

Superior Township, Brimley Michigan
Ordinance 2023- 20
Conflict of Interest

Preamble

An ordinance to confirm Conflict of Interest

The Township of Superior, Chippewa County Michigan, Ordains

Section 1: Scope, Purpose and Intent

This ordinance is adopted pursuant to the authority granted the township board under the Michigan Ordinances Act 246 of 1945, MCL 41.181 et seq., to establish a Conflict Of Interest ordinance and limitations provided by those Acts and subject to the terms and conditions of this ordinance and any future amendments to this ordinance.

Section 2: Purpose

The proper operation of government requires that Public Officials be independent, impartial, and responsible to their constituents, that public office not be used for personal gain, that no public official shall gain personal or pecuniary advantage from his or her work.

Section 3

No person who is employed by Superior Township, acts as an advisor to the Township, or is a member of any Township board which includes but not limited to Planning Commission, Board of Trustees, Board of Review, Zoning Board of Appeals, Water Board, committees appointed or elected (hereon considered 'Board') member that has a conflict may participate in any matter in front of such board in relation to decisions for Superior Township consistent with the Conflict of Interest Act, 1968 PA 317 , MCL 15.321.

Conflicts are defined as follows

1. Concerns the member himself of herself
2. Concerns work on land owned by the member or which is adjacent to the land owned by the member.
3. Involves a corporation, company, partnership or other entity in which the member is a part owner, or any other relationship where the member may stand to have a financial gain.
4. Results in a financial benefit to the member.
5. Concerns the member's children, stepchildren, grandchildren, parents, brothers, sisters, grandparents, parent's in-law, nieces and nephews.
6. The member's employee or employer is an applicant or agent of the applicant
7. Also concerns Individuals with whom a member resides.

Section 4

Before participating in a decision or hearing or casting a vote on a matter on which a member of the Planning Commission, Board of Trustees, Board of Review, Zoning Board of Appeals (hereon considered "board") may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the Board. Failure of a member to disclose the potential conflict of interest constitutes malfeasance in office. If such a conflict of interest is identified, the member shall disqualify himself or herself at the outset and shall not participate in the discussion deliberation, or decision. Such member shall not attempt to exert his or her personal influence with respect to the matter, either at or outside the meeting.

A Board member who plans not to attend a meeting at which he or she has reason to believe that the board will act on a matter in which the person has a conflict of interest shall disclose to the chair of the meeting all facts material to the conflict of interest. The Chair shall report the disclosure at the meeting and the disclosure shall be reflected in the minutes of the meeting.

A Board member who has a conflict of interest may not vote on the Contract or Transaction and shall not be counted in determining the presence of a quorum for the purposes of the vote.

The person having a conflict of interest may not vote on the Contract or Transaction and shall not be present in the meeting room when the vote is taken. Such person's ineligibility to vote shall be reflected in the minutes of the meeting

A board member who is submitting a Contract or Transaction may be present to make presentation and answer the Board's questions, but shall not be present in the meeting room when the vote is taken.

In the event, it is not entirely clear that a conflict of interest exists, it will be determined by a majority vote of the remaining members of the board. An affirmative vote that no conflict exists is required.

Section 5: Effective Date

This ordinance shall take effect on the date of its publication.

Certificate

The undersigned, as duly elected and acting Clerk of the Township, hereby certifies that this ordinance was duly adopted by The Township Board at a regular meeting of said board, at which a quorum was present, held on June 27, 2023 and that copies of the ordinance were transmitted and published as directed.

Township Clerk – Jo Harris




Township Supervisor- Rich Philips