

Re: Marcellus Township Board;
Board Policies Manual

NOTE: The Marcellus Township Board adopted this **TOWNSHIP ATTORNEY SERVICES POLICY** on January 21, 1997.

1. **TOWNSHIP ATTORNEY SERVICES**; access to; when prior authorization required

A. The Supervisor, Clerk and Building Inspector may each consult with the Township Attorney on Township matters as each may deem necessary.

B. Other Marcellus Township Board (MTB) members, other Township elected officials, officers of MTB-appointed boards, commissions, agencies and committees, Township employees and persons performing/providing contracted services for the Township may consult with the Township Attorney on Township matters, **provided** that they shall apply to and obtain the approval of the Supervisor or Clerk before doing so.

C. Any person, other than those above empowered or authorized, who shall contact the Township Attorney's office for the purpose of consulting with the Township Attorney about Township matters shall receive no Township-billable legal services from the Township Attorney or his office but instead shall be **immediately** instructed/requested by the Township Attorney's office to contact the Supervisor or Clerk. The Township Attorney's office shall maintain a log or other record of such contacts (including name, address and telephone number of the person and subject/topic of concern) and shall furnish a copy or other summary of such log/record to the Clerk on a monthly basis.

D. If a Township resident or other person believes that the Township Attorney should be consulted on a matter involving the Township, any of its boards, commissions, agencies, committees, employees, contracted service providers and/or Township functions, services, activities, actions or policies and procedures, that resident/person should contact the Supervisor or Clerk. The official contacted (Supervisor or Clerk) may (but is not required to) refer the matter to the Township Attorney.

E. In the event that any Township elected or appointed official, member of any Township board, commission, agency or committee, Township employee or person performing/providing contracted services for the Township shall be served or receive any communication or notice of or documents concerning anticipated, new or pending litigation involving the Township or any of its boards, commissions, agencies, committees, employees or contracted service providers,

1) Such person shall **immediately** inform the Supervisor and Clerk and, **within 24 hours** of his or her receipt, shall turn over any such communication, notice or documents to the Clerk.

2) The Clerk shall **promptly** deliver the original or copy of the same to the Township Attorney's office and furnish/mail a copy of the same to the Supervisor (unless he shall have been the original Township recipient of the same).

F. Except for Building Inspector/Zoning Administrator litigation matters, the Supervisor shall be the primary Township official to consult with the Township Attorney on anticipated, new or pending litigation.

G. County officials and other attorneys may contact and consult with the Township Attorney directly on Township matters previously brought to the attention of, considered by, acted upon or authorized by the MTB, the Supervisor, Clerk or Building Inspector/Zoning Administrator.

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NOTE: The Marcellus Township Board
adopted this **TOWNSHIP PURCHASING
POLICY** ON January 21, 1997.

2. **TOWNSHIP PURCHASING POLICY**; economy and efficiency in government; use of
community resources; competitive bidding practices

A. The Township supports patronage and use of local businesses and suppliers of goods,
materials, resources and services when practical, economically feasible or cost-effective.

B. The Township and each of its units shall comply with the State law (1993 PA 167 and
168) and the MTB's Resolution on competitive bidding (adopted by the Marcellus Township
Board on January 25, 1994).

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NOTE: The Marcellus Township Board
adopted this **VACANCIES POLICY** on
February 18, 1997.

3. **VACANCIES**; procedure for filling

A. Vacancies in Marcellus Township elective offices and appointed township commissions and boards, whether created by

- 1) Failure, omission or neglect to qualify for the office to which elected,
- 2) Resignation,
- 3) Removal from the township/loss of township residency,
- 4) Death,
- 5) Expiration of term of office/appointment or
- 6) Other cause,

shall, except as provided below, be publicized by the Marcellus Township Clerk in *The Marcellus News* by a display advertisement published at least once prior to the Marcellus Township Board (MTB) appointing a successor.

B. Those interested in being appointed to fill a vacancy shall submit their letters of interest to the Marcellus Township Clerk (who is the custodian and keeper of township records) by mailing such letters to the Clerk at P. O. Box 218, Marcellus, Michigan 49067-0218, or hand-delivery to the Clerk's home, for subsequent review by the entire Marcellus Township Board.

C. When there is a vacancy in a Marcellus Township elected board (other than the MTB and Marcellus Township Library Board of Trustees), the Marcellus Township Clerk shall, when directed by the MTB, mail copies of such letters of interest received by the Clerk to such other elected board, requesting such board to file its recommendation and/or comment with the Clerk for presentation to the MTB for its consideration.

D. The Marcellus Township Board recognizes that, according to present Michigan law, when a vacancy occurs in the membership of the Marcellus Township Library Board of Trustees, the remaining members of that board are the ones having the authority to appoint a successor to fill the vacancy.

E. According to present Michigan law, the Supervisor appoints members to the Marcellus Township Planning Commission and the MTB [by motion] approves and confirms or rejects ("vetoes") such appointments.

F. Vacancies on the Marcellus Township Board shall be filled in accordance with the rules set forth in Michigan law and summarized in Chapter 2 of *Authorities and Responsibilities of Michigan Township Officials, Boards and Commissions* (1995 edition).

AMW/02/19/97