



## AGENDA

### REGULAR MEETING OF THE BOARD OF ETHICS

Wednesday, September 17, 2025

6:30 PM

Village Hall – 21 East Church Street, Lake Orion, MI 48362

(248) 693-8391 ext. 102

**ADDRESSING THE BOARD OF ETHICS:** Each person wishing to address the Board shall be afforded an opportunity to do so. Anyone that would like to make a public comment at any point during the meeting must first sign the “Sign In” sheet located near the main entrance door. If you wish to comment, please stand or raise a hand to indicate that you wish to speak. When recognized, give your name and address and direct your comments to the Chair.

**1. Call to Order**

**2. Roll Call and Determination of Quorum**

**3. Approval of Agenda**

**4. Approval of Minutes**

A. Approval of Board of Ethics Organizational Meeting Minutes of June 25, 2025

**5. Public Comments on Non-Agenda Items Only**

**6. Unfinished Business**

**7. New Business**

A. Board of Ethics: Legal Framework and Procedures

B. Review and Adoption of Board of Ethics Procedural Rules and Forms

**8. Public Comment**

**9. Closed Session**

**10. Business from Closed Session**

**11. Adjournment**

*In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact the Village, at least three (3) business days in advance of the meeting, if requesting accommodations. The Village of Lake Orion will provide foreign language or hearing impaired interpretation services for those individuals who contact the village to request such services at least seven (7) days prior to the meeting.*

*En el espíritu de la observancia de la Ley de Estadounidenses con Discapacidades, las personas con discapacidad debe sentirse libre para ponerse en contacto con el pueblo, por lo menos tres (3) días hábiles de antelación a la fecha de la reunión, si se solicitan alojamiento. El municipio de Lake Orion proporcionará idioma extranjero o personas con problemas de audición servicios de interpretación para las personas que se ponen en contacto con el pueblo de solicitar dichos servicios con no menos de siete (7) días antes de la reunión.*



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## COUNCIL ACTION SUMMARY SHEET

**MEETING DATE:** September 17, 2025

**TOPIC:** Approval of Board of Ethics Organizational Meeting Minutes of June 25, 2025

**RECOMMENDED MOTION:** To approve the June 25, 2025 Board of Ethics Organizational Meeting Minutes, as presented.



# MINUTES

## BOARD OF ETHICS ORGANIZATIONAL MEETING

Wednesday, June 25, 2025

6:30 PM

Village Hall – 21 East Church Street, Lake Orion, MI 48362

(248) 693-8391 ext. 102

### 1. Call to Order

The June 25, 2025 Board of Ethics meeting was called to order by Deputy Clerk/Treasurer at 6:30 PM.

### 2. Pledge of Allegiance

### 3. Roll Call and Determination of Quorum

PRESENT

Kenneth Mogill

Lisa Flynn

Chad Scribner

STAFF PRESENT

Clerk/Treasurer Sonja Stout

Deputy Clerk/Treasurer Lynsey Blough

### 4. Public Comments on Non-Agenda Items Only

None.

### 5. Action Items

#### A. Oath of Office

Clerk/Treasurer Stout administered the Oath of Office to the Board of Ethics members.

#### B. Board Member Introductions

**Board Member Scribner** shared that he grew up in Oxford and now resides in Lake Orion. He has a professional background in real estate, has worked as an election worker, and previously

worked in the pharmaceutical industry. His training includes identifying fraud and intent. He emphasized the importance of training and prevention in reducing ethics complaints.

**Board Member Flynn** shared that she is a resident of Lake Orion and grew up in Leonard. She is a retired vascular surgeon with a military background, including two tours in Iraq. She currently works as a consultant and holds a master’s degree in healthcare ethics. A Michigan native, she previously lived in Arizona and continues to provide consulting services in her spare time.

**Board Member Mogill** noted that he has lived in Orion Township for over 40 years and has practiced legal ethics for 35 years. He is an adjunct professor at Wayne State University and serves as Chair of the State Bar of Michigan Standing Committee on Professional Ethics. He regularly attends seminars and conferences and provides consultation to law firms and attorneys on preventing ethics violations.

**C. Election of Officer**

Deputy Clerk/Treasurer Blough opened the nominations for the presiding officer position.

**MOTION** made by Board Member Flynn, supported by Board Member Scribner, nominated Ken Mogill for the position of Chair.

**VOTING YEA:** Mogill, Flynn, Scribner

**VOTING NAY:** None

**MOTION:** Carried

There being no other nominations, the vote was called.  
Ken Mogill was elected Chair and assumed the Chair.

**D. Review of Duties and Responsibilities of the Board of Ethics**

There were no questions. The Board of Ethics members agreed to the duties and responsibilities and agreed to sign the Ethics Affidavit Form after the meeting when the Clerk can notarize the forms.

**E. Board of Ethics Bylaws and Rules of Procedure**

The Board of Ethics reviewed the current sample of the By-laws, during which questions and concerns were raised regarding the process for *requesting an advisory opinion*. The Board also discussed the timing for scheduling a public hearing.

The Board recommended that, upon receipt of a complaint, the Clerk should email the complaint to all Board of Ethics members. Each member would then individually respond to the Clerk, indicating whether they believe the complaint warrants a public hearing, in accordance with Rule 304.

Regarding the sample complaint form, the Board suggested including clearer instructions for how to request a public hearing. They emphasized the need for greater transparency in explaining the process to the public.

**F. Adopt 2025 Board of Ethics Meeting Schedule**

**MOTION** made by Board Member Flynn, Seconded by Board Member Scribner to adopt the 2025 Regular Meeting Schedule of the Lake Orion Board of Ethics as presented.

**VOTING YEA:** Mogill, Flynn, Scribner

**VOTING NAY:** None

**MOTION:** Carried

Chair Mogill stated he would be absent from the Wednesday July 23, 2025 meeting and Board Member Flynn stated she would be absent from the Wednesday, September 24, 2025 meeting.

**MOTION** made by Board Member Scribner, Seconded by Chair Mogill to make Board Member Flynn Chair for the next regular meeting.

**VOTING YEA:** Mogill, Flynn, Scribner

**VOTING NAY:** None

**MOTION:** Carried

**6. Next Regular Meeting - July 23, 2025**

The Board of Ethics members did mention they would like to present to the Village Council on a quarterly basis, a presentation on Ethics, alternating various members so that the Public and Village Council are familiar with the Board of Ethics members.

**7. Adjournment**

**MOTION** made by Board Member Flynn, Seconded by Board Member Scribner to adjourn the Wednesday, June 25, 2025 Board of Ethics Regular meeting.

**VOTING YEA:** Mogill, Flynn, Scribner

**VOTING NAY:** None

**MOTION:** Carried

The Wednesday, June 25, 2025 Board of Ethics Regular meeting adjourned at 6:58 PM.

\_\_\_\_\_  
Ken Mogill  
Chair

\_\_\_\_\_  
Sonja Stout  
Clerk/Treasurer

Approved: as presented July 23, 2025.



## BOARD ACTION SUMMARY SHEET

**MEETING DATE:** September 17, 2025

**TOPIC** Board of Ethics: Legal Framework and Procedures

**BACKGROUND BRIEF:** Village Attorney Mary Kucharek will provide a brief overview of the Board of Ethics' responsibilities, including an outline of the Open Meetings Act (OMA), the Freedom of Information Act (FOIA), and guidance on procedural matters. This will include the process for filing complaints, requesting advisory opinions, and resolving complaints.

**RECOMMENDED MOTION:** No motion required.



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## BOARD ACTION SUMMARY SHEET

**MEETING DATE:** September 17, 2025

**TOPIC** Review and Adoption of Board of Ethics Procedural Rules and Forms

**BACKGROUND BRIEF:** At the June 25, 2025 meeting, the Board of Ethics was presented with the City of Birmingham’s procedural rules as a template for the Village of Lake Orion. Additionally, the Village of Lake Orion Ethics/Incident Form and the Request for Advisory Opinion Form were provided for review.

Following a review by the Village Attorney, Clerk/Treasurer Stout has incorporated revisions to the procedural rules. These changes are marked using strikethrough formatting: items in red indicate deletions, while items in blue represent additions.

**RECOMMENDED MOTION:** To adopt the Village of Lake Orion Board of Ethics Procedural Rules and Complaint and Incident Form as presented.



**BOARD OF ETHICS  
PROCEDURAL RULES**

**Chapter 1. Policy and Construction.**

Rule 101. Intent.

The ~~City of Birmingham, Village of Lake Orion~~ Board of Ethics (the board) promulgates these rules pursuant to the ~~City of Birmingham's, Village of Lake Orion's~~ Code of Ethics with the intent of realizing the policies and goals set forth in that code and in the board's own mission statement. The board intends to conduct its business consistent with all applicable federal, state and local laws.

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Rule 102. Construction.

These rules are to be construed to achieve the timely, efficient and cost-effective determination of matters brought before the board.

Rule 103. The board may modify these rules on a case-by-case basis to further this policy.

**Chapter 2. Procedure for Obtaining Advisory Opinions.**

The rules of this chapter apply to the situation where a ~~city-village~~ official or employee, ~~the City Commission~~, or another ~~city-village~~ commission, board or committee, as defined in the Code of Ethics ("the requesting party"), requests an advisory opinion as to whether the requesting party's conduct or anticipated conduct, or that of a ~~city-village~~ official, employee, commission, board or committee under the requesting party's authority, conforms to the Code of Ethics. The party whose conduct is sought to be reviewed, if it is someone other than the requesting party, is called the "subject party."

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Rule 201. Request for Advisory Opinion.

The request for advisory opinion must be in writing and filed with the ~~city~~-clerk on a form prescribed by the clerk who will present it to the board for consideration. The requesting party may include with the request any documents that may assist the board in responding to the request.

Rule 202. Dismissal.

- a. The ~~city~~-clerk may administratively dismiss a request for an advisory opinion if the request fails to comply with Rule 201 of this Chapter.
- b. The board may administratively dismiss a request for an advisory opinion for either of the following reasons:

- (i) One or more requests or complaints regarding the same matter are pending.
- (ii) The board previously addressed the subject matter.

Rule 203. Additional Information.

Upon presentation of a request for an advisory opinion, the board may direct the city clerk to obtain additional information regarding the request.

Rule 204. Summary Decision.

At any time, the board may issue an advisory opinion decision on the request based on any of the following reasons:

- a. The board lacks jurisdiction over the requesting or subject party.
- b. The board lacks jurisdiction over the subject matter.
- c. The requesting party lacks the legal capacity to request an advisory opinion.
- d. The request for an advisory opinion is barred because of release, prior judgment, or other disposition of the matter before the request for an advisory opinion was filed.
- e. The request for advisory opinion on its face fails to demonstrate any violation of the code of ethics.

Rule 205. Summary Opinion.

If no genuine issue as to any material fact exists, the board may issue an advisory opinion without a hearing.

Rule 206. Scheduling.

If the request for an advisory opinion is not resolved under Rule 204 or 205, the board may schedule a meeting or hearing in accordance with the Rules of this Chapter.

Rule 207. Meeting Date.

The clerk will set the matter for meeting on a date certain and place the matter on the board's calendar. The board may hold a hearing to review, or further review, the merits of a request for an advisory opinion.

Rule 208. Notice of Meeting and Requests to Others to Appear.

The clerk will send notice of the meeting to the requesting party and, where applicable, to the subject party in the manner prescribed by the Code of Ethics. The board may request other persons to appear at the meeting by directing the clerk to send notice of the meeting and a request to appear, accompanied by a copy of the request for advisory opinion.

Rule 209. Appearance of Requesting Party, Subject Party, or Representative.

The requesting party and, where applicable, the subject party, or a representative of either, may appear at the meeting, present information to support or oppose the request, and respond orally to questions presented by the board.

Rule 210. Meetings, Generally.

The board will conduct a meeting on the matter set forth in the request for advisory opinion at the scheduled time. Any person requested to appear at the meeting may be accompanied by an attorney.

Rule 211. Presiding Officer.

The Chairperson of the board will act as the presiding officer for the meeting or may assign another member of the board to be the presiding officer. The presiding officer will officiate over the meeting; moderate the questions and answers between members of the board, the requesting party, the subject party, and any other witness; and rule on questions of procedure and the admissibility of evidence. The presiding officer will consult with other members of the board before making any decision.

Rule 212. Presentation of the Request and the Evidence.

The requesting party will present the request by stating the issue to be resolved and giving any evidence that bears on the matter. The subject party, where applicable, may likewise present any evidence that bears on the matter. The board may request the testimony of other witnesses and the introduction of exhibits or other evidence relevant to the matter. The requesting party, the subject party, and any member of the board may question any witness in the manner directed by the presiding officer. All witnesses will give testimony on sworn oath or affirmation.

Rule 213. Post-Meeting Evidence.

The board may request the requesting party, the subject party where applicable, or any other person to submit post-meeting evidence if warranted.

Rule 214. Closure of the Record.

The record is closed at the conclusion of the meeting or, if the board requests any person to submit post-meeting evidence, at the earlier of the submission of the evidence or the deadline for submitting it. The board may re-open the record and take additional evidence before rendering its decision.

Rule 215. Advisory Opinion.

The board will determine whether the conduct or anticipated conduct of the requesting party or the subject party, as the case may be, conforms to the Code of Ethics. The board will make its decision upon a vote of a majority of the board based upon the evidence in the record and controlling law. The board will issue its decision in the form of a written advisory opinion. The advisory opinion, and any dissenting or concurring opinion, will be stated in writing. Once they are issued, the opinions are final.

Rule 216. Transmittal of the Advisory Opinion or Order.

The board will send its advisory opinion or order to the ~~city~~-clerk, who will publish, distribute and keep it in the manner prescribed in the ordinance and in conformity with applicable law. The clerk will mail the requesting party, the subject party, the affected department, and other persons as the board directs, a copy of the opinion or order.

**Chapter 3. Procedure for Resolving Complaints.**

The rules in this chapter apply to the situation where any person has a complaint against a ~~city-village~~ official or employee, as defined in the Code of Ethics, alleging that the conduct of that official or employee is in breach of the code.

Rule 301. Filing of Complaint.

A person with a complaint involving the applicability of any provision of the Code of Ethics with respect to the conduct of a ~~city-village~~ official or employee may bring the matter before the board by filing with the ~~city~~-clerk a complaint on a form prescribed by the clerk. The person who files the complaint is called the "complainant." The person who is alleged to have breached the code is called the "respondent."

Rule 302. Dismissal.

- a. The ~~city~~ clerk may administratively dismiss a complaint if it fails to comply with Rule 301 of this Chapter.
- b. The board may administratively dismiss a complaint for either of the following reasons:
  - (i) One or more complaints or requests for advisory opinions regarding the same matter are pending.
  - (ii) The board previously addressed the subject matter.

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Rule 303. Additional Information.

Upon the filing of a complaint, the board may direct the ~~city~~-clerk to obtain additional information regarding the request.

Rule 304. Summary Decision.

At any time, the board may issue a decision on the complaint based on any of the following reasons:

- a. The board lacks jurisdiction over the respondent.
- b. The board lacks jurisdiction over the subject matter.
- c. The complainant lacks the legal capacity to assert the complaint.
- d. The complaint is barred because of release, prior judgment, or other disposition of the complaint before the complaint was filed.
- e. The complaint on its face fails to demonstrate any violation of the code of ethics.

Rule 305. Summary Opinion.

If no genuine issue as to any material fact exists, the board may issue a decision on the complaint without a hearing.

Rule 306. Scheduling.

If the complaint is not resolved under Rule 205 and 206, the board may schedule a meeting or hearing in accordance with the Rules of this Chapter.

Rule 307. Hearing Date.

Within seven (7) days of the filing of the complaint, the clerk will set the matter for hearing on a date certain and place the matter on the board's calendar in accordance with the ethics ordinance and these procedural rules.

Rule 308. Service of Complaint on, and Notice to, Respondent.

At least twenty-eight (28) days before the hearing date, the clerk will send notice of the hearing, accompanied by a copy of the complaint to the respondent in the manner prescribed by the code.

Rule 309. Notice of Hearing to Complainant and Requests to Others to Appear.

After setting the matter for hearing, the clerk will notify the complainant of the hearing date in the manner prescribed by the Code of Ethics. The board may request other persons to appear at the hearing by directing the clerk to send notice of the hearing and a request to appear, accompanied by a copy of the complaint in the manner prescribed by the code.

**Rule 310. Answer of Respondent.**  
Ahead of the hearing date, the respondent may submit a written answer to the complaint by filing that answer with the city-clerk. In the answer, the respondent may respond to the allegations set forth in the complaint and may further provide information, including documents, relevant to the matter. In lieu of a written answer, the respondent may appear at the hearing and respond orally to the allegations in the complaint.

**Rule 311. Hearings, Generally.**  
The board will conduct a hearing on the matter alleged in the complaint at the scheduled time. Any person requested to appear at the hearing may be represented by an attorney.

**Rule 312. Presiding Officer.**  
The Chairperson of the board will act as the presiding officer for the hearing or may assign another member of the board to be the presiding officer. The presiding officer will officiate over the hearing and rule on questions of procedure and the admissibility of evidence. The presiding officer will consult with other members of the board before making any decision.

**Rule 313. Opening Statements.**  
The opening statement is the parties' way to introduce the matter to the board, summarize the evidence that will be presented during the hearing, and state the relief requested. The complainant and the respondent may each give an opening statement. Usually, the complainant will give the first opening statement, but the board may vary this procedure.

**Rule 314. Conduct of Proceedings**

- a. The complainant will present evidence to support the complaint. The respondent may then present evidence to support any defense. Witnesses for each party will also submit to questions from the complainant, the respondent, and the board. The board has the discretion to vary this procedure, provided that the parties are treated with equality and that each party has the right to be heard and is given a fair opportunity to present its case.
- b. The board, exercising its discretion, will conduct the proceedings with a view to expediting the resolution of the matter and may direct the order of proof, bifurcate proceedings and direct the parties to focus their presentations on issues the decision of which could dispose of all or part of the matter.
- c. The parties may agree to waive oral hearings in any case.

**Rule 315. Evidence**

- a. The parties may offer such evidence as is relevant and material to the matter and will produce such evidence as the board may deem necessary to an

understanding and determination of the matter. Conformity to legal rules of evidence will not be necessary. All evidence will be taken in the presence of the board and all of the parties, except where any of the parties is absent, in default or has waived the right to be present.

- b. The board will determine the admissibility, relevance, and materiality of the evidence offered and may exclude evidence deemed by the board to be cumulative or irrelevant.
- c. The board will take into account applicable principles of legal privilege, such as those involving the confidentiality of communications between a lawyer and client.

**Rule 316. Closing Statements.**

When the parties have finished presenting their evidence, each may make a closing statement summarizing the evidence, stating the relief requested, and arguing in favor of that relief. Usually, the respondent will give the first closing statement, to be followed by the complainant, but the board may vary this procedure.

**Rule 317. Post-Hearing Briefs.**

The board may request the parties to submit post-hearing briefs if warranted.

**Rule 318. Closure of the Record.**

The record is closed at the conclusion of the hearing or, if the board requests the parties to submit post-hearing briefs, at the earlier of the submission of the briefs or the deadline for submitting them. The board may re-open the record and take additional evidence before rendering its decision.

**Rule 319. Decision.**

The board will determine whether the respondent’s conduct as alleged in the complaint or demonstrated at the hearing is in breach of the Code of Ethics. The board will make its decision upon a vote of a majority of the board based upon the evidence in the record and controlling law. The board will issue its decision in the form of a written opinion. The opinion, and any dissenting or concurring opinion, will be stated in writing. Once they are issued, the decision and opinions are final.

**Rule 320. Transmittal of the Decision.**

The board will send its decision to the city clerk, who will publish, distribute and keep it in the manner prescribed by the ordinance and in conformity with applicable law. The clerk will mail each party, the affected department, and other persons as the board directs, a copy of the decision.

**Chapter 4. Procedure for Deciding Referred Questions of Disqualification Due to Conflict of Interest.**

The rules in this chapter apply to the situation where, under Section 2-324 of the Code of Ethics, a city-village official or employee has a conflict of interest in any matter before the city-village, as defined in the code, has disclosed that conflict on the appropriate records of the city-village, but refuses to refrain from discussion, deliberation or voting on that matter. In that instance, the affected city-village government body may request the board to decide the question of whether the official or employee must refrain from discussion, deliberation, action or

voting on the matter because of disqualification due to a conflict of interest. The rules in this chapter contemplate that the referred question be decided on an expedited basis.

Rule 401. Referral of Question of Disqualification.  
The **cityvillage**, its commission, or any **city-village** board or committee, which is called the "referring body," may refer to the board the question of whether an official or employee is disqualified from discussion, deliberation, action or voting on any pending matter due to a conflict of interest. The referring body will refer the question of disqualification to the board by filing the question with the **city**-clerk on a form prescribed by the clerk. The referring body may include with the referred question any information and documents that may assist the board in answering the referred question. The person who is alleged to be disqualified due to conflict of interest is called the "respondent."

Rule 402. Dismissal.  
a. The **city**-clerk may administratively dismiss a referred question of disqualification if the referral fails to comply with Rule 401 of this Chapter.  
b. The board may administratively dismiss a referred question of disqualification for either of the following reasons:  
(i) One or more questions regarding the same matter are pending.  
(ii) The board previously addressed the subject matter.

Rule 403. Additional Information.  
Upon referral of a question of disqualification, the board may direct the **city**-clerk to obtain additional information regarding the request.

Rule 404. Summary Decision.  
At any time, the board may issue a decision on the referred question of disqualification based on any of the following reasons:  
a. The board lacks jurisdiction over the respondent.  
b. The board lacks jurisdiction over the subject matter.  
c. The referring body lacks the legal capacity to refer the question to the board.  
d. Decision on the question is barred because of release, prior judgment, or other disposition of the question before the question was referred.  
e. The question on its face fails to demonstrate any conflict of interest or reason for disqualification.

Rule 405. Summary Opinion.  
If no genuine issue as to any material fact exists, the board may issue a decision without a hearing.

Rule 406. Scheduling.  
If the referred question of disqualification is not decided under Rule 404 and 405, the board may schedule a meeting or hearing in accordance with the Rules of this Chapter.

Rule 407. Hearing Date.  
As soon as practicable after the referred question of disqualification is filed, the clerk will set the matter for hearing on a date certain, which may be that very day, and place the matter on the board's calendar. The board may convene and conduct the hearing

immediately upon the clerk's receipt of the referred question, or may set another time for the hearing.

**Rule 408 Notice of Hearing and Requests to Others to Appear.**

The clerk will notify the referring body and the respondent of the hearing. Notice may be given orally or in any other form reasonably calculated to give the date, time, location and subject matter of the hearing. The board may request other persons to appear at the hearing by directing the clerk to notify those persons of the request and transmitting a copy of the referred question to them.

**Rule 409 Hearings, Generally.**

The board will conduct a hearing on the referred question at the scheduled time.

**Rule 410. Presiding Officer.**

The Chairperson of the board will act as the presiding officer for the hearing or may assign another member of the board to be the presiding officer. The presiding officer will officiate over the hearing, and rule on questions of procedure and the admissibility of evidence. The presiding officer will consult with other members of the board before making any decision.

**Rule 411. Appearance of Referring Body and Respondent.**

The referring body and the respondent may appear at the hearing, present information on the referred question of disqualification and respond orally to questions presented by the board. The referring body will designate one of its members or another person to act as its representative for the hearing.

**Rule 412. Opening Statements.**

The opening statement is the parties' way to introduce the question to the board, summarize the evidence that will be presented during the hearing, and state the party's position on the question. The referring body and the respondent may each give an opening statement. Usually, the referring body will give the first opening statement, but the board may vary this procedure.

**Rule 413. Conduct of Proceedings**

- a. The referring body will present evidence on the question of disqualification. The respondent may then present evidence to support his or her position on the question. Witnesses for each party will also submit to questions from the referring body and the respondent. The board has the discretion to vary this procedure, provided that the parties are treated with equality and that each party has the right to be heard and is given a fair opportunity to present its case.
- b. The board, exercising its discretion, will conduct the proceedings with a view to expediting the resolution of the matter and may direct the order of proof, bifurcate proceedings and direct the parties to focus their presentations on issues the decision of which could dispose of all or part of the matter.
- c. The parties may agree to waive oral hearings in any matter.

**Rule 414. Evidence**

- a. The parties may offer such evidence as is relevant and material to the question and will produce such evidence as the board may deem necessary to an

understanding and determination of the question. Conformity to legal rules of evidence will not be necessary. All evidence will be taken in the presence of the board and all of the parties, except where any of the parties is absent, in default or has waived the right to be present.

- b. The board will determine the admissibility, relevance, and materiality of the evidence offered and may exclude evidence deemed by the board to be cumulative or irrelevant.
- c. The board will take into account applicable principles of legal privilege, such as those involving the confidentiality of communications between a lawyer and client.

Rule 415. Closing Statements.

When the parties have finished presenting their evidence, each may make a closing statement, summarizing the evidence, stating the position it takes on the question, and arguing in favor of that position. Usually, the respondent will give the first closing statement, to be followed by the referring body, but the board may vary this procedure.

Rule 416. Post-Hearing Briefs.

The board may request the parties to submit post-hearing briefs if warranted.

Rule 417. Closure of the Record.

The record is closed at the conclusion of the hearing or, if the board requests the parties to submit post-hearing briefs, at the earlier of the submission of the briefs or the deadline for submitting them. The board may re-open the record and take additional evidence before rendering its decision.

Rule 418. Decision.

The board will decide whether the respondent is disqualified from discussion, deliberation, action or voting on the matter pending before the referring body due to a conflict of interest. The board will make its decision upon a vote of a majority of the board based upon the evidence in the record and controlling law. The board will issue its decision in the form of a written opinion. The opinion, and any dissenting or concurring opinion, will be stated in writing. Once they are issued, the decision and opinions are final.

Rule 419. Transmittal of the Decision.

The board will send its decision to the city clerk, who will publish, distribute and keep it in the manner prescribed in the ordinance and in conformity with applicable law. The clerk will provide the referring body, the affected department, and the respondent with a copy of the decision.

Revised-10/03  
 Revised-05/04  
 Revised-10/06  
 Revised-12/06  
 Revised-1/08  
 Revised-9/11



Case No. \_\_\_\_\_  
(Assigned by Clerk)

**ETHICS INCIDENT/COMPLAINT FORM**

Any person who has a complaint against a **city village** official or employee, as defined in the Code of Ethics, alleging that conduct of that official or employee is in breach of the code, may bring the matter before the Village of Lake Orion Board of Ethics by filing this form with the Village Clerk. Within seven days upon receipt of this filing, the Clerk will set a hearing for this matter and notify the parties involved according to the ordinance.

All advisory opinions will be communicated to the ~~city commission~~ **Village Council** and will be published on the Village's website at [www.lakeorion.org](http://www.lakeorion.org).

Written requests are subject to disclosure under the Freedom of Information Act.

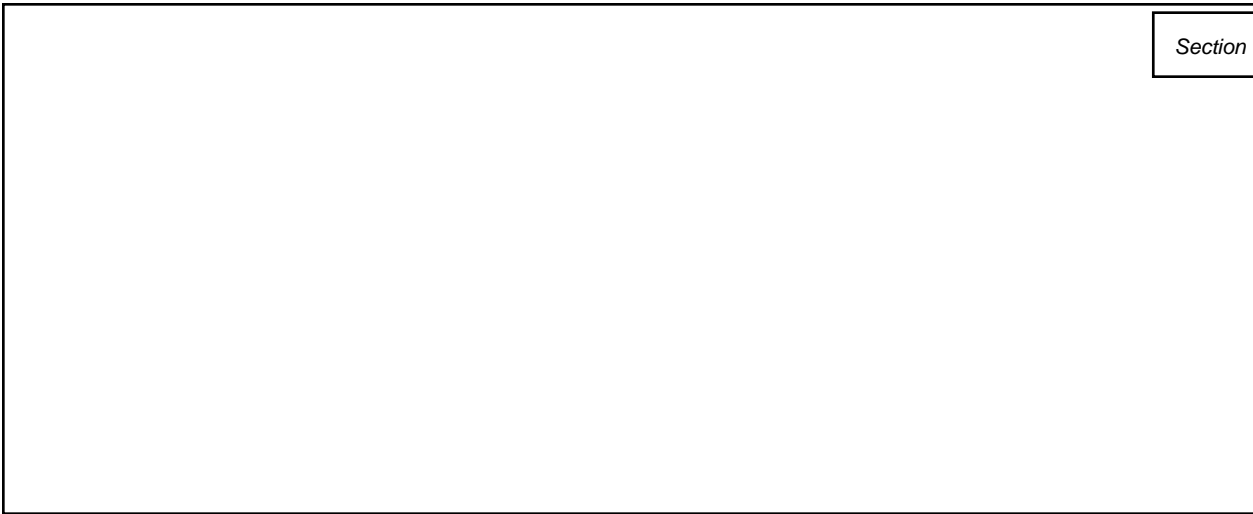
1. Name the person alleged to have violated one or more provisions of the Village of Lake Orion's Ethics Ordinance (Title III, Chapter 30), and provide the following information, if known. If you are alleging that more than one person may have violated the Village of Lake Orion's Ethics Ordinance, file a separate complaint form for each individual. The information on this form may be subject to disclosure under the Freedom of Information Act.

Name  Phone Number ()

Address   
(Number, Street, City, State, Zip)

Position or Board

2. Explain why you believe that the individual named above may have violated the Village of Lake Orion's Ethics Ordinance. Be as specific as possible as to dates, times, places, and actions. Attach additional sheets of paper if the space provided below is not sufficient. Also note which specific section in the ordinance was violated.



3. Attach or make reference to any document or other evidence that may support your allegations. Also provide the names and addresses (if known) of any witnesses or persons who may have knowledge of facts that support your allegations.



4. Are you aware of any civil, criminal or administrative action pending that involves the same parties as alleged in this complaint which involves substantially the same subject matter? If so identify in detail.

5. I declare that the foregoing information is true and accurate to the best of my knowledge.

\_\_\_\_\_  
Your signature Date

\_\_\_\_\_  
Your printed name

Address \_\_\_\_\_  
(Number, Street, City, State, Zip)

Daytime Phone (\_\_\_\_) \_\_\_\_\_ Evening Phone (\_\_\_\_) \_\_\_\_\_

Email \_\_\_\_\_

Please return this completed form to: Village ~~Administration Office~~ Clerk  
Village of Lake Orion  
21 E Church St  
Lake Orion, MI 48362

If you have questions about this form, or would like to request the form in an alternate format for the visually impaired, contact the Village ~~Administration Office~~ Clerk at (248) 693-8391 or write us at the above address. We will take reasonable steps to accommodate your needs.

**NOTE:** Within seven days of receipt of this form, the Village of Lake Orion Board of Ethics will set a date for hearing this matter. Any parties involved will be given 28 days notice to appear at the hearing.

Updated on 4/15/2025

**FOR OFFICE USE ONLY**

Accepted by \_\_\_\_\_ Date \_\_\_\_\_



Village of **Lake Orion**  
EST 1859  
REQUEST FOR ADVISORY OPINION

Case No. \_\_\_\_\_  
(Assigned by clerk)

The Procedural Rules of the Board of Ethics allow a **city village** official or employee, ~~the City Commission, or another city commission, board or committee~~, as defined in the Code of Ethics ("the requesting party"), to request an advisory opinion as to whether the requesting party's conduct or anticipated conduct, or that of a **city village** official or employee, ~~commission, board or committee~~ under the requesting party's authority, conforms to the Code of Ethics. The party whose conduct is sought to be reviewed, if it is someone other than the requesting party, is called the "subject party."

All advisory opinions will be communicated to the ~~city commission~~ **Village Council** and will be published on the ~~city's~~ **Village's** website at [www.bhamgov.org](http://www.bhamgov.org) [www.lakeorion.org](http://www.lakeorion.org).

Written requests are subject to disclosure under the Freedom of Information Act.

Name \_\_\_\_\_ Phone Number (\_\_\_\_) \_\_\_\_\_

Address \_\_\_\_\_  
(Number, Street, City, State, Zip)

Position or Board (If Applicable) \_\_\_\_\_

- A. State each question upon which an opinion is desired. Attach additional sheets of paper if the space provided below is not sufficient.
- B. State all of the facts giving rise to each question presented.
- C. If available, provide all relevant statutory provisions, case law, prior opinions of the Ethics Board, and other authorities.

**NOTE:** Although the foregoing criteria are subject to exception when the circumstances warrant, a request which does not meet these criteria may be returned and the requestor asked to resubmit the request in an appropriate form.

Please return requests to: **City Clerk's Office, City of Birmingham-Village Clerk**  
**151 Martin, P.O. Box 3001, 21 E Church St-Birmingham,**  
**MI-48012-Lake Orion, MI 48362**

**FOR OFFICE USE ONLY**

Accepted by \_\_\_\_\_ Date \_\_\_\_\_