



ETHICS BOARD AND STANDARDS OF CONDUCT

Adopted: March 22, 2010

A. Definitions

1. "Public official" means anyone who is:
 - a. Elected to a Township office, or
 - b. Appointed to a Township office, including any position on a board or commission, or
 - c. Employed by the Township.
2. "Unethical conduct" means a violation of any standard of conduct stated in section B.

B. Standards of Conduct

1. A public official must not:
 - a. Divulge confidential information of the Township except as the Township Board may authorize or applicable law may require.
 - b. Represent that official's personal opinion as that of any Township agency or office.
 - c. Use Township property for personal gain or benefit.
 - d. Solicit or accept a gift or loan of money, goods, services, or other thing of value in connection with that official's service to the Township.
 - e. Engage in any transaction with the Township to the extent prohibited by Act No. 317, Public Acts of 1968, as amended, entitled "Contracts of Public Servants with Public Entities".
 - f. Render services for a private or public interest that conflicts with or is detrimental to the discharge of that official's duties to the Township.
 - g. Hold two or more incompatible offices in violation of Act 566 of 1978, as amended, entitled "Incompatible Public Offices".

2. A public official must:
 - a. Take proper safeguards to protect confidential information from unauthorized disclosure.
 - b. Use Township property judiciously and solely in accordance with applicable law and Township procedures.
 - c. Positively present a professional and responsible image to the public and coworkers.
 - d. Cooperate with the Ethics Board in the conduct of any Ethics Board investigation.

C. Duty to Report Violations; Protection for Reporters

1. A public official who has knowledge that another public official has violated any standard of conduct in section B must report that knowledge in writing to the Ethics Board within 3 business days after obtaining that knowledge.
2. The proper reporting of a violation may not be considered in any of the following actions regarding the reporter:
 - a. Dismissal from employment or office.
 - b. Withholding of salary increases or promotions that are ordinarily forthcoming to the official.
 - c. Demotion in employment status.
3. Before taking any action regarding a public official, the Township Board must find that the action is not taken because that official properly reported a standard of conduct violation.
4. If a court finds that the Township violated Section C2, the court may award all damages actually sustained by the injured person, plus reasonable attorney fees and other expenses to the extent the court deems appropriate.

D. Ethics Board: Composition

1. The Ethics Board consists of the following eight (8) person appointed by the Township Board:
 - a. Five (5) voting members who, during their term, must be Township residents.
 - b. Three (3) non-voting members consisting of the Township Supervisor, Clerk and Treasurer.
2. Term and Term Limits. Of those residents first appointed, two of the residents serve two year terms and the other three serve three year terms. After the initial

appointments, residents serve four year terms. Residents may serve for an unlimited number of terms but no more than two consecutive terms. The Supervisor, Clerk and Treasurer serve as long as they hold their respective Township offices.

3. Quorum and Voting. Three (3) voting members of the Ethics Board constitute a quorum. The affirmative vote of three (3) voting members is necessary for any Ethics Board action.
4. Compensation and Expenses. Ethics Board members serve without compensation, but may be reimbursed for actual and necessary expenses incurred in performing their duties if approved by the Ethics Board Chair.
5. Vacancy and Removal. A resident Ethics Board member may be removed at any time with or without cause by a majority vote of the other resident Ethics Board members and approval by the Township Board. The Township Board may fill any vacancy for the remainder of the term and may request recommendations for qualified candidates from the Ethics Board, but may appoint a person not recommended by the Ethics Board.
6. Meetings. The Ethics Board must select a chair and may determine its own meeting procedures.
7. Public Body. The Ethics Board is a public body subject to the Open Meetings Act and the Freedom of Information Act.

E. Ethics Board: Powers

1. The Ethics Board has the power to:
 - a. Receive complaints from any person concerning alleged standard of conduct violations by a public official.
 - b. Investigate those alleged violations, including holding hearings under the following procedures:
 - i. The Ethics Board may request the attendance of any witness and may administer oaths and receive sworn testimony.
 - ii. Any person appearing before the Ethics Board may be represented by legal counsel.
 - iii. The Ethics Board may request documents or any other evidence relevant to its investigation.
 - iv. The Ethics Board may make a record of its proceedings in a manner it deems appropriate.
 - c. Make recommendations concerning individual cases to the Township Board or public official with supervisory responsibility over the person whose activities have been investigated.
 - d. Request legal advice from the Township attorney.

- e. Give advisory opinions relating to the standards of conduct in section B upon request from a public official.
- 2. The Township Board has the power to take any action permitted by law with respect to a public official who has violated any standard of conduct. The Township Board must follow the employee handbook procedures with respect to any public official who is governed by the Township's employee handbook.
- 3. Any Ethics Board member who is the subject of a complaint or investigation may not participate in Board proceedings regarding that member.

F. General Provisions

- 1. The Township Board may appropriate funds from its General Fund for Ethics Board operations, but not to exceed \$1,500 for any fiscal year unless the Township Board determines that a greater amount is necessary.
- 2. All of the above sections apply to the maximum extent permitted by applicable law. If anything in these sections conflicts with an Ada Township ordinance, resolution or employee handbook provision, that ordinance, resolution or employee handbook provision will control.
- 3. These sections may be amended at any time by resolution of the Township Board.