

TOWNSHIP OF BIRCH RUN
SAGINAW COUNTY, MICHIGAN
ORDINANCE NO. 89- 3

AN ORDINANCE TO CREATE THE POSITION OF TOWNSHIP
MANAGER; TO PRESCRIBE THE DUTIES AND POWERS OF THE
TOWNSHIP MANAGER; TO PROVIDE FOR THE TERMINATION
OF THE SERVICES OF THE TOWNSHIP MANAGER.

THE TOWNSHIP OF BIRCH RUN ORDAINS:

1. Creation of Position of Township Manager

The Township of Birch Run hereby creates the position of Township Manager, which Manager shall be selected and appointed by the Township Board, and shall serve at the pleasure of the Township Board.

2. Term of Position

The Township Manager shall serve at the pleasure of the Township Board, and either the Township Board or the Township Manager may terminate the employment relationship at any time, for any reason, with or without cause.

3. General Duties and Responsibilities

The Township Manager shall be responsible to the Township Board of the Township of Birch Run, and shall have charge of, and the responsibility for, all operations and services of Birch Run Township, except as provided by the laws of the State of Michigan pertaining to the duties of the Offices of the Township Supervisor, Clerk, and Treasurer, and except for the specific authorities, statutes and regulations that govern the technical operations of police and fire protection services. Such duties and responsibilities of the manager include the following:

- (a) To manage and supervise all public improvements, projects, works, and undertakings of the Township.
- (b) To have charge of the construction, repair, and maintenance of the water distribution system, to whatever extent the Township has the control of such water distribution system, the sewer collection and treatment systems, sidewalks, parks, motor vehicles, and equipment, pavements, all public buildings, and other property, both real and personal, belonging to, or in which, the Township has an interest.
- (c) To manage and supervise the operation of all township utilities.
- (d) To be responsible for the inventorying and preservation of property, tools, equipment, furniture, and appliances of the Township.
- (e) To administer contracts, franchises, and concessions entered into by the Township, and to ensure that all terms and conditions imposed in favor of the Township or

its inhabitants in any public utility franchise, or in any contract, are faithfully kept and performed.

- (f) To attend all meetings of the Township Board, with the right to take part in discussions, but, without the right to vote.
- (g) To recommend policies, projects, procedures, ordinances, and planning objectives to the Township Board and/or its designated committees.
- (h) To be responsible for the preparation of the agendas of the meetings of the Township Board, including relevant supporting documentation.
- (i) To be a member, ex officio, without a right to vote, of all committees of the Township Board and committees established by the Township Board.
- (j) To prepare a proposed annual budget under policies formulated by the Township Board, and to keep the Township Board fully advised at all times as to the financial condition and needs of the Township; to administer the Township budget after approval by the Township Board.
- (k) To be responsible to the Township Board for the efficient administration of all functions of the Township Government.
- (l) To act, when specifically authorized by the Township Board, as the purchasing agent for the Township.
- (m) To conduct, with the consent and approval of the Township Board, sales of property, real or personal, which the Township Board has the authority to sell.
- (n) To assume all duties of Township Personnel Director of the Township, and in that connection to have authority concerning the following:
 - (1) Over all full-time, part-time, and contract employees of the Township.
 - (2) To appoint, evaluate, discipline and terminate all employees, except, that appointment and termination of all employees designated "Department Heads" shall be first confirmed and approved by the Township Board, and further excepting, Deputy Supervisor, Deputy Clerk, or Deputy Treasurer shall be appointed and/or terminated by the respective elected officials.
 - (3) To make compensation adjustments within specific rules, guidelines and/or parameters established by the Township Board, or its designated committees.
 - (4) To negotiate, when directed by the Township Board, and for the review and approval of the Township

Board, labor agreements, letters of understanding, personnel policies, and rules and regulations.

- (5) To interpret and make determinations in all personnel matters not specifically reserved by the Township Board.
- (o) To maintain the personnel files of all employees of the Township, except those for Deputy Supervisor, Deputy Clerk, and Deputy Treasurer.
- (p) To arrange, at such times as required by the Township Board, the professional evaluation of the Township Police Department, if any, the Township Fire Department, or any other department or services provided by the Township.
- (q) To keep abreast, and to obtain knowledge as to available grant sources, from both public and private sources, and to provide and supply such information to the Township Board; to prepare such grant applications for such purposes as the Township Board shall authorize.
- (r) To be the primary contact on all inquiries and correspondence to the Township from federal, state, county, and other local governmental officials, and Township residents with specific problems, or needs, and to make such known to the Township Board.
- (s) Aid and assist in making assessments of real and personal property, as required by law for tax purposes, and to aid and assist in preparing and maintaining township records concerning the same.
- (t) To make studies of such matters, and make recommendations to the Township Board of such matters, as are necessary for the continued development and well-being of the Township and its inhabitants.
- (u) To coordinate the utilization of all contracted services.
- (v) To attend meetings of the Township Planning Commission, Zoning Board of Appeals, Parks Board and Downtown Development Authority, and any other meetings, as directed by the Township Board.
- (w) To perform such other duties as may be required by the Township Board.

4. Severability

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision, shall not affect any of the other provisions of such Ordinance.

5. Conflicting Ordinances

All Ordinances, Resolutions, or Orders, or any part thereof, in conflict with the provisions of this Ordinance, are to the extent of any such conflict, repealed.

6. Publication and Effective Date

This Ordinance shall be published, as required by law, in a newspaper of general circulation in the Township of Birch Run, and shall be effective as of the date of publication.

7. Where Ordinance Can Be Inspected Or Obtained

A copy of this Ordinance may be inspected and/or obtained from the office of the Birch Run Township Clerk, 8411 Main Street, Birch Run, Michigan.

WE, JAMES TOTTEN, Supervisor of the Township of Birch Run, and MARCIA STRONG, Clerk of the Township of Birch Run, do hereby certify that the foregoing is a true copy of the ordinance adopted by the Township Board, at said meeting held on the 9 day of May, 1989.

James Totten

 JAMES TOTTEN
 Supervisor Birch Run Township

Marcia Strong

 MARCIA STRONG
 Clerk Birch Run Township

	AYE	NAY	NOT VOTING
James Totten, Supervisor	<u> x </u>	<u> </u>	<u> </u>
Marcia Strong, Clerk	<u> x </u>	<u> </u>	<u> </u>
Edgar Scharrer, Treasurer	<u> x </u>	<u> </u>	<u> </u>
Thomas Totten, Trustee	<u> x </u>	<u> </u>	<u> </u>
Maria Foerster, Trustee	<u> x </u>	<u> </u>	<u> </u>

I, MARCIA STRONG, Birch Run Township Clerk, do hereby certify that the foregoing is a true and certified copy of the Ordinance duly enacted by the Township of Birch Run, on the 9 day of May, 1989.

Marcia Strong

 MARCIA STRONG
 Clerk Birch Run Township

This Ordinance was given publication on the 16 day of
May, 1989, in the
Bridgeport Birch Run Weekly News

Marcia Strong
MARCIA STRONG
Clerk Birch Run Township

RESOLUTION FOR THE ADOPTION OF A TOWNSHIP
COMPENSATION COMMISSION ORDINANCE

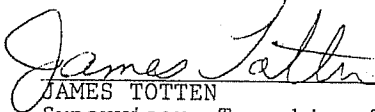
WHEREAS, the members of the Birch Run Township Board have deemed it necessary to secure impartial guidance in connection with the determination of the compensation or salaries of elected Township Officials who are paid a salary, and

WHEREAS, by statute, a Township is authorized to establish a Township Compensation Commission by ordinance, and

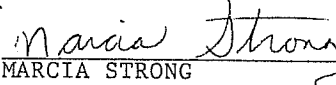
WHEREAS, the Township of Birch Run deems it advisable to create such Township Compensation Commission,

NOW, THEREFORE, by Motion duly made by Marcia Strong , and supported by Maria Foerster , be it resolved by the Township Board of the Township of Birch Run that it enacts "Township Compensation Commission Ordinance."

This Resolution duly adopted by the Birch Run Township Board at a regular meeting on the 9 day of May , 1989.



JAMES TOTTEN
Supervisor, Township of Birch Run



MARCIA STRONG
Clerk, Township of Birch Run