting and plowing all township parking lots and sidewalks including The Mike Levine Lakelands Trail, located within Hamburg Township.

The Buildings and Grounds Superintendent, in consultation with the Director of Technical and Utility Services, will determine when to salt or plow based on actual ground conditions in conjunction with current and predicted weather. Depending on the

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expected severity of a winter storm, two or three employees from Buildings and Grounds will be on-call if the storm occurs after hours, or on a weekend or holiday.

The following priority list will be used for salting and/or plowing:

- Level 1: Police and Fire Departments
- Level 2: Township Hall, Township Library, and Senior Center
- Level 3: Mike Levine Lakelands Trail
- Level 4: Park and trailhead parking lots

Level 1 areas will be plowed as soon as possible and as often as needed during the storm. Level 2 areas will be plowed once Level 1 areas have been taken care of during the storm. They will not be plowed as frequently as Level 1 areas. Level 3 areas will be plowed once the storm has ended and higher priority areas have been addressed. Level 4 areas will not be plowed until the storm has ended and all other areas have been cleared of snow.



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### **6.0 PUBLIC INFORMATION** - adopted 12-16-2025

#### **6.1 Public Contact**

**6.1(a) Courtesy** - The primary goal of the Township is to serve the public. All staff and employees will respond to requests for Township information from members of the public with courtesy and efficiency. All officials and employees shall communicate with the public in a friendly, courteous and efficient manner at all times. All visitors to the Township Hall shall be greeted in a friendly, helpful manner.

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

**6.1(b) Complaints and Problems** - All citizen complaints and problems will be directed to the appropriate office or official.

Complaints or other concerns received from a citizen shall be received with courtesy. The official or employee will make every effort to resolve a complaint or problem, within the official's or employee's scope of authority. Department heads will be notified of all complaints.

The Township Supervisor and Clerk shall be notified in writing of any citizen complaint. The notice shall include the name and address of the citizen, the nature of the complaint, and how the complaint was resolved. The Supervisor or Clerk may make a subsequent inquiry with the citizen to ensure the issue was resolved to the citizen's satisfaction.

#### **6.2 Public Information Officer**

The Supervisor and the Clerk shall be the public information officers for the Township and shall be responsible for public information associated with their departments of responsibility. The Treasurer is responsible for supervising the preparation of the Township newsletter. Public service announcements and media releases on Township government events and responding to inquiries from the media or referring contact to other appropriate Township officials shall be jointly coordinated by the Supervisor and the Clerk.

Township employees will refer all public information announcements to the Supervisor and the Clerk prior to releasing them to the public or the media.

#### **6.3 Public Notices**

**6.3(a) Meeting Notices** - The Township Clerk shall be responsible for posting all regular, special and rescheduled Board meetings in conformance with the Open Meetings Act and

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other State laws. Department Heads shall be responsible for posting meetings related to their department.

**6.3(b) Public Notices** - The Township Clerk shall be responsible for delegation and/or assistance, or publishing and mailing all public notices required by State law, including but not limited to:

1. Board of Review meetings
2. Budget Public Hearings
3. Planning Commission Public Hearings
4. Zoning Board of Appeals Hearings
5. Special Assessment District Hearings
6. Election Notices
7. Master Plan Adoption and Amendments Public Hearings
8. Truth-in-Taxation Notice
9. Board Meeting Minutes Synopsis
10. Request for Proposals

### **6.4 Freedom of Information Act Requests**

Pursuant to P.A. 1976 No. 442, as amended, and MCL 15.231, as amended (Freedom of Information Act – FOIA) Hamburg Township provides access to all Township public documents except those or portions of those exempt from release under FOIA. The policies and procedures herein are intended to implement the requirements of FOIA and the release of documents that exist at the time any requests for them are made.

All requests for copies of public documents or to review public documents must be in writing with the exception of easily retrievable documents such as meeting minutes as determined by the FOIA Coordinator in coordination with the department personnel the following:

1. Copies of assessment/tax records by the property owner of his/her own property and records that are reasonable and readily available at the time of the request.
2. Copies of all current meeting agendas and meeting minutes.

All written requests shall describe the public record or records requested sufficiently to enable the FOIA Coordinator to find said public record.

A written request submitted through the FOIA Portal, electronic mail, or other electronic transmission, is not logged as received by the FOIA Coordinator until one (1) business day after the electronic transmission is made. For a request to be considered a sufficient writing to satisfy the FOIA, it must contain the following:

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1. The name, address and contact information (i.e. phone number, email address) of the requester.
2. A statement indicating that the requester will pay the costs allowable under the FOIA, or documentation that the requester is receiving public assistance or other facts showing inability to pay due to indigence.

Generally, oral requests for documents do not constitute a request under FOIA. However, if a citizen making an oral request is disabled, either temporarily or permanently, so that he/she is unable to make the request in writing, special accommodations must be made. It is the duty of the department receiving the request to write out the request for the citizen as an accommodation under American Disability Act (ADA). Once written, the request should be processed as a formal request under FOIA.

**6.4(a) FOIA Coordinators** - The Township Board shall appoint a FOIA Coordinator. The FOIA Coordinator may designate other individual(s) to act on his or her behalf in accepting and processing requests for the public body's public records, and in approving a denial pursuant to FOIA.

**6.4(b) Processing** - Often times a request for documents under FOIA will be received by the specific department. The request must be immediately turned over to the FOIA Coordinator for processing. The FOIA Coordinator in turn will request and receive from the appropriate departments, the requested documents together with a memorandum regarding the request, listing the staff time involved in retrieving and if necessary redacting the documents. The FOIA Coordinator shall review the departmental response for both compliance with the Township policy and consistency with the Township's response to similar requests. Any required changes shall be immediately discussed with the responding department or, if appropriate, the Township Attorney. The responding department shall immediately make any changes directed by the Coordinator and provide the Coordinator with revised documents as may be necessary.

The department will provide the requested records to the FOIA Coordinator no later than four (4) days from receipt of the request. If this is not possible, the department shall notify the FOIA Coordinator immediately. The Coordinator will contact the requesting party and notify them of a 10-day extension of time to respond, if appropriate.

If a department cannot provide a requested record because it does not exist, the FOIA Coordinator will be notified in writing immediately. If a record does not exist in the form requested, or if it is exempt under FOIA, the Coordinator will send a notice of denial, which contains the required appeal information (see Section 6.4(d)).

In the event the request is to view public documents, a monitor (Township staff person designated by the FOIA Coordinator) will be assigned. The requestor shall be notified of the scheduled day and time for the inspection.

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**6.4(c) Payment of Costs** - The requester will be invoiced by the FOIA Coordinator for actual costs in filling the request. These costs are contained in the Administrative Fee Schedule.

Except as provided below, no fee shall be charged for searching, examining, reviewing, and deleting and separating exempt from non-exempt material unless failure to charge a fee would result in unreasonable high costs to the public body because of the nature of the request in the particular instance, such as, by way of example, cases requiring advice from legal counsel, additional staffing or other direct expenses not in the ordinary course of business. (If a FOIA request is made for an easily identified document consisting of a few standard size pages, labor for the search, examination, and making deletions under the FOIA would generally not present a case of unreasonably high costs to a public body. In such a case, the Legislature has directed that no charge be imposed. If a request for "any and all" documents as to a particular subject, requires a search of many boxes of records, including review for exempt material which must be or may be deleted (per Section 13 of the FOIA), and if that search, examination, and review involves numerous hours of labor, charges may be imposed to avoid the unreasonably high cost arising from the nature of that particular request.)

In any case where the estimated actual cost to Hamburg Township of responding to a request for a copy of a public record exceeds \$50.00, a good faith deposit equal to 1/2 of the estimated cost of such response shall be required prior to filling the request. The FOIA Coordinator shall be responsible for collecting the computed costs prior to filling or depending on whether a deposit is required the release of the requested documents.

An individual who submits an affidavit that he or she is receiving public assistance, or if not receiving public assistance, stating facts showing inability to pay the cost because of indigency. Then a copy of a public record shall be furnished, without charge for the first \$20.00 of the fee for each request, to

If an individual has an outstanding FOIA bill, the information shall be turned over to the Accounting Department for collections proceedings. The Township cannot refuse to comply with subsequent FOIA requests due to an outstanding invoice but may require 100% estimated fee up front.

The Township Board may waive some or all of the costs as may be in the public interest because furnishing copies of the document(s) would be considered as primarily befitting the general public.

**6.4(d) Response** - The initial response may be to either grant or deny the request or extend the time for response up to ten (10) business days. The response either granting

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or denying access in whole or in part to the requested documents must contain the following:

1. An invoice containing a detailed breakdown and backup of the charges to process the request.
2. Transmittal indicating where the requester may pick up the released documents and pay the appropriate costs. This transmittal shall also include the following statement: *"The Township does not warrant or guarantee the accuracy of the information provided. Rather, it provides the documents only to comply in good faith with the Michigan Freedom of Information Act, and not for any other purpose."*
3. If any aspect of the response is less than a full granting of the request, the final paragraph MUST be inserted exactly as follows:

*"If you receive written notice that your request has been denied, in whole or in part, under Section 10 of the Freedom of Information Act, you may, at your option, either 1) submit to the Hamburg Township Clerk a written appeal that specifically states the word "appeal" and identifies the reason(s) for reversal for the disclosure denial; or 2) file a lawsuit in the circuit court to compel Hamburg Township's disclosure of the record. If, after judicial review, the circuit court determines that the Township has not complied with the Act, you may be awarded reasonable attorney's fees and damages as specified under the Act".*

4. The requestor shall be notified of any material identified as exempt along with a transmittal letter indicating the specific reasons why any material is not being disclosed together with the right to appeal or seek judicial review.

**6.4(e) Appeals** - Under the Act, the requesting person has the option of pursuing an appeal to the Hamburg Township Board or proceeding to circuit court. If the requesting person wants to appeal to the Township Board, the requester must submit a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial. The Township Board is not considered to have received a written appeal until the first regularly scheduled meeting following submission of the appeal. Within ten days after receiving the written appeal, the Township Board must do one of the following:

1. Reverse the disclosure denial;
2. Issue a written notice to the requesting person upholding the disclosure denial;
3. Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part; or
4. Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the Township Board will respond to the written appeal. The Township Board is prohibited from issuing more than one extension for any particular appeal.



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**6.4(f) Document Storage** - FOIA Documents released by the Coordinator shall be held for one year plus one day. If the requester fails to pay the amount due the Township, or fails to pick up the documents, the request is considered abandoned and the documents may be recycled, destroyed, or returned to the appropriate department.

**6.4(g) Record Keeping** - The FOIA Coordinator shall maintain a chronological file of all FOIA requests processed by him/her together with a copy of the document provided, response letter, and invoice. These files must be maintained for a period of one year and one day from the date of response.

### **6.5 Incoming Mail**

1. All mail addressed to the Township is considered Township mail. Employees cannot expect to use the Township P.O. Box or its physical address as a personal mail service.
2. All mail clearly and properly addressed to a specific individual or department will be distributed unopened to their respective mailbox. The mail recipient will assume full responsibility for forwarding all invoices and documents (or copies) scheduled for retention to the appropriate departments mailbox in a timely fashion.
3. All mail with addressee not clearly specified will be opened to determine proper distribution with the following exceptions:
  - a. All mail addressed to the Police Department will be distributed unopened.
  - b. All mail addressed to the Library, will be distributed unopened.
  - c. Mail from the Assessor's Office returned by the USPS as undeliverable will be distributed unopened.
  - d. Mail addressed to a specific individual marked "Personal and Confidential" will be distributed unopened.
  - e. All mail marked "Invoice" or other indication of request for payment will be delivered to the Accounting Department.
  - f. Any questions or concerns regarding the receipt and processing of incoming Township mail shall be addressed with the Clerk's Office in a timely fashion in order to expedite resolution.
  - g. The Clerk's Office reserves the right to open and inspect any suspicious mail with a Township address that it deems necessary.
  - h. All mail will be processed and distributed on a daily basis.

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### 6.6 Outgoing Mail

All outgoing mail must be stamped/metered and deposited in the outgoing mail box located next to the postage machine by 4:00 PM, M-Th. for same day Post Office drop off unless special arrangements are made with the Clerk's office.

### 6.7 Confidential Information

Officials and employees shall not release any information to the media which would be a violation of a citizen's or a member of general public right to privacy.

### 6.8 Social Media Policy

This section is being reviewed by a study group that will bring back updates at a later date:

Purpose: Hamburg Township supports the use of social media technology to enhance communication, collaboration, and exchange of information to further the goals of the Township where appropriate. This policy establishes policies and procedures for social media covering all Township employees, Township Board members, and/or Committee members. This policy may evolve as new technologies and social media offerings change, or are adopted.

#### 6.8(a) Responsibilities

The Social Media Specialist will:

- Develop and distribute social media posts on assigned mediums, such as Facebook, X, Instagram, and/or the Township website or cable channel.

- Assist Clerk in developing press releases, newsletter articles, printed materials, presentations, etc.

- Ensure all social media sites and channels are kept current.

- Have authority to respond to comments for all posts.

- Informational questions that can be easily responded to.

- Sensitive questions/comments, or that the specialist is not comfortable responding to, will be referred to the assigned Social Media Director for suggested response, if any. The Director may in turn refer to the Technology Director for final action.

- Monitors sites daily and responds to comments in a polite and respectful tone.

- Ensures that all content is appropriate, professional, and consistent with Township Policy and branding.

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Ability to make comments via their own devices after hours as authorized/approved by their Department Head and the Social Media Director.

Stay current with social media networks, and have the ability to measure performance metrics.

Have a familiarity with the ads platform for each medium, if any (useful).

Keep the Social Media Director informed of the used social media sites and activities.

Provide available reports, or copies of posts/comments, as requested through F.O.I.A. or by the Hamburg Township Board of Trustees.

The Social Media Director(s) will:

Approve the Social Media Activity plans for their category, as well as the addition of any new platforms, with approval from the Technology Director.

Oversees and Is responsible for content posted by the Social Media Specialist(s).

Authorizes Advertising Budgets, if any, for media campaigns and boosted posts.

Designate a Social Media Specialist and back-up responsible for overseeing the category's social media activities, policy compliance, and responding to comments completely, accurately and in a timely manner.

Designate appropriate usage levels including identifying what social media accounts individuals are approved to use, as well as defining roles.

Monitor Google Information Panels and ensure accurate information is reflected and post responses to comments as needed.

The Technology Director will:

Have final authority to edit or remove official social media sites, and any content therein, should there be a security issue.

Maintain a list of approved social media networks, passwords, registered email addresses, and list of authorized site users for the purpose of emergency management.

Provide training opportunities to staff on best practices and provide samples of acceptable content.

Work with the Emergency Management Director to draft and distribute content in an emergency situation.

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Ensure all social media sites have the correct security settings with the assistance of Social Media Specialist and their assigned Director.

### **6.8(b) Procedures**

While the content for each Department within the Township varies, the overall theme, tone, and professionalism must be carried through. Examples of typical posts, as well as ones used for media blasts/promotions, will be by the Social Media Director. The Technology Director and each Social Media Director will ensure that the staff member given the responsibility for the public face of the Department is:

Familiar with the content allowed based on applicable Federal and state laws, ordinances, regulations, and Township policies. This includes but is not limited to laws regarding personally identifiable information, copyright, records retention, First Amendment, Health Insurance Portability and Accountability Act (HIPAA), The Privacy Act, and employment related laws.

Is responsible and equipped to carry-out social media activity in accordance with the current Township Social Policy.

Departments who choose to utilize social media for things other than typical posts, such as media blasts/promotions, shall:

Submit a Social Media Action Plan to their assigned Social Media Manager, for public events/advertising, that identifies the department's mission, goals, objectives, audiences, and measures of success.

Request, and have approved, a "not to exceed" budget for their efforts. Advertising and boosted posts can be successful in reaching beyond organic reach, and can target specific demographics for things such as: completing surveys, public meeting announcements, important safety related posts.

May approve the distribution/advertising through a vendor hired for specific purposes such as planning, engineering, etc. The social media plan would be developed by the vendor/contractor and submitted to the Social Media Director and Technology Director for approval.

### **6.8(c) Authorized Use**

Hamburg Township respects the right of any employee to engage in online social networking using the Internet, other technology, and social media networks during their personal time. This includes instant messages, text, video, photos, and audio. While we respect the employee's right of self-expression, in order to protect the Township's interests and ensure employees focus on their job duties, employees must adhere to the following guidelines:

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Employees may not engage in such activities during work time, or at any time with Township equipment or property, without Social Media Director's approval, or within the confines of the expected duties of Social Media Specialist.

Information published on social media networks that has to do with any aspect of work must comply with all confidentiality requirements, HIPAA, and Township Policies. Information related to persons receiving services from the Township must not be disclosed. Privacy rights of fellow employees and Township Board members must be respected.

Township Departments or employees may not create a social networking site or service to conduct Township business without a Social Media Action Plan and approval from the Social Media Director assigned to their category, with review by the Technology Director.

If the employee mentions the Township while engaging in social networking and also expresses a view or opinion regarding the Township's actions, the person must specifically note that the statement is his/her personal view or opinion and not the view or opinion of the Township. This standard disclaimer does not by itself exempt supervisors, managers, coordinators, and the Township Board from special responsibility when using personal social networks.

By virtue of your position as a Hamburg Township Employee, you are held to a higher standard than general members of the public, and your online activities should reflect professionalism.

Users must immediately report violations of this policy to their manager or supervisor, as well to the Human Resources Director.

All managers and supervisors are responsible for enforcing this policy. Employees who violate this policy are subject to discipline up to and including termination from employment, professional discipline, or criminal prosecution, in accordance with the Hamburg Township Personnel Policy and Procedure Manual.

### **6.8(d) Approved Social Media Networks, Cable Channels, Websites**

Departments shall only utilize Township approved social media networks for hosting official Township social media sites. A list will be maintained by the Technology Director, and made available to the Social Media Director(s). Networks may vary for use depending on the category of content.

Social Media Action Plans, for anything other than approved daily use, will be reviewed and approved by the Social Media Director and Technology Director prior to public release.

Social media sites that are created on behalf of any Township Department that are not approved by the Technology Director and Social Media Director, will be in violation of this



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policy. Employees who violate this policy are subject to disciplinary actions as outlined in the Personnel Policies and Procedures Manual.

For each approved social media network, usage guidelines will be relayed by the Social Media Director.

The Social Media Specialist is responsible for the creation of Hamburg Township's social media sites, at the direction of their Social Media Director and/or the Technology Director.

Social media sites will be created using official Township email accounts, or other approved email such as Gmail, on file with the Technology Director.

Passwords will be created and maintained by the Social Media Specialist, with copies on file with the Technology Director, and will conform to password requirements. Passwords shall be promptly reset when authorized access is removed.

Social Media Directors shall notify the Technology Director immediately in the case of termination for any employee with authorized use of any social media networks used by the Township.

### **6.8(e) Authenticity Establishment & Site Content**

Hamburg Township's social media sites shall be created and maintained with identifiable characteristics of an official Township site. Both creation and maintenance of sites, and the content there in, shall comply with procedures as outlined in the Social Media Handbook. Wherever possible, links should direct users back to the Township's official website for more information, forms, documents, or online services. Social Media should not serve as a duplication of efforts, but as a way to further the goals and mission of the Township.

A list of undesirable content and/or words posted by external and authorized users will be provided to the Social Media Specialist who may remove them at their discretion, and/or by the direction of the Social Media Director, as outlined in the Social Media handbook. This includes, but is not limited to, removal of public comments using profanity and/or inappropriate images.

All Township content will be informational and non-partisan in nature. Resident and visitor comments on posts, including the request to remove inappropriate, insensitive, or misleading information, will be responded to in a timely manner.

### **6.8(f) Security Compromise**

If a compromise is identified on any official Township social media site, the managing Social Media Director and the Technology Director, must be notified immediately. The Social Media Specialist will change appropriate passwords immediately to isolate the incident, and archive compromising content as outlined in the Social Media Handbook.

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The Technology Director has final authority to edit or remove official social media sites, and any content therein, should there be a security issue, or at the direction of the Township Board.

### **6.8(g) Record of Updates**

This policy will evolve as new technologies and social media sites change.

### **6.9 Governmental Access Cable Television Channel Capacity Policy**

**As of June 30, 2026, this section will no longer be needed as we will no longer maintain Cable Channel 191 with Spectrum Communications.**

#### **6.9(a) Introduction**

As part of its administration of its cable franchise authority, the Township of Hamburg is hereby establishing guidelines for the use of channel capacity on the cable system dedicated by the Cable Franchise Grantee for governmental purposes. All regulations shall be governed by applicable regulations of the Federal Communications Commission.

This policy may be included in the Municode version of Hamburg Township Ordinances if so designated and directed by the Hamburg Township Board of Trustees.

#### **6.9(b) Background**

Under the Cable Franchise Agreement, the Cable Franchise Grantee is required to supply channel capacity for access to its cable system for governmental access purposes.

At the time of the adoption of this policy, video access is provided over one channel, Channel 191. Its broadcast signal is being carried over the Charter Spectrum Cable TV Network. The Technical Services Department of Hamburg Township maintains and operates Channel 191 under the direction of the Hamburg Township Board of Trustees.

These access guidelines establish rules, procedures and requirements to determine eligibility to program the capacity and the acceptability of programming material for governmental access, and otherwise set forth operating policies by which the Township will make use of governmental access capacity.

#### **6.9(c) Purpose**

The purpose of governmental and community cable TV access hereunder is to provide to Hamburg Township Board, commissions, committees, departments and community organizations an outlet for governmental and community information and announcements.

#### **6.9(c)(1) Eligible Governmental and Community Entities**

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## ADMINISTRATIVE POLICIES & PROCEDURES MANUAL

- A. **Access to Channel Capacity:** Upon application to the Township, governmental access information or programming may be inserted over the cable system's governmental access channel capacity by an eligible governmental or community entity.
- B. **Eligible Entities:** The term "eligible entity" means the following:
- i. Township Board of Trustees
  - ii. Executive personnel and administrative personnel of the Township of Hamburg
  - iii. The Boards, commissions, committees and departments of Hamburg Township
  - iv. The Hamburg Police Department;
  - v. The Hamburg Fire Department;
  - vi. Executive personnel and administrative personnel of Livingston County; and the State of Michigan; and
  - vii. Other entities as may be allowed by the Township Board of Trustees.

Governmental access is intended both for in-service use by and between eligible government entities and community groups and as a public service to the citizens of Hamburg.

### **6.9(c)(2) Responsibilities of the Technical Services Department**

- A. Responsible for coordinating the operation of Channel 191 pursuant to the direction of the Hamburg Township Board of Trustees. The Director of Technical Services shall designate staff responsibilities for maintenance and operation of Channel 191's station, equipment and programming.
- B. Provide the Township with advice concerning governmental issues that are relevant to Hamburg and the development and procurement of information, information services and programming responsive to those issues.
- C. Shall be the primary interface with the cable television franchisee for the purpose of scheduling franchisee-provided resources and facilities for the production and cablecast of governmental access programming. All franchise agreements shall be approved by the Township Board of Trustees and executed by the appropriate Township elected officials.
- D. Shall be responsible for collecting programming information and materials from eligible governmental and community entities. The Township Board of Trustees has ultimate authority with respect to programming and material transmitted over the governmental access capacity.
- E. Shall assist in and coordinate the production of governmental access programming both onsite and offsite for such entities as they may require, subject to available facilities, funds and personnel.

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- F. Shall review and approve all material or programming cablecast on governmental access capacity pursuant to policy set by the Township Board.
- G. Shall be responsible for reviewing accessibility options for the deaf and hard of hearing community as such technologies may become available. The Township Board of Trustees shall have final approval for any contracts required to provide such services.
- H. Shall be responsible for the physical and daily operation of the governmental access channel capacity.
- I. Chain of Command: The Technical Services Department shall report first to the Township Supervisor, then to the Township Board of Trustees.

### 6.9(c)(3) Programming

#### A. Programming Focus

Programming shall be primarily focused in four main areas:

- government programming;
- community programming;
- educational and community interest programming;
- public service programming;

All programming shall be of special interest and benefit to the residents of the Township of Hamburg, and shall promote and further the goals and objectives of the Hamburg Township Board for Hamburg Township. All applicable FCC regulations shall govern.

#### B. Programming Types

Automated News Services Programming	Modules provided under agreements with Leightronics, Inc. and/or other suppliers as approved by the Township Board of Trustees.
Live	Live coverage may be provided, subject to the preemption for any material that does not comply with these guidelines.
Remote	Utilizing remote video production facilities for on-location tape-delayed cablecasts.
Video Delayed	Events or presentations may be recorded for cablecast at a later time. Recordings of live cablecasts may be replayed.
Locally Produced Programs	Original programs that are governmental and community programming may be produced by eligible entities, including

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	production and production assistance by Technical Services staff or others on behalf of such eligible entities. Any copyrights to locally produced programming shall belong to the eligible entity producing such program. If such eligible entity is not organized and authorized to own such a copyright, the copyright shall belong to the Township or the County or the State with direct jurisdiction over the eligible entity.
External Programs	Governmental, community and educational programming may be acquired or borrowed by eligible entities for access. The eligible entity shall be responsible for securing all copyright authorizations required for externally produced programs and shall provide a written copy of such authorizations upon application to Technical Services staff to air such programming.
Alphanumeric Message Board	A governmental and community bulletin board may be maintained to display messages of local interest in Hamburg Township and Livingston County, Michigan and a community calendar.
Data	Computer applications may be integrated over the access capacity as technology permits.

### C. Township Control

Hamburg Township reserves the right to control all programming, including all non-profit advertising, which is broadcast over the channels. No for-profit advertising is permitted due to cable TV franchise limitations. The right of control is a broad right, including, but not limited to, control over any and all content (video, audio, graphics, text), length of programming, broadcast schedule times, methods of production and broadcasting, copyright of materials generated by Hamburg Township and any related fees, production costs, broadcasting costs and/or equipment costs.

### E. Political Programming

No "political programming" shall be accepted for governmental access except as may be approved by the Hamburg Township Board of Trustees.



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i. Definition of "Political programming"

a. That programming which, if inserted on the governmental or community access channel capacity, would constitute a use by a legally qualified candidate or his or her supporters (authorized or unauthorized) that would give rise to requirements by a cable operator, if such programming were to have been inserted on a cable channel subject to the cable operator's control, to provide equal opportunities and quasi-equal opportunities to other such candidates for the same office or their supporters (authorized or unauthorized) under Federal Communications Board CFCC") cable television regulations, e.g., 47 C.F.R. §76.3(q) and §76.205 et seq., and related FCC policies, rules and doctrines, including the "personal attack rule."

b. "Meet the Candidate" and other issues-related forums held prior to elections may be allowed as approved by the Hamburg Township Board of Trustees even though they may be considered "political" programming.

ii. Definition of "Non-Political Programming"

For these guidelines, the following are considered news events and are not "political programming:"

- a. Meetings of and hearings before the Hamburg Township Board and Hamburg Township Planning Commission, Hamburg Zoning Board of Appeals; and any other Hamburg Township government committees and departments.
- b. Meetings of and hearings held by Livingston and Washtenaw County departments affecting Hamburg Township residents and property owners.
- c. Meetings of and hearings held by State of Michigan departments such as the Michigan Department of Natural Resources (MDNR), Michigan Department of Environment, Great Lakes and Energy(MEGLE), Michigan State Police(MSP)/Emergency Management, etc.
- d. Meetings held by Federal regional government agencies such as FEMA/NFIP, USCACE, and USGS for issues involving Hamburg Township residents and property owners.

iii. Right of Refusal

Hamburg Township reserves the right to refuse cable broadcasting of programs which may contain any of the following:

Unauthorized use of copyrighted material.
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Violation of the State and Federal law regarding obscenity. No programming shall be accepted for governmental access if it contains obscene material, sexually explicit conduct or material soliciting or promoting unlawful conduct under Section 10(c) of the Cable Television Consumer Protection and Competition Act of 1992 ("Cable Act") as implemented by regulations of the FCC.
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Advertising of a "lottery" as defined in 18 U.S.C. § 1304 and FCC regulation 47 C.F.R. § 213.
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Unlawful invasion of privacy.
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Material which is libelous, slanderous or defamatory.
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Material which violates local, state or federal laws.
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Any other material deemed inappropriate by the Hamburg Township Board of Trustees.
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### F. Preview of Programming

Any programming submitted by an eligible governmental entity for access shall be previewed by the Technical Services staff, or Township elected officials for acceptance. Such programming may be edited to conform to these guidelines, or the programming may be rejected. If concerns develop, the matter shall be referred to the Township Board for review.

### G. Alphanumeric Bulletin Board

Messages programmed into the "Bulletin Board" shall be edited to provide clarity and to provide maximum use of the memory bank currently available. Message content generally will not be edited, but will not be inserted if inconsistent with these guidelines

### H. Handling of Program Materials

#### i. Return of Refused Programming

Any programming submitted by an eligible entity for cable TV channel access that is not accepted will be returned.

#### ii. Program Retainage

Programming accepted for governmental access will be retained, including recordings of live programming, for the duration of the scheduled run of the programming, including repeat exhibitions, and for any such period of time as may be applicable under the Township's policies for programming return, receipt and record retention.

#### iii. Program Copying

a. Subject to copyright and licensing considerations, programming shall be available to the public for copying one week after the last scheduled run. All requests for copies shall be made pursuant to FOIA requirements.

b. The cost for copies of programming shall be set by the Township Clerk according to the Township Schedule of Fees under FOIA.

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c. Programming generated by entities other than Hamburg Township shall be obtained directly from that entity and not from Hamburg Township.

### **6.9(c)(4) Programming Schedules**

#### A. Day to Day Management

i. The day-to-day management of schedules shall be through the Technical Services office.

### **6.9(c)(5) Support for Access Programming - Underwriting**

#### A. Franchise Fees

**Channel 191 is presently maintained via franchise fees generated by cable TV subscribers to the Charter/Spectrum Cable TV Network in Hamburg Township as budgeted for pursuant to allocation by the Hamburg Township Board of Trustees.**

#### B. Underwriting Contributions

Individuals or organizations that provide contributions to the Township or to a municipal instrumentality of the Township that is exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code to support governmental and community access or specific programming of a public interest may be identified by name and, if a business or organization, the display of their business or organization logo and tagline, consistent with Section 399B of the Communications Act of 1934, as amended, and FCC regulations (47 C.F.R. § 73.503(d)) and policies and guidelines governing the noncommercial, educational broadcast services with respect to so-called "underwriting announcements."

#### B. Underwriting Disclosures

The names, addresses and phone numbers of individuals and/or organizations providing funding for production of programming must be disclosed to the Technical Services Department and the same noted on the Production Proposal.

#### C. Underwriting Credits

i. Credit may appear at the beginning and/or end of the program identifying the underwriter. The display should be no longer than 10 seconds and the word "sponsor" cannot be used.

ii. The credit may include the words "This program made possible in part by \_\_\_\_\_" followed by the underwriter's name or logo. Such underwriting announcements or acknowledgments shall be for identification purposes only and shall not promote the

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contributor's products, services or company. Such announcements may not contain comparative or qualitative descriptions, price information, calls to action or inducements to buy, sell, rent or lease.

### D. Underwriting Payments

All underwriting contribution funds shall be submitted to and paid to the Hamburg Township Treasurer with receipts provided for same.

## 6.9(c)(6) Video Products

### A. Video Copies

i. Subject to copyright licensing requirements and FOIA requirements, copies of any available Township of Hamburg programs, including Township Board meetings, shall be provided to authorized Township employees or departments for official use only, free of charge, upon request.

ii. Copies of Township Board and other public meetings shall be provided to any citizen at cost (to include administrative and overhead) in accordance with the provisions of Schedule of Fees and Charges as set by the Technical Services Department in accordance with FOIA requirements.

iii. Simulcasting: Township meetings shall be simulcast via Livestream/Vimeo services software platform online and/or via Channel 191 on the Charter/Spectrum Cable TV network.

iv. Archiving/Video-On-Demand: Video recordings will be posted and made available to the public free of charge on the Livestream/Vimeo or other similar video-on-demand internet viewing service.

### B. Videotape review

Video recordings will be posted and made available to the public free of charge on the Livestream/Vimeo or other similar video-on-demand internet viewing service. FOIA requests for video recordings transcribed to physical media such as DVDs or flash drives shall be directed in writing to the Hamburg Township Clerk.

### C. Archives

i. It is the policy of the Township to maintain video tape archives of meetings of and hearings before the Township Board of Trustees, the Hamburg Planning Commission (when the Planning Commission proceedings are recorded), and the Hamburg Township Zoning Board of Appeals pursuant to Township record retention policy as administered by the Hamburg Township Clerk.

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## ADMINISTRATIVE POLICIES & PROCEDURES MANUAL

- ii. Recording and record retention policies for all other meetings of and hearings before other eligible entities shall be arranged by such entity in a manner acceptable to the Township Clerk, who is the designated Keeper of the Records for Hamburg Township.
- iii. All recording and record retention policies shall be handled pursuant to current FOIA regulations. Video recordings will be posted and made available to the public free of charge on the Livestream/Vimeo or other similar video-on-demand internet viewing service.

### **6.9(c)(7) Legal**

#### **A. Copyright and Trademark/Service Mark**

##### **i. Copyright Clearance**

All programming accepted for governmental access cable broadcasting shall be cleared for copyright.

##### **ii. Copyright Use Authorization**

The eligible entity submitting the programming must have obtained and provided to the Technical Services Department a specific authorization from the copyright holder of the programming authorizing the "Township of Hamburg" to perform, edit and make ephemeral recordings of the work consistent with these guidelines.

##### **iii. Personal Release**

In the case of live programming or recorded programming produced for access hereunder that is not a public proceeding, permission or releases must be obtained from persons depicted therein to use their likenesses, including printed, recorded and photographed material. Written evidence of permission shall be submitted to the Technical Services Department at the time of submission of the programming request by the entity on the Production Proposal.

##### **iv. Trademark Clearance**

Any trademark or service mark, depicted or audible, in any programming accepted for governmental access shall be cleared in the same manner as for copyright.

#### **B. Errors and Omissions**

##### **i. Warrant to Township**

Eligible entities shall represent and warrant to the Township that they have all necessary copyright, trademark, service mark and likeness (i.e., invasion of privacy) permissions and authorizations for the Township to cablecast the submitted programming consistent with these guidelines and that such information or programming is not libelous, slanderous or defamatory and is otherwise consistent with these guidelines.



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### ii. Indemnification of Township

Such eligible entities shall indemnify and defend the Township against damages and loss, including reasonable attorney's fees, for any claims arising out of such representations and warranties. Such indemnification shall also extend to the cable operator to the extent it is not exempt from liability under the Cable Act or other applicable law. A copy of the certificate of copyright authorization is to be attached as part of the Production Proposal.

### iii. Broadcasters' Liability Insurance

The Township may obtain appropriate "broadcasters' liability" insurance, in which case it may name such eligible entities as additional insureds and assess such entities, pro-rata, the premium amount of any such insurance.

### iv. Township as Named Insured

Alternatively, any such eligible entity that has or obtains such insurance shall name the Township as an additional insured with respect to governmental access programming cablecast pursuant to these guidelines.

## **6.9(c)(8) Amendment and Repeal**

The Hamburg Township Board of Trustees may from time to time amend or repeal these guidelines as it deems fit.

## **6.10 Tax and Assessment Information Policy**

Hamburg Township office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. During these hours Assessing records are available for public inspection, unless an after hours' time is mutually agreed by Hamburg township staff and the individual requesting the records.

Residents, banks, mortgage companies and other entities requesting information regarding tax amounts, special assessment payment amounts, property record cards, valuation sheets, all available sale records, and maps can receive this information verbally and without cost on up to five parcels.

The public does not have unrestricted access to township offices, records or facilities. A person may be required to inspect records at a specific counter or table in the view of Township staff.

Records or files cannot be removed from the Township Offices.

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Township officials assisting with the inspection of public records must inform any person inspecting records that only pencils, and no pens or ink may be used to take notes.

Special assessment payoff amounts will be provided in writing via, mail or e-mail.

Individuals, corporations or entities requesting the following information on more than five (5) parcels (with the exception of special assessment payoff amount) must be done in writing.

- Tax Amounts for Specific Years
- Paid Status of Taxes
- Determination of Special Assessment Status
- Amounts of Annual Special Assessment Payments
- Assessing Information

May be required to do the following:

- Receive all Responses in Writing Via Fax and Mail
- Pay a fee as established by the Township FOIA policy for each parcel on which information is requested. The fee is payable at the time of the request by check, money order, or cash.

(Adopted 5/27/97 – Amended 11/24/98 -Amended 2/3/15)

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### 7.0 CODE OF ORDINANCES - adopted 12-16-2025

As of 2021, the Hamburg Township Ordinances have been codified, and Municode supplies web services to ensure our laws are accessible to the public. Our code gets updated on a schedule agreed to by the Township Board, and any changes must be submitted to the vendor upon adoption.

All changes in Ordinance, both for General Township Law as well as Zoning, must be forwarded to Municode with supporting documents to be incorporated as a pending change until codification is completed. **The following procedure should be used for all Ordinance changes and it is highly recommended that the originating ordinance document be obtained via the website.**

This is the current location of our Code:

[https://library.municode.com/mi/hamburg\\_township\\_\(livingston\\_co.\)/codes/code\\_of\\_ordinances](https://library.municode.com/mi/hamburg_township_(livingston_co.)/codes/code_of_ordinances)

Before ordinance Supplements are processed, the updates are approved at a Township Board meeting. For General Ordinances revisions there is a 1<sup>st</sup> Reading and 2<sup>nd</sup> reading prior to adoption. For Zoning Ordinance revisions there will be a single reading prior to adoption after their review process is completed. In both cases the changes must be published in a newspaper of record before taking effect. The steps of the Ordinance Supplemental Procedure are:

#### 7.1 Ordinance Supplemental Procedure

1. Staff proposes change/addition to Township Board at a Work Session meeting
  - a. Copy of original text is provided to Board along with cover memo/bullet points
  - b. Board provides comments and authorization to proceed
  - c. Board indicates if Attorney should be included in development and/or review process
2. Staff completes change/addition to Ordinance – Draft
  - a. Assigns a number in the Code of Ordinances – Master Index (Appendix 1) – shared file
    - i. General Ordinances – Tab 1 – Ordinance Coordinator will assign
    - ii. Zoning Ordinances – Tab 2 – Zoning staff will assign
  - b. Works with Township Attorney, if applicable, to finalize Draft ordinance (Appendix 4)
    - i. Templates for both General and Zoning Ordinances available in shared file
    - ii. Examples of General and Zoning Ordinances available in shared file

# HAMBURG TOWNSHIP

## ADMINISTRATIVE POLICIES & PROCEDURES MANUAL

- c. Ordinance changes which include Civil Infraction penalties, must be assigned a Class
  - d. Attorney to provide opinion/clarification/review memo, if needed/requested by Board
- 3. Staff proceeds with approval process
  - a. Zoning
    - i. Planning Commission Approval
    - ii. Livingston County Planning Commission Approval
    - iii. Township Board Approval (single reading)
  - b. General
    - i. Township Board (first reading)
    - ii. Township Board (second reading)
- 4. Once approved by Township Board:
  - a. Staff provides draft/red-lined version and/or final word doc of numbered ordinance to Ordinance Coordinator with:
    - i. Code of Ordinances – Supplemental Request Form (Appendix 2) reflecting approval dates
    - ii. Supporting Documents in PDF format (including Attorney opinion, if any)
  - b. Staff provides Clerk's Office with publication language either in full or summary format
  - c. Clerk's Office determines effective date of ordinance and files publication
    - i. New Ordinances will be published in their entirety and must include Certification clause
    - ii. Ordinance changes/additions exceeding two pages may be published in summary format which must be submitted to the Clerk's Office, prior to the 2<sup>nd</sup> reading, in a final single-spaced Word version which must include Certification clause
  - d. Certification Clause is as follows:
    - i. I, (Clerk), the duly qualified Clerk for the Township of Hamburg, Livingston County, Michigan, do hereby certify that the foregoing is a true and complete copy of the Ordinance adopted by the Township Board at a meeting held on (date). The original is on file in the Office of the Township Clerk.
    - ii. By: (Clerk) (Signature line)
    - iii. Introduced: (First reading date)
    - iv. Adopted: (Second reading date/when motion was passed)
    - v. Effective: (Date the law/change becomes effective) (Clerk assists with this)
    - vi. Published: (Date the law/change is published) (Clerk assists with this)

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5. Clerk Staff finalizes Ordinance document and has Clerk sign and seal the ordinance
6. Ordinance Coordinator forwards red-lined version of Word Document, a PDF of signed/certified version of the approved Ordinance change/addition, and a proof of publication in order to process the update with Municode for inclusion in code
7. Municode sends back confirmation, and changes are scheduled for the next Supplement (Appendix 3)
8. The changes are placed on the Ordinance home page while awaiting codification and are available for public review
9. Once codified, printed versions (4 copies) will be sent for each Supplement to Ordinance Coordinator for distribution to: Clerk, Police, Fire, Zoning
10. All General Ordinances will be maintained in the Clerk archives & V drive. Originals are permanently housed in the Clerk Department archives.

**All publications and Ordinances are to be retained permanently as outlined in the Records Retention and Disposal Schedule for Michigan Township Clerks General Schedule #25, as provided by the Department of History, Arts and Libraries – Records Management Services.**



**TO:** Hamburg Township Board

**FROM:** Tony Randazzo, Director of Technical & Utility Services

**DATE:** November, 13, 2025

**AGENDA ITEM TOPIC:** APPM Edit 3.16

Number of Supporting Documents: **01**

***Current:***

**3.16 Adverse Weather Policy**

Hamburg Township regular business hours are Monday through Thursday from 7:30 a.m. to 5:30 p.m. Should severe weather (snow and/or ice) arise during regular business hours, the Supervisor, or the Clerk in the absence of the Supervisor, will determine the necessity to close the Township offices and dismiss employees for the remainder of the day. Those employees whose job responsibilities prohibit them from being dismissed, will be compensated for hours worked at time and one-half.

The Supervisor or Clerk will activate a notification “BLAST” on the Township phone system notifying employees, and the general public who call the Township, that the Township offices are closed. This “BLAST” will be in place by 6:30 a.m. If the Township phone system is inoperable, employees should contact their supervisor for Township closure information. When the Township office is closed due to inclement weather, the employees will be compensated at their regular pay rate. Those employees whose job responsibilities require them to report to work, will be additionally compensated their regular rate of pay at time and one-half.

***Proposed:***

**3.16 Adverse Weather Policy**

Hamburg Township regular business hours are Monday through Thursday from 7:30 a.m. to 5:30 p.m. Should severe weather (snow and/or ice) arise during regular business hours, the Supervisor, or the Clerk in the absence of the Supervisor, will determine the necessity to close the Township offices and dismiss employees for the remainder of the day. Those employees whose job responsibilities prohibit them from being dismissed, will be compensated for hours worked at time and one-half. The Supervisor or Clerk will notify the Director of Technical and Utility Services to activate a closure message on the Township phone system as well as post a message on the Township website to alert the public of said closure.

In the event that the Supervisor, or Clerk in the absence of Supervisor, determine that the Township Offices should not open for the day due to inclement weather, department heads will be notified via text from a member of the Executive Team by 6:30 am. Department heads will then be responsible to text their employees to convey them news of the closure. The IT Department will be responsible for posting a message on the website as well as placing a closure notice on the phone system. When the Township office is closed due to inclement weather, employees will be compensated at their regular pay rate. Those employees whose job responsibilities require them to report to work, will be additionally compensated their regular rate of pay at time and one-half.

**CONTRACTOR  
WAIVER OF LIABILITY & WORKERS' COMPENSATION  
(LOW-RISK)**

Contractor: \_\_\_\_\_

Date of Event: \_\_\_\_\_

Time of Event: \_\_\_\_\_

Location of Event: \_\_\_\_\_

I/We, \_\_\_\_\_, hereby acknowledge and agree that Contractor's relationship with Hamburg Township is and shall continue to be that of an independent contractor. Contractor is not an employee or agent of Hamburg Township, and no liability or other benefits of any kind, such as unemployment or workers compensation, retirement, insurance benefits, tenure rights or tax withholdings shall be made by or accrue to Contractor. In the event that Contractor is a sole proprietor and has not purchased Workers Compensation Insurance, Contractor hereby accepts full responsibility for any accidents or injuries to himself/herself while operating on or about the premises of Hamburg Township as an independent contractor. Furthermore, Contractor hereby acknowledges and accepts that if Contractor has any employees that will be working on-site on or about the premises of Hamburg Township, Contractor has an obligation to purchase and maintain Workers Compensation Insurance, and in the event that he/she does not, hereby accepts full responsibility for any accidents or injuries to his or her employees while operating on or about the premises of Hamburg Township. Contractor is not authorized to enter into or sign any agreements or make any representations to third parties that are binding upon Hamburg Township.

Contractor

\_\_\_\_\_

Address:

\_\_\_\_\_  
\_\_\_\_\_

Below are samples of what we call different hazard levels for contractors. That doesn't mean that other contractors don't fall into these categories, or these may move categories depending on the work being done. I will say that the minimum requirement for contractors has always been Workers Comp, \$1M of General Liability, and Auto if they use any in their line of work. For some Members, they have opted out of requiring Workers Comp for sole proprietors, but I would talk with your Work Comp carrier about a form they can complete for that, otherwise you will be charged for that exposure.

Low Hazard might include supply vendors, artisan type contractors such as carpenters, plumbers (no digging or trenching), painters, and small repair type contractors.

Medium Hazard would include staffing companies, roofers, plumbing with minor digging, cement contractors, grading of land, landscapers, building maintenance and cleaning contractors.

High/Special Hazard includes excavation and underground contractors, road contractors, erection and welding projects, all major building or parks and recreation playground construction and renovation, all infrastructure construction and renovation, including removal of contaminants or pollutants, and all Cyber liability exposures.

As for the limits, I offer the attached Matrix as a sample. I'd be happy to work with the Township to come up with a custom one for you, which I have done a lot with various Members. It truly is up to the Township on what they want to require of contractors, I just caution you to be consistent with the requirements so you aren't sued for discriminating against one contractor.

**SPECIAL EVENTS INSURANCE REQUIREMENTS MATRIX**

Required Insurance, Waiver Documents, and Limits						
EVENT TYPE	Hold Harmless Agreement	General Liability Insurance	Auto Liability Insurance	Workers Compensation Insurance	Liquor Liability Insurance	Special Hazard
Private Party (family picnic, etc.)	X				\$1,000,000*	Depends on Event
Non-profit Groups Low/Med Hazard events	X	\$1,000,000			\$1,000,000*	Depends on Event
For-profit Businesses Low/Med Hazard events	X	\$1,000,000	\$1,000,000	Statutory	\$1,000,000*	Depends on Event
Low/Med-Hazard Event (attendance > 1000)	X	\$3,000,000	\$3,000,000	Statutory	\$3,000,000*	Depends on Event
High/Special Hazard Event (1000 < attendance < 5000)	X	\$3,000,000	\$3,000,000	Statutory	\$3,000,000*	Depends on Event
High/Special Hazard Event (attendance > 5000)	X	\$5,000,000	\$5,000,000	Statutory	\$3,000,000*	Depends on Event

\* Required if money is exchanged IN ANY WAY between sponsor and participants for alcoholic beverages. (liquor license is required)

\* Required if money is exchanged IN ANY WAY between sponsor and participants for alcoholic beverages. (Liquor license is required)



## **4.16 GENERAL FUND – FUND BALANCE POLICY**

### **4.16(a) Purpose**

The purpose of this Fund Balance Policy is to establish the minimum fund balance level necessary to ensure the financial stability of the Township of Hamburg. This policy provides guidelines for classifying, maintaining, and using fund balance in accordance with GASB Statement No. 54, while supporting long-term fiscal sustainability, stabilizing service delivery, and maintaining adequate reserves for emergencies and unexpected events.

### **4.16(b) Scope**

This policy applies to the General Fund of the Township only. Other funds may maintain separate reserve or fund balance policies if required by law, debt covenants, grant agreements, or board directive.

### **4.16(c) Fund Balance Classifications**

The Township adopts the five classifications of fund balance required by GASB 54:

1. Not spendable Fund Balance  
Amounts not in spendable form or legally/contractually required to be maintained intact (e.g., prepaid expenses, inventories).
2. Restricted Fund Balance  
Amounts constrained for specific purposes by external parties, constitutional provisions, or enabling legislation.
3. Committed Fund Balance  
Amounts constrained by formal action of the Township Board.
  1. Commitments require a resolution of the Township Board.
  2. Commitments can only be changed or removed by equivalent Board action.
4. Assigned Fund Balance  
Amounts intended for specific purposes but not formally committed.
  1. Authority to assign fund balance is delegated to the Township Supervisor.
  2. Assignments may include appropriations for the next fiscal year's budget.
5. Unassigned Fund Balance  
Available for any purpose and only reported in the General Fund. This represents the Township's primary operating reserve.

### **4.16(d) Minimum Unassigned Fund Balance Requirement**

To ensure stable operations, protect against revenue volatility, and maintain adequate cash flow, the Township shall maintain an Unassigned General Fund Balance equal to no less than 100% of annual General Fund expenditures.

#### 4.16(e) Conditions for Use of Fund Balance

Unassigned fund balance may be used only under the following circumstances:

1. **Operational emergencies** such as severe revenue shortfalls, unexpected major expenditures, or significant timing delays in revenue collection.
2. **Declared emergencies or disasters**, including those recognized by the State of Michigan or federal government.
3. **Non-recurring expenditures** or investments that improve long-term efficiency, reduce future costs, or address public safety or infrastructure needs.
4. **Cash flow needs**, particularly in the first half of the fiscal year before property tax collections are received.

Use of fund balance **shall not** be for recurring operational costs unless a plan exists to sustain operations thereafter.

Any use that brings reserves below the minimum required level must be accompanied by a formal repayment plan (see Section 6).

#### 4.16(f) Replenishment of Fund Balance

If unassigned fund balance falls below the minimum threshold:

1. The Township Supervisor shall prepare a replenishment plan for Township Board approval within 90 days of the deficit determination.
2. The plan must restore fund balance to required levels within three (3) fiscal years, using any combination of:
  - a. spending reductions
  - b. revenue enhancements
  - c. one-time transfers where appropriate
  - d. postponement of capital outlay
3. The Township Board may extend the replenishment period in extraordinary economic conditions, such as statewide recession or declines in taxable value.

#### 4.16(g) Order of Resource Use

When expenditures are incurred for purposes with multiple fund balance classifications available, the Township will use resources in the following order unless otherwise directed by Board action or legal requirements:

1. Restricted
2. Committed
3. Assigned
4. Unassigned

#### 4.16(h) Authority Over Fund Balance Actions

- A. **Township Board:**

1. Adopts and amends this policy
2. Approves all committed fund balance amounts
3. Approves use of unassigned fund balance falling below minimum levels

**B. Township Supervisor and/or Clerk:**

1. May assign fund balance for specific purposes
2. Monitors compliance with this policy

#### **4.16(i) Compliance with Michigan Law**

This policy is consistent with and subordinate to the requirements of:

1. Michigan Uniform Budgeting and Accounting Act (PA 2 of 1968)
2. Michigan General Law Township Act / Charter Township Act
3. GASB Statement No. 54 and subsequent accounting standards

Where conflicts arise, statutory requirements supersede this policy.

#### **4.16(j) Annual Review**

The Township Board shall review this policy as part of the annual budget process. The Director of Accounting shall report the fund balance position annually, including:

1. Total General Fund balance by classification
2. Compliance with the minimum fund balance requirement
3. Cash flow sufficiency during the fiscal year
4. Recommendations for adjustments, if necessary

#### **4.16(k) Policy Adoption**

This policy shall become effective upon adoption by the Township Board of Hamburg, Michigan, and remain in effect until amended or rescinded by formal board action.