

**OSHTEMO CHARTER TOWNSHIP BOARD
7275 West Main Street
Kalamazoo, MI 49009**

February 8th, 2022

Refer to www.oshtemo.org home page for Virtual Meeting Information

**REGULAR MEETING
6:00 P.M.
AGENDA**

1. Call to Order
2. Pledge of Allegiance
3. Public Comment on Non-Regular Session Items

WORK SESSION ITEMS

4. Update & Discussion on Fire Department Long Range Vision
5. Other Updates & Business

BREAK (Time Permitting) – 7:05 P.M.

REGULAR SESSION ITEMS – 7:15 P.M.

6. Consent Agenda
 - a. Approve Minutes – January 18th, 2022
 - b. Receipts & Disbursements Report
 - c. Vehicle Charging Station at Flesher Field
 - d. Aerial Pictometry Agreement with Kalamazoo County
 - e. Job Description Amendments – Assistant Treasurer & Clerk's Assistant
 - f. Budget Amendments
7. Fire Department Full Time Staffing Request
8. Consideration of Handbook Amendments
9. Consideration of Parkview Sewer Project (Coordination with RCKC 2023 Micro-Roundabout Project)
10. Consideration of 2022 Water Connection Rates
11. Consideration of Declaration of Climate Emergency Resolution
12. Request to Enter Into Closed Session to Discuss Opinion of Counsel
13. Public Comment
14. Board Member Comments
15. Adjournment

**Policy for Public Comment
Township Board Regular Meetings, Planning Commission & ZBA Meetings**

All public comment shall be received during one of the following portions of the Agenda of an open meeting:

a. Citizen Comment on Non-Agenda Items or Public Comment – while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official or staff member to respond at a later date. More complicated questions can be answered during Township business hours through web contact, phone calls, email (oshtemo@oshtemo.org), walk-in visits, or by appointment.

b. After an agenda item is presented by staff and/or an applicant, public comment will be invited. At the close of public comment there will be Board discussion prior to call for a motion. While comments that include questions are important, depending on the nature of the question, whether it can be answered without further research, and the relevance to the agenda item at hand, the questions may not be discussed during the Board deliberation which follows.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name, but it is not required.

All public comment offered during public hearings shall be directed, and relevant, to the item of business on which the public hearing is being conducted. Comment during the Public Comment Non-Agenda Items may be directed to any issue.

All public comment shall be limited to four (4) minutes in duration unless special permission has been granted in advance by the Supervisor or Chairperson of the meeting.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor or Chairperson of the meeting shall terminate any public comment which does not follow these guidelines.

(adopted 5/9/2000)
(revised 5/14/2013)
(revised 1/8/2018)

Questions and concerns are welcome outside of public meetings during Township Office hours through phone calls, stopping in at the front desk, by email, and by appointment. The customer service counter is open from Monday-Thursday 8:00 am- 5:00 pm, and on Friday 8:00 am-1:00 pm. Additionally, questions and concerns are accepted at all hours through the website contact form found at www.oshtemo.org, email, postal service, and voicemail. Staff and elected official contact information is provided below. If you do not have a specific person to contact, please direct your inquiry to oshtemo@oshtemo.org and it will be directed to the appropriate person.

Oshtemo Township Board of Trustees		
<u>Supervisor</u>		
Libby Heiny-Cogswell	216-5220	libbyhc@oshtemo.org
<u>Clerk</u>		
Dusty Farmer	216-5224	dfarmer@oshtemo.org
<u>Treasurer</u>		
Clare Buszka	216-5260	cbuszka@oshtemo.org
<u>Trustees</u>		
Cheri L. Bell	372-2275	cbell@oshtemo.org
Kristin Cole	375-4260	kcole@oshtemo.org
Zak Ford	271-5513	zford@oshtemo.org
Kizzy Bradford	375-4260	kbradford@oshtemo.org

Township Department Information			
<u>Assessor:</u>			
Kristine Biddle	216-5225	assessor@oshtemo.org	
<u>Fire Chief:</u>			
Mark Barnes	375-0487	mbarnes@oshtemo.org	
<u>Ordinance Enf:</u>			
Rick Suwarsky	216-5227	rsuwarsky@oshtemo.org	
<u>Parks Director:</u>			
Karen High	216-5233	khigh@oshtemo.org	
Rental Info	216-5224	oshtemo@oshtemo.org	
<u>Planning Director:</u>			
Iris Lubbert	216-5223	ilubbert@oshtemo.org	
<u>Public Works:</u>			
Marc Elliott	216-5236	melliott@oshtemo.org	

Zoom Instructions for Participants

Before a videoconference:

1. You will need a computer, tablet, or smartphone with a speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. If you are going to make a public comment, please use a microphone or headphones with a microphone to cut down on feedback, if possible.
3. Details, phone numbers, and links to videoconference or conference call are provided below. The details include a link to “**Join via computer**” as well as phone numbers for a conference call option. It will also include the 11-digit Meeting ID.

To join the videoconference:

1. At the start time of the meeting, click on this link to [join via computer](#). You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

You may also join a meeting without the link by going to [join.zoom.us](#) on any browser and entering this **Meeting ID: 842 3797 2429**

If you are having trouble hearing the meeting or do not have the ability to join using a computer, tablet, or smartphone then you can join via conference call by following instructions below.

To join the conference by phone:

1. On your phone, dial the teleconferencing number: **1-929-205-6099**
2. When prompted using your touchtone (DTMF) keypad, enter the Meeting ID number: **842 3797 2429#**

Participant controls in the lower-left corner of the Zoom screen:



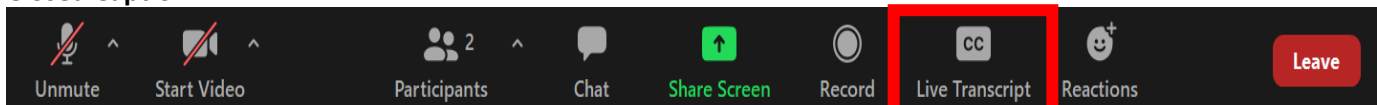
Using the icons at the bottom of the Zoom screen, you can (some features will be locked to participants during the meeting):

- Participants – opens a pop-out screen that includes a “Raise Hand” icon that you may use to raise a virtual hand. **This will be used to indicate that you want to make a public comment.**
- Chat – opens pop-up screen that allows participants to post comments during the meeting.

If you are attending the meeting by phone, to use the “Raise Hand” feature **press *9 on your touchtone keypad.**

Public comments will be handled by the “Raise Hand” method as instructed above within Participant Controls.

Closed Caption:



Turn on Closed Caption:

Using the icons at the bottom of the Zoom screen:

1. Click on the “Live Transcription” button.
2. Then select “Show Subtitle”.



February 2, 2022

Mtg Date: February 8, 2022

To: Oshtemo Charter Township Board

From: Iris Lubbert, AICP, Planning Director

Subject: Vehicle Charging Station Ownership

Objective:

Board consideration of acceptance of donation of an electric vehicle charging station from the Oshtemo Downtown Development Authority (DDA), once fully operational.

Background:

The DDA, with the approval from the Oshtemo Parks Committee, has installed an electric vehicle charging station with two charging ports at Fletcher Field. The model installed is a Juicebox Enel X. It should be noted that the station is not yet operational; the data 'card' or equip needs to be installed before the software can run to sell power. It is anticipated that this final step will be completed soon. Total expense for the electric vehicle charging station installation was about \$12,000.

Electric vehicle charging stations require upkeep and occasional data monitoring. Due to staffing, the DDA approached the Township Maintenance Department to gage if Staff could assist. After discussions it was agreed that the easiest and cleanest approach would be for the charging station to be donated to the Township. At the DDA's regular January 20th, 2022 meeting the Board unanimously approved donating the electric vehicle charging station to the Township.

Accepting the donation of the electric vehicle charging station would not create additional costs for the Township. The fees set up for users will cover the electricity costs, upkeep, as well as staff time to monitor the equipment.

Attachments: DDA donation letter

January 20, 2022

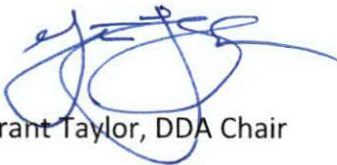
Oshtemo Charter Township Board,

RE: Electric Car Charging Station Donation

The Oshtemo Downtown Development Authority (DDA) recognizes that electric vehicles are increasing in popularity in Michigan and as such electric vehicle users are representing an increasing percentage of patrons. To attract and encourage this group of patrons to come to the historic Oshtemo Village, the DDA Board's 2021 budget included funds for the installation of an electric car charging station within its boundaries. With the assistance of Josh Owens, Assistant Supervisor, and approval from the Oshtemo Parks Committee, an electric car charging station has been installed in Flesher Field. Users of the charging station will pay for their electric usage and contribute to the maintenance costs of the station. The station will be self-sustaining.

The Downtown Development Authority wishes to donate the electric charging station to Oshtemo Township.

Thank you for your continued support and partnership,



Grant Taylor, DDA Chair



Mtg Date: February 3, 2022
To: Oshtemo Charter Township Board
From: Iris Lubbert, AICP, Planning Director
Subject: 2022 Pictometry Aerial Photos

Objective:

Authorize entering into an agreement with Kalamazoo County to update the Township's aerial images using Pictometry; the agreement is expected to be the same as 2016. The cost to update is \$225 per aerial sector, for a total of \$9,450, and can be split into three equal payments over three years. Budget amendment approval for the first-year payment of \$3,150, is requested along with authorization to enter into the 2022 agreement with the County, following final legal review and approval.

Background:

As was done in 2016, Kalamazoo County will hire Pictometry International Corp - a leading provider of oblique, geo-referenced aerial imagery and software – to fly the County to update the aerial images at both 3" and 9" resolutions.

Since 2009, Oshtemo and other local units use Pictometry, and the work is coordinated by Kalamazoo County with all Townships participating. The Assessing and Ordinance Enforcement Department Staff use the Pictometry images regularly as well as Planning Department Staff. The higher resolution allows the user to pan around to look at a building from all four sides. This is an important assessing and ordinance assessment tool given the amount of development that has and continues to occur in Oshtemo. Assessing also uses the imagery in combination with change detection software in order to update property information. The last Pictometry aerial photos update was completed in 2018. More typically the flyover is repeated every three years to show development expansion and changes to tree cover, etc.

Cost-sharing between Assessing, Ord Enf, and Planning Departments is proposed. The project was not budgeted for 2022 and recommendations to amend the budget are include in the list of Budget Amendments.

Attachments: 2016 Pictometry Agreement

**CHARTER TOWNSHIP OF OSHTEMO
POSITION DESCRIPTION**

Position Title: ASSISTANT TOWNSHIP TREASURER

General Summary:

Under the direct supervision of the Treasurer, performs a variety of duties for the Office of the Treasurer.

Essential Job Functions:

Physical requirements described herein are representative of those requirements which must be met by an employee to successfully perform the essential job functions of this job. Reasonable accommodations may be made upon request to enable an individual with a disability to perform these essential job functions.

The employee must be able to use a cash register, as well as the Treasurer's accounting software.

The employee must also be able to use word processing programs and type various documents including memos, notices, and time reports.

The employee must be able to maintain the records of the Treasurer's Office. To do so, he or she must be able to open, maintain and close files, requiring lifting, standing, bending, walking, manipulation of the files within his or her office, as well as the office of the Township Treasurer. The employee must also be able to move about to file and retrieve files from storage.

The employee must be able to keep books electronically and manually, accounting for all funds received by the Treasurer's Office.

The employee must be able to answer the telephone in English and communicate with others, must be able to make calls, schedule appointments and maintain the calendar for the Treasurer.

The employee must be able to open, sort, read and distribute incoming correspondence, both regular and electronic.

Typical Responsibilities:

1. Assists in preparing tax rolls, special assessment rolls, billing notices, etc.
2. Prepares semi-annual billing of delinquent Personal Property Tax statements for mailing.
3. Receives and receipts Township payments such as for tax collections, special assessments, contracts, escrow, dog licenses, etc.
4. Oversees, trains, and provides guidance to other staff members that process payments and receipt transactions, providing account corrections if needed.

5. Invoice tracking and management
6. Assist with processing payables and payroll, including direct deposits, state taxes, and retirements deposits
7. Performs a variety of financial functions.
8. Any other duties as directed by the Treasurer.

Secondary Responsibilities:

1. Assist in other areas of office support, answering the telephone, and provide service at the customer counter.
2. Provide support services for the Office of the Treasurer.
3. Provide support services for other departments as needed and according to current cross training needs.

The above statements are intended to describe the general nature and level of work being performed. They are not to be construed as an exhaustive list of all duties performed.

Employment Qualifications:

EDUCATION: Associate degree in accounting, finance, or similar field, with advance coursework in accounting and data processing preferred

EXPERIENCE: 3+ years of cash handling experience desired. Prefer some experience providing familiarity with the tax collection process and cash management. Must be able to meet prescribed typing and computer standards in effect at the time of hire, including Microsoft Office Suite & Excel software.

Must be detail oriented and highly organized.

Strong interpersonal communication skills, both oral and written.

These qualifications represent guidelines; alternative qualification may be substituted if sufficient to perform the duties required by this position.

Effective Date: 01/08/2018

**CHARTER TOWNSHIP OF OSHTEMO
POSITION DESCRIPTION**

Position Title: ASSISTANT TOWNSHIP TREASURER

General Summary:

Under the direct supervision of the Treasurer, performs a variety of duties for the Office of the Treasurer.

Essential Job Functions:

Physical requirements described herein are representative of those requirements which must be met by an employee to successfully perform the essential job functions of this job. Reasonable accommodations may be made upon request to enable an individual with a disability to perform these essential job functions.

The employee must be able to use a cash register ~~and 10 key calculator~~, as well as the Treasurer's accounting software.

The employee must also be able to use word processing programs and type various documents including memos, notices, and time reports.

The employee must be able to maintain the records of the Treasurer's Office. To do so, he or she must be able to open ~~up~~, maintain and close files, requiring lifting, standing, bending, walking, manipulation of the files within his or her office, as well as the office of the Township Treasurer. The employee must also be able to move about to file and retrieve files from storage.

The employee must be able to keep books electronically and manually, accounting for all funds received by the Treasurer's Office.

The employee must be able to answer the telephone in English and communicate with others, must be able to make calls, schedule appointments and maintain the calendar for the Treasurer.

The employee must be able to open, sort, read and distribute incoming correspondence, both regular and electronic.

Typical Responsibilities:

1. Assists in preparing tax rolls, special assessment rolls, billing notices, etc.
2. Prepares ~~monthly~~ semi-annual billing of delinquent Personal Property Tax statements for mailing.
3. Receives and receipts Township payments such as for tax collections, special assessments, contracts, escrow, dog licenses, -etc.

4. Oversees, trains, and provides guidance to other staff members that process payments and receipt transactions, providing account corrections if needed.

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5. Invoice tracking and management

6. Assist with processing payables and payroll, checks including direct deposits, state taxes, and retirements deposits.

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6.7. Performs a variety of financial functions.

7.8. Any other duties as directed by the Treasurer.

Secondary Responsibilities:

1. Assist in other areas of office support, answering the telephone, and provide service at the customer counter.
2. Provide support services for the Office of the Treasurer.
3. Provide support services for other departments as needed and according to current cross training needs.

The above statements are intended to describe the general nature and level of work being performed. They are not to be construed as an exhaustive list of all duties performed.

Employment Qualifications:

EDUCATION: ~~Bachelors or~~ Associate degree in accounting, finance, or similar field, with ~~substantial~~ advance coursework in accounting and data processing ~~desired preferred.~~

EXPERIENCE: ~~Aeeounting or related experience~~ 3+ years of cash handling experience desired. Prefer some experience providing familiarity with the tax collection process and cash management. Must be able to meet prescribed typing and computer standards in effect at the time of hire, including Microsoft Office Suite & Excel software.

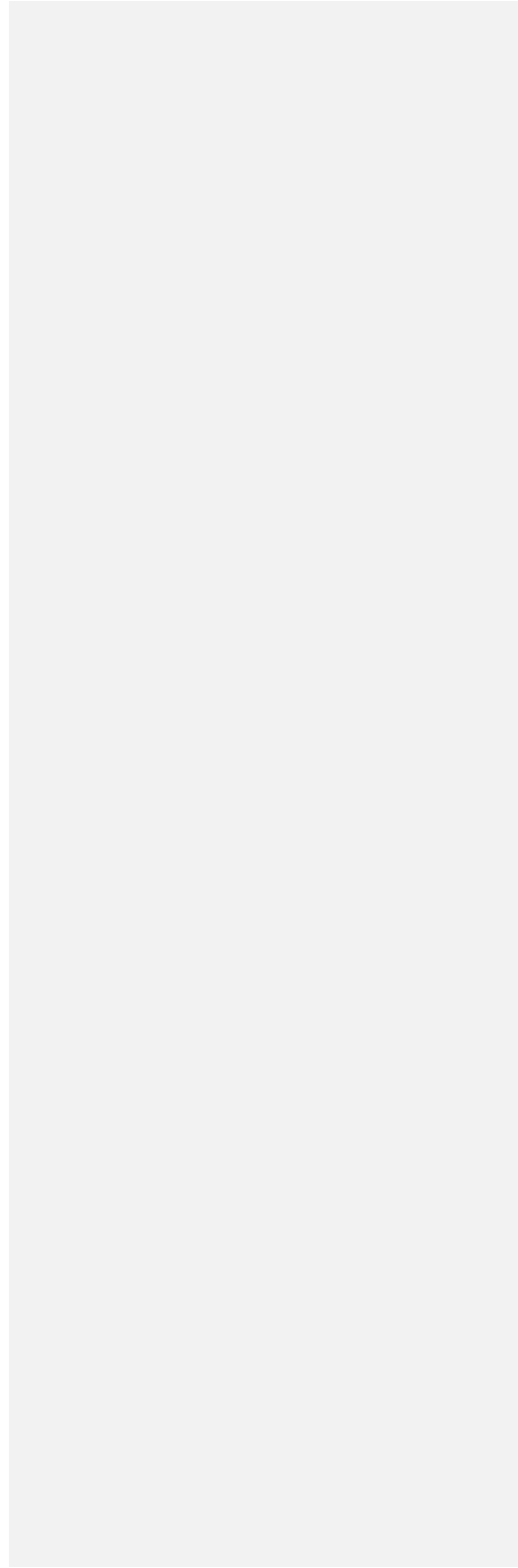
Must be detail oriented and highly organized.

Strong interpersonal communication skills, both oral and written.

These qualifications represent guidelines; alternative qualification may be substituted if sufficient to perform the duties required by this position.

~~OTHER REQUIREMENTS: None required, certification through program of the Michigan Municipal Treasurer Association preferred.~~

Effective Date: 01/08/2018



**CHARTER TOWNSHIP OF OSHTEMO
POSITION DESCRIPTION**

Position Title: CLERK’S ASSISTANT

General Summary:

Under the direct supervision of the Clerk responsible for voter registration files.

Essential Job Functions:

Physical requirements described herein are representative of those requirements which must be met by an employee to successfully perform the essential job functions of this job. Reasonable accommodations may be made upon request to enable an individual with a disability to perform these essential job functions.

The employee must be able to use word processing programs such as Microsoft Office and type various documents including minutes, memos, resolutions, notices, time reports, etc.

The employee must be able to maintain the records of the Clerk’s office. To do so, he or she must be able to open up, maintain and close files, requiring lifting, standing, bending, walking, manipulation of the files within his or her office, as well as the Clerk’s office. The employee must also be able to move about to file and retrieve files from storage. In addition, the Clerk’s Assistant is required to maintain and update the official records for the Township and be able to file and retrieve these records from a secure location.

The employee must be able to answer the telephone in English and communicate with others, must be able to make calls, schedule appointments and maintain the calendar for the Clerk’s office.

The employee must be able to open, sort, read and distribute incoming correspondence, both regular and electronic.

Typical Responsibilities:

1. Assist with voter registration, accept voter registrations, enter and update voter master files, processing voter cancellations, etc.
2. Assist with elections, prepare absentee ballot applications, assemble ballot material, process returned ballots for forwarding to each precinct, etc.
3. Assist the clerk on Election Day.
4. Manage rental information for Parks facilities.

5. Any other duties as required by Clerk.

Secondary Responsibilities:

1. Assist in other areas of office support, answering the telephone, and provide service at the customer counter.
2. Provide support services for other departments as needed and according to cross training list.

The above statements are intended to describe the general nature and level of work being performed. They are not to be construed as an exhaustive list of all duties performed.

Employment Qualifications:

EDUCATION: High School graduate or equivalent.

EXPERIENCE: 3 years office or clerical experience. Must be able to meet prescribed typing and computer standards in effect at the time of hire.

Strong interpersonal communication skills, both oral and written.

These qualifications represent guidelines; alternative qualification may be substituted if sufficient to perform the duties required by this position.

Effective Date: 1/10/12

**CHARTER TOWNSHIP OF OSHTEMO
POSITION DESCRIPTION**

Position Title: CLERK'S ASSISTANT

General Summary:

Under the direct supervision of the Clerk responsible for voter registration files.

Essential Job Functions:

Physical requirements described herein are representative of those requirements which must be met by an employee to successfully perform the essential job functions of this job. Reasonable accommodations may be made upon request to enable an individual with a disability to perform these essential job functions.

The employee must be able to use word processing programs such as Microsoft Office and type various documents including minutes, memos, resolutions, notices, time reports, etc.

The employee must be able to maintain the records of the Clerk's office. To do so, he or she must be able to open up, maintain and close files, requiring lifting, standing, bending, walking, manipulation of the files within his or her office, as well as the Clerk's office. The employee must also be able to move about to file and retrieve files from storage. In addition, the Clerk's Assistant is required to maintain and update the official records for the Township and be able to file and retrieve these records from a secure location.

The employee must be able to answer the telephone in English and communicate with others, must be able to make calls, schedule appointments and maintain the calendar for the Clerk's office.

The employee must be able to open, sort, read and distribute incoming correspondence, both regular and electronic.

Typical Responsibilities:

1. Assist with voter registration, accept voter registrations, enter and update ~~computer-voter~~ master files, processing voter cancellations, etc.
2. Assist with elections, prepare absentee ballot applications, assemble ballot material, process returned ballots for forwarding to each precinct, etc.
3. Assist the clerk on Election Day.
4. Manage rental information for Parks facilities.

4.5. Any other duties as required by Clerk.

Secondary Responsibilities:

1. Assist in other areas of office support, answering the telephone, and provide service at the customer counter.
2. ~~Provide support services for the Office of the Clerk.~~
3. Provide support services for other departments as needed and according to cross training list.

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The above statements are intended to describe the general nature and level of work being performed. They are not to be construed as an exhaustive list of all duties performed.

Employment Qualifications:

EDUCATION: High School graduate or equivalent.

EXPERIENCE: 3 years office or clerical experience. Must be able to meet prescribed typing and computer standards in effect at the time of hire.

Strong interpersonal communication skills, both oral and written.

These qualifications represent guidelines; alternative qualification may be substituted if sufficient to perform the duties required by this position.

Effective Date: 1/10/12

Budget Amendment Request Worksheet

Date	Dept. Head	Fund Name	Additional Funds Requested			Funds Requested From			Explanation of Request	Previously Discussed	New Money
			GL Number	Description	Amount	GL Number	Description	Amount			
1/20/2022	Jon Gibson	General Fund	101-201-97000	Capital Outlay	\$ 14,000.00	101-001-40100	Carryover	\$ 14,000.00	Router and switch upgrades in Township Offices. Project budgeted & approved in 2021 but not completed. Request to rebudget 2021 funds returned to carryover. Work scheduled in Feb.	Yes	Yes
					\$ 14,000.00			\$ 14,000.00			

Date	Dept. Head	Fund Name	Additional Funds Requested			Funds Requested From			Explanation of Request	Previously Discussed	New Money
			GL Number	Description	Amount	GL Number	Description	Amount			
1/20/2022	Jon Gibson	Fire Fund Operations	206-340-80900	Computer Ops 3600	\$ 3,600.00	206-001-40100	Carryover	\$ 3,600.00	Router and switch replacmnt in Fire Station 5-2 (6th Street). Project not completed in 2021, so requesting carrover for project completion in 2022.	Yes	Yes
					\$ 3,600.00			\$ 3,600.00			

Date	Dept. Head	Fund Name	Additional Funds Requested			Funds Requested From			Explanation of Request	Previously Discussed	New Money
			GL Number	Description	Amount	GL Number	Description	Amount			
1/25/2022	Clare Buszka	General Funds	101-249-80800	Contracted Services	\$ 871.45	101-001-40100	Carryover	\$ 871.45	Property taxes for two properties Township acquired in 2021 (Atlantic/Parkview & BR131 area). Twp pays taxes first year, then taxes waived starting year two. These amounts were not known at time of budgeting.	No	Yes
					\$ 871.45			\$ 871.45			

Date	Dept. Head	Fund Name	Additional Funds Requested			Funds Requested From			Explanation of Request	Previously Discussed	New Money
			GL Number	Description	Amount	GL Number	Description	Amount			
1/28/2022	M. Barnes, Fire Chief	Fire Fund Operations	206-336-70200	Salaries	\$ 98,892.00	206-001-40200	Current Tax Levy	\$ 135,333.00	Actual 2022 SAD & PILOT revenue analyzed for consideration of additional Full Time fire staffing. The additional amount, combined with some reallocation of Admin Contingency, is sufficient to fund (2) additional staff members. (Revenue for CTL and PILOT will be correspondingly increased/amended upward per tax roll (not shown)).	No	No
			206-336-70300	Overtime - FLSA	\$ 6,418.00	206-001-40200	Payment in Lieu Tax	\$ 6,852.00			
			206-336-71500	Payroll Taxes - FICA	\$ 7,565.00	206-001-40200	Admin Contingency	\$ 7,802.00			
			206-336-71600	Health & Life Ins.	\$ 20,000.00	206-001-40200					
			206-336-72200	Pension Plan	\$ 2,458.00	206-001-40200					
			206-336-72200	Pension Plan	\$ 5,454.00	206-001-43000					
			206-336-72600	Retiree Health Care	\$ 1,398.00	206-001-43000					
			206-336-72600	Retiree Health Care	\$ 5,802.00	206-336-96300					
			206-336-72850	Food Allowance	\$ 1,000.00	206-336-96300					
			206-340-87200	New Hire Expenses	\$ 1,000.00	206-336-96300					
		Total		\$ 149,987.00	Total		\$ 149,987.00				

Date	Dept. Head	Fund Name	Additional Funds Requested			Funds Requested From			Explanation of Request	Previously Discussed	New Money
			GL Number	Description	Amount	GL Number	Description	Amount			
1/28/2022	M. Barnes, Fire Chief	Fire Fund Operations	206-344-98000	Equipment	\$ 10,000.00			N/A	Misc equip. For example, \$1500 ladder budgeted/approved in 2021 but not available until 4/22 due to supply chain problems. 211 fund remains balanced w/current revenue; no need to adjust rev.	No	No
					\$ 10,000.00			\$ -			

Date	Dept. Head	Fund Name	Additional Funds Requested			Funds Requested From			Explanation of Request	Previously Discussed	New Money
			GL Number	Description	Amount	GL Number	Description	Amount			
2/2/2022	Iris Lubbert	General/Police	207-330-97000	Cap Outlay	\$ 525.00	207-330-72800	Supplies	\$ 525.00	Aerial photos/Pictometry through County contract. The 2022 Pictometry flyover is \$9,450, split over three years (2022, 2023, 2024). Cost shared by Assessing, Ordinance Enforcement, Planning Departments.	No	No
			249-371-97600	Cap Outlay	\$ 525.00	249-371-95800	Education/Dues	\$ 525.00			
			101-209-97000	Capital Outlay	\$ 1,050.00	101-209-97000	Capital Outlay	N/A			
			101-805-80100	GIS Expense	\$ 1,050.00	101-805-80100	GIS Expense	N/A			
					\$ 3,150.00			\$ 1,050.00			

Date	Dept. Head	Fund Name	Additional Funds Requested			Funds Requested From			Explanation of Request	Previously Discussed	New Money
			GL Number	Description	Amount	GL Number	Description	Amount			
2/4/2022	Anna Horner	General Funds	101-506-82000	Engineering Fees	\$ 35,000.00	101-001-40100	Carryover	\$ 35,000.00	Design engineering services for non-motorized path as part of RCKC road project on Parkview Ave from 11th to 12th. Actual proposal and RCKC OH exceed budgeted amount.	Yes	Yes
					\$ 35,000.00			\$ 35,000.00			

Grand Total	\$ 216,608.45
Total New Money (Projects not completed/not spent in 2021)	\$ 52,600.00
Total Not Previously Discussed with TB	\$ 164,008.45

REVIEW DATE 2/4/2022

SIGNATURE 



Memo



To: Oshtemo Charter Township Board
From: M. Barnes, Fire Chief, Supervisor Libby Heiny-Cogswell
Date: February 1, 2022
Re: Fire Department Full Time Staffing

Objective:

Township Board consideration of implementation of the next incremental step in the Fire Department long-term strategic plan for staffing. To accomplish, the specific Board action requested is to amend the 2022 annual budget to add two (2) Full Time Firefighter positions.

Background

The Township's current staffing model is to have 2 FTEs firefighters (FFs) at each of our two staffed fire stations 24/7. This equates to a total of 4 FTEs per shift, township wide. Because having 2 FFs at each station responding to emergencies is the minimum requirement, as soon as one of these Full Time Members are off for any reason (illness, injury, earned vacation...) we drop below the minimum and must immediately find a qualified FF to fill that slot.

Often, our Paid on Call (POC) Members can and do accomplish that task. However, they have full time employment elsewhere and family obligations so are not always available. Thus, filling this important gap can prove challenging. After all staffing options were exhausted, a fire station was temporarily closed on two occasions in 2021.

In the past six months, very active Paid on Call (Part Time) Firefighters changed employment direction. The result was a significant reduction in POC station shift coverage. In a broader data analysis of the picture of POC station coverage, the first half of 2021 found our POC members able to cover 85.5% of the available hours (7,499 out of 8,760). However, in the second half, they were only able to provide needed staffing 54.5% of the time (4,778 out of 8,760). Please note that adding two more Full Time Firefighters does not change the Township objective of maintaining both Full Time and Part Time Staffing. The Paid on Call Firefighters are and will remain valued employees.

Increased call volume to the Fire Department is another factor driving the timing of this request for additional Staffing. Our community's demand for service has increased from 2,597 responses in 2018 to 3,393 in 2021 which is a 30% jump since the last round of six Full Time Firefighters were hired in 2018.

Given these cumulative and recent changes, the Supervisor and Fire Chief determined to review the 206 Fire Operations Fund budget against the newer information of actual revenue numbers. The objective was to understand whether there was enough additional revenue in the actual (final) revenue to add one, two, or three Full Time Firefighting positions. The analysis showed there was enough difference from projected revenues, combined with some additional contingency, to hire two (2) Full Time Firefighters. (But not three). Thanks to Treasurer Buzka and Municipal Accountant Gabrieleles who provided the updated 2022 revenue numbers and budget amendments review. Note: the actual SAD revenue numbers are based on the Tax Assessment Roll which is

completed in late November each year, after the budget with projected numbers is complete. The new information provided showed SAD revenue higher by \$135,332 and Payments in Lieu of Taxes (Pilot) higher by \$6,851. This, along with a small contribution from contingency, provides sufficient operational funding to add two (2) Full Time Firefighters to the response strength of the Department. This change will provide an immediate incremental improvement for two of the three shifts. It directly aligns with long-term staffing goals for an Effective Response Force (ERF).

This is a prudent use of existing operations fiscal resources to decrease the risk of service reductions caused by the closing of a fire station. It is the recommendation of Oshtemo Fire Chief Mark Barnes and Supervisor Libby Heiny-Cogswell to amend the annual budget to allow for the hiring of two (2) additional Full Time Oshtemo Firefighters.

Information Provided

Budget Amendment Requests

2022 Blue Line Detailed Budget (Amended)

Memo

To: Oshtemo Charter Township Board

From: Sara Feister, HR/Benefit Coordinator

Date: 02/08/22

Re: Proposed Handbook Revisions

Requesting Board consideration to approve handbook revisions to Section 10.1-10.4 (Emergency Procedures) & Section 5.8 (Prohibited Behavior). Redlines attached as well as re-formatted policies.

These policies were revised to bring current. We are required to review and update our emergency procedures every year. This will be completed annually in December moving forward.

MEMORANDUM



Date: February 3, 2022
To: Township Board
From: Legal Department
Subject: Revisions to Employee Handbook Sec. 10 and new “Prohibited Behavior” Policy

OBJECTIVE:

To request the Board’s review and approval of the revised, and reformatted, Emergency Procedures for the Township and the new “Prohibited Behavior” policy; both of which will be incorporated into the new Employee Handbook when revisions are complete.

BACKGROUND:

A Handbook Subcommittee (consisting of Emily Westervelt, James Porter, Josh Owens, Chief Barnes, and Sara Feister) began reviewing the Employee Handbook in November 2020 for revision. At the Board’s December 14th, 2021 meeting, it reviewed the first changes to the Employee Handbook (i.e., new section 5.3 which removed the Appendix A & K) and approved the new formatting.

Section 10, Emergency Procedures, has now been reformatted for the Board’s review. These sections needed to be reviewed and updated, as, per the State’s General Schedule #25, Item # 714-“Building/Site Emergency Plans (Township Facilities)” these plans (which “define potential emergencies at township facilities, such as tornados, fire, storms, shootings, etc., and how the township personnel should respond to each type of incident.”) are to be “reviewed and updated annually”. These sections were last reviewed/updated in 2008.

The sections are currently numbered 10.1-10.4, however, these sections, once approved, will be moved to Section 6 of the new handbook:

6.0	SAFETY PROCEDURES
6.1	Emergency Procedures (formerly 10.0, 10.2, 10.3, 10.4, 10.5)
6.2	Twp Safety & Security (formerly 10.8 and 10.9)
6.3	Harassment & Hostile Visitors (formerly 6.15, 6.16, 6.17, 10.6)
6.4	Sign in Rules of Usage (formerly 10.1)

The revisions to Section 10 include:

1. Section 10.1/6.1- Combining all former Emergency procedure sections (Fire, Medical, Gas, Bomb) into one “Emergency Procedure” section for brevity and clarity- it will be easier for employees to reference one section for all types of emergencies. This section was

also revised to include specific Rally and Shelter points for all occupied Township buildings- the previous handbook only addressed procedures for Township Hall.

2. Section 10.2/6.2- Combining Internal and External Security Sections into the new “Township Safety and Security” section; revisions were made to update these procedures to match the current practices/technology and to broaden the scope beyond employees working in the Township Hall offices.
3. Section 10.3/6.3- The new section includes Section 10.6 (Altercations Verbal and/or Physical) from the old handbook, and some portions from old sections 6.15-6.17 (which dealt with sexual harassment, prohibited discriminatory harassment, and workplace violence) to create one, new, “Harassment and Hostile Visitors” section. This will make it easier for employees to review and understand the procedures and significantly reduce duplication. Old Section 10.7 (Tips to De-Escalate Problem Behaviors) has been deleted. This information is now on a de-escalation “Tip Sheet” available to employees at the front counter.
4. Section 10.4/6.4- The new section revises old Section 10.1 “In/Out Board” to update it for use of the electronic “Sign-In” program and to clarify expectations regarding use.

The new Section labeled “6.13- Prohibited Behavior Policy” will be, in the new handbook, Section 5.8 under the new Section 5- Employee Guidelines:

5.0	EMPLOYEE GUIDELINES	
5.1	Collections, Solicitations, and Receipt of Gifts or Gratuities (formerly Sections 6.2 and 6.2.1)	
5.2	Petitions, Political Activities by Public Employees, and Election to Board (formerly Sections 6.3 and 6.4)	
5.3	Personal Appearance Standards (formerly Section 6.8)	
5.4	Conflicts of Interest (formerly Sections 6.9 and 6.10)	
5.5	Hybrid Schedule and Work-From-Home Policy	
5.6	Subpoenas/Court Appearances/Depositions (formerly 9.10)	
5.7	On-the-Job Accidents/Injuries	
5.8	Prohibited Behavior Policy (formerly 6.15-6.18, 6.20, 6.21)	
5.9	Release of Information	

This section now consists of remainder of the old sections 6.15-6.17 (which dealt with sexual harassment, prohibited discriminatory harassment, and workplace violence; but which were not incorporated into the new Section 10.3/6.3 “Harassment and Hostile Visitors”) and old sections 6.20 (Drinking, Smoking, or Consuming Marijuana in Uniform) and 6.21 (“Non-tobacco and Electronic Delivery System Use Policy). Combining these sections into one policy made sense to avoid repetition, improve clarity, and reduce the number of places in the Handbook covering the same/similar material. Definitions were also added to clarify the terms used within the new section for easy reference and improved understanding.

INFORMATION PROVIDED:

The redline of former sections 6.15-6.17, 6.20, 6.21, and 10.1-10.9 are attached. Also attached are the new, reformatted, version of the sections which will be incorporated (though re-numbered) into the new Employee Handbook when all revisions are complete and approved by the Board. Finally, a copy of the draft Table of Contents is attached to allow the Board to see the plans for revisions going forward.

STATEMENT OF REQUESTED BOARD ACTION:

The Board is requested to approve the new sections 10.1-10.4 and 6.13.

The Board is also requested to approve the plan to hold these approved sections until the entire Employee Handbook revision is complete (which will reduce administrative burden and make the revisions easier for the employees to follow/understand), at which time these sections will be re-numbered to fit into the new format, but otherwise substantively remain unchanged.



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REVISION STATUS KEY

Drafting- Sara is revising/working on these
Reformatting- Revised & In Progress
Under Review- HR Board Work Group
Pending- Board Review/approval
Final- Revised/Board approved



10.1- TOWNSHIP EMERGENCY PROCEDURES

Purpose: These safety procedures were developed for the safety and wellbeing of the Township's Employees and other occupants of Township buildings.

Scope: The safety procedures in this section apply to all Township Employees.

Effective:

Revisions History: formerly sections 10.0, 10.2, 10.3, 10.4, 10.5 (revised 1/22/2008)

DEFINITIONS

Capitalized terms not defined below have the same meaning as given in the *Employee Handbook*.

Rally Point(s)- means a designated meeting area for Employees to gather when an evacuation occurs. The following are the Rally Points for Township Facilities:

Township Hall- Maintenance building on the South side of Township Hall.

Fire Station 2- Public Parking area on the East (front) side of the Fire Station.

Grange Hall- Fire Station 3

Fire Station 3- Grange Hall

Community Center- Back parking lot (as far from the building as possible)

Drake Farmstead- Pavilion

Shelter Point(s)- means, for tornado purposes, the following areas for these Township buildings:

Township Hall- Basement (entrance near large meeting room).

Fire Station 2- Laundry Room and/or East-side restrooms.

Grange Hall- Lower Level (near restrooms and maintenance closet).

Community Center- Restrooms.

Drake Farmstead- Carriage Barn restrooms.

POLICY

A. **Emergency Evacuation Procedures.** The following procedures should be used in case of an emergency evacuation of a Township facility:

1. **Fire.** If a fire alarm has been activated, then proceed to the nearest emergency exit.
 - a. If a fire is found and the alarm has not been activated, then find a “pull station”, if safe to do so, activate the fire alarm, and then proceed to the nearest emergency exit.
 - b. If a fire is found and the “pull station” fails to activate the fire alarm, announce the alarm to all occupants, if safe to do so, and proceed to the nearest emergency exit.
2. **Natural Gas Odor/Other Hazardous Materials Incident.** Leave the building immediately, when evacuating:
 - a. DO NOT Activate a fire alarm “pull station”.
 - b. DO NOT Shut any lights off or use any other electronic equipment as it may cause a spark.
3. **Bomb Threat.**
 - a. If the bomb threat is received by phone, the person receiving the call should **record the call if possible.**
 - b. Listen carefully to exactly what is said, pay attention to sounds of more than one (1) person or other identifying noise (i.e., background noise) and write down immediately any information the caller provides (and any descriptive characteristics or identifying noises from the call).
 - c. Ask questions in an effort to find out when the bomb might be activated (e.g., Where is it? Why is this happening?).
 - d. As soon as the call ends, evacuate the building and dial 9-1-1 as soon as possible.

Once outside the building, walk quickly to the Rally Point. Call 9-1-1 to report the emergency. A head count should be taken to ensure that all people in the building have been evacuated and accounted for.

B. **Severe Weather Shelter Procedures.** For severe weather events issued for Kalamazoo County and/or Van Buren County, the following procedures should be used:

1. If a severe weather warning, other than a tornado warning, is issued, an Elected Official will make an announcement to all Employees at Township Hall.
2. If a tornado warning is issued an Elected Official will make an announcement to all Township Hall occupants to proceed to the Shelter Point. An announcement may not be made for other Township Buildings; occupants should proceed to their Shelter Point when prudent.
3. Once in the Shelter Point, perform a head count to ensure all building occupants are present/accounted for.

C. **Medical Emergencies.** If a medical emergency should occur, dial 9-1-1.

10.0 OFFICE TOWNSHIP SAFETY PROCEDURES

The ~~se-Office~~ Safety Procedures were developed for the safety and well being of the Township's ~~Employees~~ ~~office staff~~ and other occupants ~~within the~~ of Township buildings. ~~The Procedures should be reviewed and practiced routinely as we cannot anticipate when we might need to utilize them. These Procedures will continually be reviewed and updated as necessary.~~

Rally Point- means, for evacuation purposes, the following locations for these Township buildings:

Township Hall- Maintenance building on the South side of Township Hall.

Fire Station 2- Public Parking area on the East (front) side of the Fire Station.

Grange Hall- Fire Station 3

Fire Station 3- Grange Hall

Community Center- Back parking lot (as far from the building as possible)

Drake Farmstead- Pavilion

10.2 ~~Fire Alarm Evacuation/Actuation~~ Emergency Procedures:

A. In case of a fire, ↓

1. If a fire alarm has been activated, then proceed to the nearest emergency exit.
 - 2. If a fire is found and the alarm has not been activated, then find a "pull station," if safe to do so, activate the fire alarm, and then proceed to the nearest emergency exit.
 - 3. If a fire is found and the "pull station" fails to activate the fire alarm, then announce the alarm to all occupants, if safe to do so, and proceed to the nearest emergency exit by utilizing the page on a phone station.
 - ~~Dial 81 and make the announcement and then repeat the process after dialing 82. Announce:~~

~~**"THIS IS AN EMERGENCY, PLEASE EVACUATE THE BUILDING, REPEAT, THIS IS AN EMERGENCY, PLEASE EVACUATE THE BUILDING."**~~

Commented [EW209]: 10.2 and 10.3 combined to avoid repetitive language
Add 10.4 and 10.5 as C and D

~~After completion, proceed to the nearest emergency exit.~~

B. Natural Gas Odor/Other Hazardous Materials Incident

1. Leave the building immediately, when evacuating.:
DO NOT Activate a fire alarm “pull station”.

2. DO NOT Shut any lights off or use any other electronic equipment as it may cause a spark.

C. Bomb Threats

If the bomb threat is received by phone, the person receiving the call should record the call if possible.

Listen carefully to exactly what is said, pay attention to sounds of more than one (1) person or other identifying noise (i.e., background noise) and write down immediately any information the caller provides and any descriptive characteristics or identifying noises from the call.

Ask questions in an effort to find out when the bomb might be activated (e.g. Where is it? Why is this happening?).

As soon the call ends, evacuate the building and dial 9-1-1 as soon as possible.

~~Once outside the building, walk quickly to the trash bins in the parking lot on the south side of the building designated Rally Point. The primary phone person should take the sign In/Out Board when they leave the building. One of the two front counter employees should immediately print out an employee status report from the computer and take it with them (ONLY IF PRACTICAL AND SAFE). Call 9-1-1 to report the emergency. A head count rapid assessment, including one by Department Heads, should be taken to ensure that all employees and other people who might have been in the building have been evacuated or and accounted for. After the assessment has been accomplished, advise the Fire Department personnel whether or not everyone has been accounted for and any other pertinent details that may assist the Fire Department.~~

~~C. After all employees and others have been accounted for, designate a person to go to the library and call 9-1-1 (or use a cell phone), if this has not already been done.~~

~~NOTE: To dial 9-1-1 utilizing an office phone station, dial 9-9-1-1.~~

Revised Sec. 10.2 - Effective 1/22/08

10.3 Natural Gas Odor/Other Hazardous Materials Incident or Bomb Threat:

~~A. If natural gas or other hazardous materials conditions are detected within the building, or if a bomb threat is received, advise the occupants by utilizing the page on a phone station.~~

- ~~● Dial 81 and make the announcement and then repeat the process after dialing 82. Announce:~~

~~“THIS IS AN EMERGENCY, PLEASE EVACUATE THE BUILDING, REPEAT, THIS IS AN EMERGENCY, PLEASE EVACUATE THE BUILDING.”~~

- ~~● Do not activate any fire alarm “pull stations,” shut any lights off or use any other electronic equipment as it may intensify the problem.~~

~~B. Once outside the building, walk quickly to the trash bins in the parking lot on the south side of the building. The primary phone person should take the sign In/Out Board when they leave the building. One of the two front counter employees should immediately print out an employee status report from the computer and take it with them (ONLY IF PRACTICAL AND SAFE). A rapid assessment, including one by Department Heads, should be taken to ensure that all employees and other people who might have been in the building have been evacuated or accounted for. Then designate a person to go to the library and call 9-1-1 (or use a cell phone), if this has not already been done.~~

~~C. Bomb threats will usually be received by phone or mail.~~

- ~~● If the bomb threat is received by phone, the person receiving the call should immediately push the record button on the phone.~~

- ~~● Listen carefully to exactly what is said, pay attention to sounds of more than one (1) person or other identifying noise, i.e., background noise. Ask questions in an effort to find out when the bomb might be activated. Where is it? Why is this happening? Write down immediately any information the caller provided and descriptive characteristics you have about the caller. NO ONE SHOULD STAY IN THE BUILDING IF THERE IS IMMINENT DANGER.~~

Revised Sec. 10.3 - Effective 1/22/08

10.4 Severe Weather:

Shelter Point- means, for tornado shelter purposes, the following locations for these Township buildings:

Township Hall- Basement (entrance near large meeting room).

Fire Station 2- Laundry Room and/or East-side restrooms.

Grange Hall- Lower Level (near restrooms and maintenance closet)

Community Center- Restrooms.

Drake Farmstead- Carriage Barn restrooms.

- A. If a severe weather warning, other than a tornado warning, is ~~posted-issued~~ for Van Buren and/or Kalamazoo County, an Elected Official will make an announcement to this message to all Employees at Township Hall. occupants by utilizing the page on a phone station.

- ~~Dial 81 and make the announcement and then repeat the process after dialing 82. Announce:~~

~~“THIS IS TO ADVISE THAT THERE IS A WEATHER STATEMENT FOR OUR AREA.”~~

- B. If a tornado warning has been ~~post~~issued for Van Buren and/or Kalamazoo County, an Elected Official will make an announcement this message to all Township Hall occupants by utilizing the page on a phone station. to proceed to the Shelter Point. An announcement may not be made for other Township Buildings; occupants should proceed to their Shelter Point when prudent.

- ~~Dial 81 and make the announcement and then repeat the process after dialing 82. Announce:~~

~~“THIS IS AN EMERGENCY, THERE IS A TORNADO WARNING FOR _____ COUNTY, PLEASE PROCEED TO THE BASEMENT.”~~

- ~~The primary phone person should take the sign In/Out Board when they go to the basement.~~

- ~~Once in the basement Shelter Point, perform a head count to ensure all staff building occupants are present/and-accounted for.~~

Revised Sec. 10.4 - Effective 1/22/08

10.5 Medical Emergencies:

- A. If a medical emergency should occur, dial 9-1-1. first alert the office staff that there is an emergency by utilizing the page on a phone station.

- ~~• Dial 81 and make the announcement and then repeat the process after dialing 82. Announce:~~

~~“ATTENTION—THERE IS A MEDICAL EMERGENCY AT (LOCATION).” (REPEAT)~~

- ~~B. An ambulance should be requested if the Fire Department personnel are not present.~~

~~NOTE: To dial 9-1-1 utilizing an office phone station, dial 9-9-1-1.~~

- ~~C. If possible, personal contacts should be made per the patient’s request.~~

- ~~• If the patient is a member of the staff and unconscious, all efforts should be made to obtain the person’s emergency contact information binder to ensure that these contacts are made accordingly. Additionally, all medical related information should be relayed to the appropriate individuals.~~

Revised Sec. 10.5 - Effective 1/22/08



10.2- TOWNSHIP SAFETY AND SECURITY

Purpose: To ensure Employee safety and wellbeing in Township facilities. The Township encourages Employees to utilize good safety and health practices as dictated by the job, location, and circumstances.

Scope: All Township Employees and Contractors.

Effective:

Revisions History: formerly 10.8 (eff. 01/22/08) and 10.9 (eff. 01/22/08)

DEFINITIONS

Capitalized terms not defined below have the same meaning as given in the *Employee Handbook*.

POLICY

- A. **Internal Security.** The following procedures will be used to ensure the internal security of the Township facilities.
- 1. Visitors.** Front desk personnel will advise an Employee that they have a visitor. No one, other than current Township staff, is to enter the Employee area without the Employee they are visiting approving their entry. All visitors should be escorted by an Employee when in the Employee area.
 - 2. Access Codes.** In case of emergency, Sheriff's Department personnel, along with some Fire Department Personnel, have access codes which allow entry to all Township building entrances. The Maintenance Director has an all-access code for emergency, maintenance, and Employee lock-out purposes. The IT Coordinator has access codes to access all Township Employee offices in order to maintain and/service computer equipment.
 - 3. Employee and Contractor Access.** The Maintenance Department is responsible for assigning and programming unique access codes for each Township Employee. Access codes are programmed based on Employee needs (i.e., Employees will not have access to areas not required for performance of their duties). Employees will not share their access code(s) with anyone.

When any Employee, contractor, or other service provider with a key or access code leaves the employment of the Township, the following security measures will be taken:

- a. All building keys issued to the Employee, contractor, or other service provider will be returned to the Township.
- b. The internal access code(s) for the Employee, contractor, or other service provider will be changed.

When deemed necessary for Township security, the following additional security measures will be taken:

- a. All building alarm system codes will be changed.
- b. All door locks will be changed, and new keys issued to key holders.

B. Off-Site Safety. When working off-site (e.g., field work, not in the office, conferences, meetings, seminars, etc.), all Employees:

1. Must call in as soon as possible if an accident or problem occurs.
2. Are encouraged to carry a cell phone at all times while off-site.
3. Are expected to listen to messages, read/respond to emails, and return phone calls as soon as possible.

C. Epidemic/Pandemic Preparedness Plan. The Township will follow the most up-to-date guidance from the Centers for Disease Control (CDC), Michigan Department of Health and Human Services (MDHHS), and Kalamazoo County Health & Community Services (KCHCS) to address any epidemic, pandemic, or emerging health concerns.

D. Michigan Occupational Safety and Health Administration (MIOSHA). The Township follows all MIOSHA rules and regulations. Employees are expected to comply with all Township policies for health and safety. If an Employee feels unsafe, they should report their concerns to the Township Personnel Director and/or file a complaint with MIOSHA.

E. Employee Health and Wellbeing. The Township is committed to ensuring its Employee's wellbeing.

Employees who are physically ill, and may be contagious, should refrain from coming into the Township buildings. Employees may, if capable and desire to, work from home with approval from their immediate supervisor, Department Head or the Personnel Director.

F. Reporting. Employees should report any unsafe conditions, or practices, to their immediate supervisor, Department Head, or the Personnel Director.

10.8 Internal Township Security:

All Township Employees are urged to utilize good safety and health practices as dictated by the job, location, and circumstances. Employees should report any unsafe conditions, or practices, to their immediate supervisor, Department Head, or the Personnel Director.

A. Internal Security.

1. Visitors. All visitors will be announced, including family members. Front desk personnel will advise the person an Employee that they have a the visitor, wishes to see. No one, other than current Township staff, not even family, is to enter the employee-Employee area without the Employee they are visiting approving their entry. All visitors should be escorted by an Employee when in the Employee area staff checking with the employee first, to verify it is O.K.

2. Access Codes. In case of emergency, The Sheriff Department personnel, along with some Fire Department Personnel Deputies have access codes which allow entry to all Township building entrances. will be given the code to have access at all times. In case of an emergency situation, it could be imperative for them to have access from the fire bay. The Maintenance Director has an all-access code for emergency, maintenance, and Employee lock-out purposes.

Commented [EW234]: Changed per Rick Everett

3. Employee and Contractor Access. The Maintenance Department is responsible for assigning and programming unique access codes for each Township Employee. Access codes are programed based on Employee needs (i.e., Employees will not have access to areas not required for performance of their duties. Employees will not share their access code(s) with anyone.
When any eEmployee, contractor, or/ other service provider with key or code access leaves the employment of the Township, the following security measures will be taken:

a+- All building keys(+) Employee, contractor, or other service provider will be returned to the Township.

2b. The internal accesssecurity code(s) for the Employee, contractor, or other service provider will be changed.

When deemed necessary for Township security, the following additional security measures will be taken:

a. The building alarm system codes will be changed.

4b. All door locks will be changed and new keys issued to key holders.

Commented [EW235]: Changed per Rick Everett

Revised Sec. 10.8 - Effective 1/22/08

10.9 External Security:

MOBILE PHONE /

B. FIELD SAFETY Off-Site Safety. When working in off-site (i.e., field work; not in the office, conferences, meetings, seminars, etc.), all Employees:

A. Reasons for these guidelines are for your protection and safety while working the field/outside of the office. When working in the field/outside the office:

1. Must call in as soon as possible if an accident or problem occurs while at a site.
2. Call in a minimum of once in the morning and once in the afternoon, each day and at the end of the day to check out. Secretaries can check themselves out.
3. Give your department support staff a schedule of inspections/location of sites for the time out of the office, (call if the schedule changes).
4. Are encouraged to Staff will carry their a cell phones, and the cell phones will be on at all times while off-site. That way they can receive
3. Are expected to listen to messages, read/respond to emails, and return phone calls received as soon as possible by the support staff.

Commented [EW236]: Out of date.

C. Epidemic/Pandemic Preparedness Plan. The Township will follow the most up-to-date guidance from the Centers for Disease Control (CDC), Michigan Department of Health and Human Services (MDHHS), and Kalamazoo County Health & Community Services (KCHCS) to address any epidemic, pandemic, or emerging health concerns.

D. Michigan Occupational Safety and Health Administration (MIOSHA). The Township follows all MIOSHA rules and regulations. Employees are expected to comply with all Township policies for health and safety. If an Employee feels unsafe, they should report their concerns to the Township Personnel Director and/or file a complaint with MIOSHA.

E. Employee Health and Wellbeing. The Township is committed to ensuring its Employee's wellbeing.

Commented [EW237]: How would the Board like to deal with part-time employees who need mental health assistance (since the EAP program only covers full time employees)?

Employees who are physically ill, and may be contagious, should refrain from coming into the Township buildings. Employees may, if capable and desire to, work from home with approval from their immediate supervisor, Department Head or the Personnel Director.

Revised Sec. 10.9 - Effective 1/22/08



10.3- HARASSMENT AND HOSTILE VISITORS

Purpose: To prevent violence, harassment, and discrimination in Township facilities and ensure Employee safety and wellbeing.

Scope: All Township Employees, Contractors, and Volunteers.

Effective:

Revisions History: formerly sections 6.15 (eff. /07), 6.16 (eff. 02/28/17), 6.17 (revised 07/09/13), 10.6 (eff. 01/22/08)

DEFINITIONS

Capitalized terms not defined below have the same meaning as given in the *Employee Handbook*.

POLICY

- A. **Harassment.** Any Employee, Contractor, or Volunteer who observes, or feels that they are the victim of, harassment by any supervisor, Township Official, other Employee, customer, client, or any other person in connection with their employment at the Township shall bring the matter to the immediate attention of the Personnel Director. The Township will investigate all allegations of harassment in accordance with the Township’s “Prohibited Behavior” Policy in this *Employee Handbook*.
- B. **Hostile Visitor(s).** The following procedures are in place for Employee safety when an individual, or individuals, present a threat to the safety of Employees or other occupants of the Township Facilities.
1. **Active Shooter.** If an active shooter is in the building, utilize “Run, Hide, Fight”* protocols:
 - a. **“Run”**- evacuate the building, or area of danger, and get to safety outside. If Running is not possible, Hide.
 - b. **“Hide”**- find a safe location to conceal yourself from the shooter (if possible, lock yourself in an office and barricade the door). If a safe opportunity presents itself, Run.
 - c. **“Fight”**- arm yourself with the closest potential weapon(s) and defend yourself from the shooter. **Note: this should be a last resort and only if “Run” and/or “Hide” are not options.**

* Not mutually exclusive, take all actions necessary for personal safety.

Get to a place of safety, then dial 9-1-1.

2. **Request for Assistance.** If a visitor makes an Employee uncomfortable, they should ask another Employee for assistance.
3. **Verbally or Physically Hostile Visitors.** If a visitor becomes hostile (begins a verbal confrontation, uses abusive language, and/or makes threats) the Employee should ask a nearby Employee to page “**JAKE at Extension 300**”.

If “**JAKE at Extension 300**” announcement is made:

- a. Any available Fire Department Employee(s) should proceed with caution to the Township office (using the exterior Employee entrance).
- b. Available non- Fire Department Employees should cautiously approach the front desk area and offer assistance if safe and sensible.
- c. Employees should not congregate in the front desk area or crowd the hostile visitor.
- d. Employees should remain calm, utilized the “De-Escalation Tips” sheet, if possible, and attempt to resolve the situation.

If the Employee(s) cannot de-escalate the situation, a physical altercation begins, or the visitor brandishes a weapon:

- a. Call 9-1-1.
- b. If the Employee is unable to get to a phone, or call the police, they should use one the of the **police crisis alarms** (located under the front counter, at each of the workstations in the desk office area, and in the center of the dais in the meeting room).

If the emergency situation is gone prior to the police arrival, call and notify the dispatcher so they can notify the responding officer(s) and reevaluate their response.

4. **Trauma Counseling.** Counseling will be made available after any hostile visitor incident.

6.15 Workplace Violence:

To ~~prevent~~~~there shall be no~~ violence in ~~the Oshtemo Charter~~ Township ~~workplace~~~~facilities~~ and ensure Employee safety and wellbeing. It shall be the duty of all Township ~~employees~~Employees to promptly report any violence, or unsafe conditions, observed in the workplace to the ~~Township Supervisor~~Personnel Director.

Commented [EW104]: Moved to Chapter 10 re: purpose/scope for "Safety" section

6.16 Sexual Harassment:

Sexual harassment is unlawful. It is the policy of Oshtemo Charter Township that any form of sexual harassment of ~~employees~~ Employee, Contractor, or Volunteer or ~~a~~ Applicants for employment is unacceptable conduct and will not be tolerated.

Sexual harassment is unwelcome sexual conduct. It may include one (1) or more of the following: sexual advances or propositions; requests for sexual favors; verbal abuse of a sexual nature, including sexually explicit or degrading references to another person, or similar language; unnecessary touching; the display of sexually suggestive objects or pictures; sexually explicit or offensive jokes; or physical assault.

No ~~supervisor or other employee~~ Employee, Contractor, or Volunteer shall engage in ~~unwelcome any sexually harassing conduct, conduct.~~ conduct. No ~~supervisor or other employee~~ Employee shall threaten or insinuate, either explicitly or implicitly, that another ~~employee's~~ Employee's, Contractor's, Volunteer's, or Applicant's or an applicant's refusal to submit to sexual advances will adversely affect that person's employment, work status, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development, ~~nor.~~ No supervisor or other employee shall, create a hostile work environment for any Employee by through unwelcome sexual conduct, ~~create a hostile work environment for any employee.~~

Any ~~employee~~ Employee, Contractor, or Volunteer who observes, or feels that ~~he or she is~~ they are a the victim of sexual harassment, including, but not limited to any of the conduct listed above, by any supervisor, Township Official, other Employee, Contractor, or Volunteer ~~employee~~, customer, client, or any other person in connection with their employment at ~~the Oshtemo Charter~~ Township shall bring the matter to the immediate attention of ~~his or her~~ the supervisor ~~Personnel Director.~~ The Township will investigate all allegations of harassment in accordance with the Township's "_____ " Policy in this Employee Handbook.

An ~~employee~~ Employee who is uncomfortable for any reason in bringing such a matter to the attention of ~~his or her~~ the Personnel Director ~~supervisor~~, or is not satisfied after bringing the matter to the attention of ~~his or her supervisor~~ the Personnel Director, shall report the matter to the ~~Personnel Director,~~ Township Attorney or ~~to the~~ Human Resources ~~Committee of Oshtemo Charter Township.~~ Any questions about this policy or potential ~~sexual~~ harassment should be brought to the attention of one (1) of these individuals.

The Township will promptly investigate all allegations of sexual harassment in as confidential a manner as possible. The Township prohibits retaliation against any person who brings a complaint of sexual harassment or who takes part in investigating such a complaint.

Revised – Effective 02/28/17

Commented [EW105]: Combining with Discriminatory Harassment and Drug use policy.

Commented [EW106]: Waiting for name for the "No-No" Policy.

Commented [EW107]: Now in the "Harassment" section of Section 10 ("Harassment and Hostile Visitors")

Any Employee, Contractor, or Volunteer found to be engaging in sexual harassment is subject to disciplinary action, up to and including termination of employment/affiliation with the Township.

~~Any employee whom the Township believes to have been involved in sexual harassment in violation of this policy will be subject to appropriate sanctions, up to and including termination of employment.~~

Commented [EW108]: changed to match Discriminatory Harassment language.

Revised

-

Effective

02/28/17

6.17 Prohibited Discriminatory Harassment:

It is the policy of Oshtemo Charter Township to provide and maintain a work environment that is free of harassment and discrimination based on race, color, creed, religion, national origin, sex (see the sexual harassment policy), non-disqualifying disability ~~or handicap~~, age, height, weight, veteran status, marital status, familial status, sexual orientation, or gender identity.

Harassment is any unwelcome or unsolicited verbal, physical, or sexual conduct that unreasonably interferes with an employee's job performance or creates a hostile, offensive, or abusive working environment. Examples of harassment include, but are not limited to, disparaging remarks about a person's race, color, creed, religion, national origin, sex, disability or handicap, age, height, weight, sexual orientation, or gender identity; unwelcome or unsolicited touching or threats of physical harm; and/or the use of degrading words, nicknames, pictures, stories, or jokes.

All Employees of Oshtemo Charter Township, as well as all other persons or entities affiliated or connected with (including Contractors and Volunteers), Oshtemo Charter Township, are prohibited from engaging in any behavior that constitutes Discriminatory Harassment~~such harassment~~.

~~Any employee who feels that he or she is a victim of harassment shall bring the matter to the immediate attention of his or her supervisor. An employee who is uncomfortable for any reason in bringing such a matter to the attention of his or her supervisor, or is not satisfied after bringing the matter to the attention of his or her supervisor, should report the matter to the Township Supervisor or to the Human Resources Committee of Oshtemo Charter Township.~~

~~Oshtemo Charter Township will promptly investigate all allegations of harassment in as confidential a manner as possible. Oshtemo Charter Township prohibits retaliation against any person who brings a complaint of discriminatory harassment or who takes part in investigating such a complaint.~~

~~Any employee found to be engaging in discriminatory harassment would be subject to disciplinary action, up to and including termination of employment.~~

Commented [EW109]: Combine with/mirror Sexual Harassment above re: reformat

Commented [EW110R109]: See new Drug/Harassment policy

Commented [EW111]: Combined with sexual harassment in new "NAME" section.

Revised Sec. 6.17 – Effective 07/09/13

10.6 Hostile Visitors Altercations, Verbal and/or Physical:

A. If an active shooter is in the building, utilize “Run, Hide, Fight”* protocols:

“Run”- evacuate the building, or area of danger, and get to safety outside. If Running is not possible, Hide.

“Hide”- find a safe location to conceal yourself from the shooter (if possible, lock yourself in an office and barricade the door). If a safe opportunity presents itself, Run.

“Fight”- arm yourself with the closest potential weapon(s) and defend yourself from the shooter. Note: this should be a last resort and only if “Run” and/or “Hide” are not options.

*Not mutually exclusive, take all actions necessary for personal safety.

Get to a place of safety, then dial 9-1-1.

B. If a visitor makes an Employee uncomfortable, they should ask another Employee for assistance.

If a visitor becomes hostile (begins a verbal confrontation, uses abusive language, and/or makes threats) the Employee should ask a nearby Employee to page “JAKE at Extension 300”.
~~suspicious subject enters the building, or a subject begins a verbal confrontation using abusive language and/or threats, the following should take place.~~

If “JAKE at Extension 300” announcement is made:

Any available Fire Department Employee(s) should proceed with caution to the Township office (using the exterior Employee entrance).

Available non- Fire Department Employees should cautiously approach the front desk area and offer assistance if safe and sensible.

Employees should not congregate in the front desk area or crowd the hostile visitor.

Employees should remain calm, utilize the “De-Escalation Tips” sheet, if possible, and attempt to resolve the situation.

If the Employee(s) cannot de-escalate the situation, a physical altercation begins, or the visitor brandishes a weapon: Call 9-1-1.

If the Employee is unable to get to a phone, or call the police, they should use one of the **police crisis alarms** (located under the front counter, at each of the workstations in the desk office area, and in the center of the dais in the meeting room).

- ~~1. First, either the staff person involved or any other staff near the situation should alert all personnel by dialing 81 and make the announcement and then repeat the process after dialing 82.
Announce:~~

~~“JAKE EXTENSION 300, JAKE EXTENSION 300”~~

- ~~2. All personnel, including firefighters, should immediately walk through the area where the confrontation exists and offer assistance, if necessary. One (1) person should remain at the phone station near the area to call the police, if necessary.~~

- ~~• If the problem/situation is at the counter area, utilize the phone near the copier.~~

~~B. If a physical altercation should begin, or the verbal confrontation continues to escalate to where a designated “phone” person feels the safety of the people involved is in jeopardy, then the following should take place.~~

- ~~1. First, either the staff person involved or any other staff near the situation should alert all personnel by dialing 81 and make the announcement and then repeat the process after dialing 82.
Announce:~~

~~“JAKE EXTENSION 500, JAKE EXTENSION 500”~~

- ~~2. Staff should utilize the panic button, then call the Sheriff's Department by dialing 9 9 1 1, or 9 1 1 if using a cell phone or outside line. Continue to monitor the situation and repeat the call to the Sheriff's Department if the situation warrants.~~

~~C. Police Crisis Alarm—one (1) is installed under the front counter, one (1) is installed at each of the work stations in the front and one (1) is installed in the center of the dais in the meeting room. This alarm should be activated for any of the following situations:~~

- ~~1. Person(s) threaten staff, board or committee personnel, verbal or physical.~~

~~2. Person(s) perceived as a threat to others or themselves.~~

~~3. Any physical altercation.~~

When this alarm is activated, the Sheriff's Department will dispatch an officer(s) to the site immediately. Do not turn the alarm off until the police have arrived and are in control of the situation. To reset the alarm, contact the Supervisor ~~or Relief Driver in the Fire Station~~. If the emergency situation is gone prior to the police arrival, call and notify the dispatcher so ~~they~~ ~~dispatcher~~ can notify the responding ~~deputies~~ officer(s), ~~and who can receive update information about the situation and~~ reevaluate ~~how they continue~~ their response.

- D. Counseling will be made available to ~~the staff~~ Employees after any ~~erisis~~ caused by an external or internal office related incident hostile visitor incidents. ~~This service will be provided by the team that works with the Township firefighters.~~

Revised Sec. 10.6 - Effective 1/22/08

10.7 **Tips to De-Escalate Problem Behaviors:**

VERBAL

- **Keep voice Low-Calm-Firm-Clear**
- **Listen actively, use encouragers, ask open-ended questions**
- **Acknowledge feelings**
- **Get “yes” responses**

NON-VERBAL

- **Maintain eye contact**
- **Have a neutral, friendly facial expression**
- **Maintain a critical distance, an ARMS LENGTH**
- **Assume an erect, yet relaxed posture**
- **Stand with your body at a 45-degree angle**
- **Place hands low and in front of your body**

OBSERVE – EVALUATE

- **Escalating behaviors: Commanding – Shouting – Arguing – Belittling – Insulting – Finger wagging – Obscenities – etc.**

DEFUSING TECHNIQUES

- **Redirect to another person or place out of the public – change the immediate environment. If someone is in need to defusing, then strongly consider having two (2) persons present throughout the remainder of the person’s visit.**
- **Reframe the concern, brainstorm solutions – problem solving.**
- **Acknowledge any grain of truths – get positive responses, whenever possible.**
- **Front reception personnel – distance yourself from authority.**



10.4- SIGN IN RULES OF USAGE

Purpose: The “Sign In” program is used to track Employee locations and ensure an accurate headcount for Employees in case of an emergency.

Scope: All Township Employees will use the electronic “Sign In” program to provide their location during the workday.

Effective:

Revisions History: formerly section 10.1 (effective 01/22/2008)

DEFINITIONS

Capitalized terms not defined below have the same meaning as given in the *Employee Handbook*.

POLICY

- A. **Start of Shift Sign In Procedures.** Each day when arriving at a Township facility, or logging-in for remote work, each Employee shall open the “Sign In” program, click the “In/Out” box to set their status to “In”, and provide applicable location information in the “Location” drop down and/or “Comments” box (e.g. Specific Field Location, etc.).
- B. **Changing Location Procedures.** When leaving their primary work location, Employees will use the electronic “Sign In” program to indicated the location change:
1. If an Employee is leaving their primary work location for lunch or a break, they will click the “In/Out” box, provide a return time, and select a “Location” from the drop-down menu.
 2. If an Employee is leaving their primary work location for another location, they will click the “In/Out” box, provide a return time, and select a “Location” from the drop-down menu, and provide the location in the “Comments” box.
- C. **End of Shift Sign Out Procedures.** Before logging-off, or leaving work, at the end of a shift, all Employees shall open the “Sign In” program, click the “In/Out” box to set their status to “Out”, provide a return date and time, and select “Gone for the Day” from the “Location” drop-down menu.
- D. **Extended Absence.** If any Employee will be out of the office for an extended period of time (e.g. for PTO, a training, or leave), the Employee should indicate the anticipated return

date, location, and provide additional contextual information in the “Comments” box before leaving work on the last day before the extended absence begins.

10.1 In/Out Board Sign In Rules of Usage:

Purpose/Scope. The “Sign In” program is used to track Employee locations and ensure an accurate headcount for Employees in case of an emergency. All Township Employees will use the electronic “Sign In” program to provide their location during the workday.

A. Start of Shift Sign In Procedures. —Each day when arriving at a Township facility, or logging-in for remote work, each Employee shall open the “Sign In” program, click the “In/Out” box to set their status to “In”, and provide applicable location information in the “Location” drop down and/or “Comments” box (e.g. Specific Field Location, etc.).

B. Changing Location Procedures. When leaving their primary work location, Employees will use the electronic “Sign In” program to indicated the location change:

1. If an Employee is leaving their primary work location for lunch or a break, they will click the “In/Out” box, provide a return time, and select a “Location” from the drop-down menu.

2. If an Employee is leaving their primary work location for another location, they will click the “In/Out” box, provide a return time, and select a “Location” from the drop-down menu, and provide the location in the “Comments” box.

C. End of Shift Sign Out Procedures. Before logging-off, or leaving work, at the end of a shift, all Employees shall open the “Sign In” program, click the “In/Out” box to set their status to “Out”, provide a return date and time, and select “Gone for the Day” from the “Location” drop-down menu.

D. Extended Absence. If any Employee will be out of the office for an extended period of time (e.g. for PTO, a training, or leave), the Employee should indicate the anticipated return date, location, and provide additional contextual information in the “Comments” box before leaving work on the last day before the extended absence begins.

~~A. —These rules are for the safety and security of everyone, and as your employer, the Township does have a right to know where you are during business hours.~~

~~1. —Use it! In case of an emergency, this is the most important clue we have as to where you are!~~

~~2. —A checkmark next to your name means you are here.~~

- ~~3. If your name is unchecked, you are not here.~~
- ~~4. If you are in a meeting here leave the checkmark and put Meeting In.~~
- ~~5. If you leave uncheck your name list a return time and choose a Location.~~
- ~~6. Use the Remarks Section advise where you are going not just Field. If you are away for personal business, indicate Personal.~~
- ~~7. If you are leaving for the day choose Gone for the Day so we know you won't be back.~~
- ~~8. If your department has a support staff person, tell her/him where you are going.~~

Revised Sec. 10.1 - Effective 1/22/08



6.13- PROHIBITED BEHAVIOR POLICY

Purpose: The purpose of this policy is to protect the health and welfare of all Employees and to comply with state and federal laws (including, but not limited to, the Michigan Clean Indoor Air Act, federal Drug-Free Workplace Act, and the Michigan Elliott Larson Civil Rights Act).

Scope: All Township Employees, Contractors, Applicants, and Volunteers.

Effective:

Revisions History: 6.15 (eff. /07), 6.16 (eff. 02/28/17), 6.17 (revised 07/09/13), 6.18 (revised 01/12/10, 03/26/19), 6.20 (eff. 03/26/19), and 6.21 (revised 09/23/08, 05/26/09, 04/26/16)

DEFINITIONS

Capitalized terms not defined below have the same meaning as given in the *Employee Handbook*.

Sexual Harassment- means unwelcome sexual conduct, which may include, but are not limited to, the following: sexual advances or propositions; requests for sexual favors; verbal abuse of a sexual nature, including sexually explicit or degrading references to another person, or similar language; unnecessary touching; the display of sexually suggestive objects or pictures; sexually explicit or offensive jokes; or physical assault.

Discriminatory Harassment- means any unwelcome or unsolicited verbal, physical, or sexual conduct that unreasonably interferes with an Employee's job performance or creates a hostile, offensive, or abusive working environment. Discriminatory Harassment may include, but is not limited to, the following: disparaging remarks about a person's race, color, creed, religion, national origin, sex, disability or handicap, age, height, weight, sexual orientation, or gender identity; unwelcome or unsolicited touching or threats of physical harm; and/or the use of degrading words, nicknames, pictures, stories, or jokes.

"Adversely Affect Work Performance" and ***"Under the Influence"*** shall be determined to be present if the employee is perceptively impaired, has impaired alertness, coordination, reactions, responses, or efforts; if the employee's condition threatens the safety of him/herself or others; or if the employee's condition or behavior presents the appearance of unprofessional or irresponsible conduct detrimental to the public's perception of the Township as an employer as determined by the Supervisor or immediate supervisor or others observing the employee. It includes operation of any Township vehicle or equipment at any time, or use of any personal, rental, or other vehicle on Township business. For purposes of this definition, an employee with a blood alcohol level of .04% alcohol in the blood, by weight, shall be considered sufficient to establish the employee is/was "under the influence." However, an employee with a blood alcohol content of less than

.04% alcohol in the blood, by weight, may be considered “under the influence” if job performance is impacted to any appreciable degree. For purposes of this definition, an employee with any blood level of THC shall be considered sufficient to establish the employee is/was “under the influence.” However, an employee without any THC present in their blood may still be considered “under the influence” if job performance is impacted to any appreciable degree.

“**Controlled Substance(s)**” or “**Drug(s)**” means those substances whose distribution is controlled by regulation or statute, including but not limited to Amphetamines, THC, Cocaine, Opiates, Phencyclidine (PCP), Alcohol, Tobacco (including, but not limited to smoking, chewing, electronic cigarettes, e-pens, e-pipes, e-hookahs, e-cigars, or vapor devices of any kind), Barbiturates, Benzodiazepines, Methaqualone, Methadone, Propoxyphene, and any/all substances applicable. For the purposes of this policy, “Controlled Substances” or “Drugs” do not include medications for which the Employee has a prescription to treat a medical condition as recorded with Human Resources.

“**Reasonable Suspicion Drug Testing**” refers to requests for testing based on the “reasonable suspicion” standard. In order for “reasonable suspicion” to exist, there must be a basis for forming a belief that testing is justified based on specific facts and rational inferences drawn from those facts. Reasonable Suspicion Drug Testing may be performed (1) post-accident, and/or (2) when the Township reasonably suspects that the individual: (a) is, or was, under the influence of Drugs; (b) has violated Township’s written work rules prohibiting Drug use; and/or (c) was observed to be acting in an abnormal manner, or exhibiting any of the following (non-exclusive) signs of Intoxication: (1) Odors (smell of alcohol, body odor, or urine); (2) Movements (unsteady, fidgety, dizzy/lack of balance); (3) Eyes (dilated, constricted, or watery eyes; involuntary movements); (4) Face (flushed, sweating, confused, or blank look); (5) Speech (slurred, slow, distracted mid-thought, unable to verbalize thoughts); (6) Emotions (argumentative, agitated, irritable, drowsy); (7) Actions (yawning, twitching); (8) Inactions (sleeping, unconscious, no reaction to questions).

POLICY

A. Harassment. It is the policy of Oshtemo Charter Township to provide and maintain a work environment that is free of harassment and discrimination based on race, color, creed, religion, national origin, sex, non-disqualifying disability, age, height, weight, veteran status, marital status, familial status, sexual orientation, or gender identity. It shall be the duty of all Township Employees, Contractors, and Volunteers to promptly report any harassment observed in the workplace to the Personnel Director.

1. Sexual Harassment. Sexual harassment is unlawful. It is the policy of Oshtemo Charter Township that any form of sexual harassment of Employees, Contractors, Volunteers, or Applicants for employment is unacceptable conduct and will not be tolerated. No Employee, Contractors, or Volunteers shall:

- a. engage in any sexually harassing conduct;
- b. threaten or insinuate, either explicitly or implicitly, that another Employee’s, Contractor’s, Volunteer’s, or Applicant’s refusal to submit to

sexual advances will adversely affect that person's employment, work status, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development;

- c. create a hostile work environment for any Employee, Contractor, or Volunteer through unwelcome sexual conduct.
2. **Discriminatory Harassment.** All Employees of, as well as all other persons or entities affiliated or connected with (including Contractors and Volunteers), Oshtemo Charter Township, are prohibited from engaging in any behavior that constitutes Discriminatory Harassment.
3. **Reporting Harassment.** Any Employee, Contractor, Volunteer, or Applicant who observes, or feels that they are the victim of, harassment (including, but not limited to any of the conduct listed above), by any supervisor, Township Official, other Employee, Contractor, Volunteer, customer, client, or any other person in connection with their employment at the Township shall bring the matter to the immediate attention of the Personnel Director. An Employee, Contractor, Volunteer, or Applicant who is uncomfortable for any reason in bringing such a matter to the attention of the Personnel Director, or is not satisfied after bringing the matter to the attention of the Personnel Director, shall report the matter to the Township Attorney or Human Resources. Any questions about this policy or potential harassment should be brought to the attention of one (1) of these individuals.
4. **Investigating Harassment Allegations.** The Township will promptly investigate all allegations of harassment in as confidential a manner as possible. The Township prohibits retaliation against any person who brings a complaint of harassment or who takes part in investigating such a complaint.

Any Employee, Contractor, or Volunteer found to be engaging in harassment is subject to disciplinary action, up to and including termination of employment/affiliation with the Township.

B. Drug Use Policy. Oshtemo Charter Township is committed to maintaining a Drug-free workplace. Drug abuse adversely affects any job performance and safety. It is the purpose of this policy to maintain the highest level of integrity for all Employees, Contractors, and Volunteers of the Township. This policy is designed to ensure Employee/Contractor/Volunteer safety, reduce absenteeism and tardiness, improve productivity, and protect the Township's status and reputation.

Consistent with its general policy against discrimination, the Township recognizes that disabled individuals should be protected from discriminatory treatment. Under Michigan law, a disabled person is someone who has a medical or psychological condition which materially impairs a major life activity. However, in accordance with Michigan law, disability does not include any condition resulting from the abuse of Controlled Substances which prevents a person from performing essential functions of the job or which creates a direct threat to property or the safety of individuals.

1. **Reporting for Work.** Employees, Contractors, Applicants and Volunteers are expected and required to report to work on time and in appropriate mental and physical condition. No Employee, Contractor, Applicant, or Volunteer shall:
 - a. Report to work, or perform Township work (including working from home), under the influence of Controlled Substances or prescription medications which affect their alertness, coordination, reaction, response, judgment, decision-making, or safety.
 - b. Use, possess, manufacture, distribute, or dispense Drugs while on Township premises, while on Township business off-premises (including working from home), while in uniform, in official work clothing, and/or while in an Oshtemo Township vehicle which identifies the individual as an Employee/Contractor/Volunteer of the Township.
 - c. Operate, use, or drive any equipment, machinery, or vehicle of the Township.
 - d. Operate, use, or drive a personal, rental, or other vehicle on Township business.

Employees, Contractors, Applicants, and/or Volunteers are under an affirmative duty to notify the HR/Benefit Coordinator promptly that they are not in an appropriate mental or physical condition to operate, use, or drive the equipment- whether or not belonging to the Township.

2. **Use of Prescription Medications.** An Employee, Contractor, Applicant, or Volunteer whose qualified health care provider has prescribed a Drug or Controlled Substance that might adversely affect his or her ability to perform their assigned work must provide a written statement to the HR/Benefits Coordinator from their doctor stating that the Employee can properly perform their specific job duties.
3. **Township Right to Require Drug Testing.** To carry out the Township's commitment to a Drug-free workplace, the Township reserves the right to require that Applicants, Employees, Volunteers, and Contractors submit to drug and/or alcohol testing in accordance with Michigan law.

All Employees, Volunteers, and Contractors may be subject to pre-employment/work as Drug testing a condition of employment. Applicants who have received conditional offers of employment may be required to be Drug tested. If the conditional offer is later withdrawn, the Township will notify the Applicant of the reason.

All Employees, Contractors, and/or Volunteers may be subject to Reasonable Suspicion Drug Testing upon request of the Personnel Director, their immediate

supervisor, or at the request of the Employee/Contractor/Volunteer to eliminate any suspicion of Drug use.

4. **Performance of Drug Testing.** A test for Controlled Substances may be conducted by analysis of breath, urine, blood, or saliva. An Employee, Contractor, Volunteer, or Applicant has the right to refuse Drug testing. However, a refusal of testing will be treated as a failure to comply with the Township's policy and may result in withdrawal of a job offer, inability to volunteer, or disciplinary action up to and including termination of employment.

To ensure both the accuracy and the fairness of testing, all Drug testing and analyses shall be conducted pursuant to the policies of the Department of State Police as adopted as part of the Michigan Administrative Code, Traffic Safety Division or Forensic Science Division for Drug testing as currently adopted or as amended.

All costs related to preliminary Drug testing will be paid by the Township as well as re-tests required for inconclusive results; confirmatory re-tests must be paid for by the Applicant, Employee, or Contractor requesting the re-test.

5. **Right to Results and Confirmation Testing.** The Township will promptly provide Drug test results for any on-site testing performed by the Township. Any Applicant, Employee, or Contractor has the right to request and receive from the Township a copy of the test result report on any Drug test performed off-site upon completion of review and investigation.

Any Applicant, Employee, or Contractor submitting to a Drug test has the right to request an independent confirmatory test by an agency of their own choosing at their own expense. If Applicant, Employee, or Contractor secures an independent test, the Applicant, Employee, or Contractor must provide the Township with a copy with the test results within twenty-four (24) hours of receipt.

6. **Privacy.** Test results and other information acquired as a result of the testing program are private and confidential information and will not be disclosed by the Township or the testing laboratory to non-management Employees or to third party individuals, government agencies, or private organizations without written consent of the applicant or the Applicant, Employee, Contractor, or Volunteer being tested, or court or similar order.

Evidence of a positive test result on a confirmatory test, however, may be used in an administrative hearing, or a judicial proceeding, provided the information is relevant to the hearing or proceeding. Such evidence may also be disclosed to any federal agency or other unit of the United States government as required under federal law or regulation. Evidence of a positive test result on a confirmatory test may also be disclosed to a substance abuse treatment facility for the purpose of evaluation or treatment.

The Township will provide an Applicant, Employee, or Contractor with access to information in their medical file relating to positive test result reports and other information acquired in the testing process as well as conclusions drawn from, or actions taken based upon, such information.

6. **Disciplinary Action in Response to a Positive Test Result.** After a test showing Drug levels that would Adversely Affect Work Performance or indicate the Employee, Contractor, Applicant, or Volunteer is Under the Influence of Drugs the Employee or Contractor will be removed from their assignment, not allowed to return to work until they undergo a return to duty Drug test within the limitations of this policy, or a negative test result for any Controlled Substance. Applicants may have their conditional offer withdrawn. Volunteers will not be permitted to perform any tasks on/in Township facilities, or off-site on behalf of the Township.
7. **Drug Treatment and Counseling.** The Township recognizes that the abuse of Drugs and addiction are treatable illnesses, and that early intervention and support improve the success of rehabilitation. Treatment for Drug use disorders may be covered by the Employee benefit plan, if applicable. However, the ultimate financial responsibility for recommended treatment belongs to the Employee. To support our Full-Time Employees, eligible Employees have access to an Employee Assistance Program (EAP). Employees with questions about the EAP should contact the HR/Benefit Coordinator.

- C. **Violations of Policy.** The Township reserves the right to exercise its authority to discipline any individual found to be in violation of these policies in accordance with the Township's *Employee Handbook* up to and including their discharge. Violation of this policy may also result in possible criminal consequences.

The Township reserves the right to suspend any Employee or Contractor pending the outcome of the Drug test results, or harassment investigation, if the Township believes it is reasonably necessary to do so to protect the health and safety of its other Township Employees or the public.

6.15 Workplace Violence:

To ~~prevent~~ ~~there shall be no~~ violence in ~~the Oshtemo Charter~~ Township ~~workplace~~ ~~facilities~~ and ensure Employee safety and wellbeing. It shall be the duty of all Township ~~employees~~ Employees to promptly report any violence, or unsafe conditions, observed in the workplace to the ~~Township Supervisor~~ Personnel Director.

Commented [EW104]: Moved to Chapter 10 re: purpose/scope for "Safety" section

6.16 Sexual Harassment:

Sexual harassment is unlawful. It is the policy of Oshtemo Charter Township that any form of sexual harassment of ~~employees~~ Employee, Contractor, or Volunteer or ~~a~~ Applicants for employment is unacceptable conduct and will not be tolerated.

Sexual harassment is unwelcome sexual conduct. It may include one (1) or more of the following: sexual advances or propositions; requests for sexual favors; verbal abuse of a sexual nature, including sexually explicit or degrading references to another person, or similar language; unnecessary touching; the display of sexually suggestive objects or pictures; sexually explicit or offensive jokes; or physical assault.

No ~~supervisor or other employee~~ Employee, Contractor, or Volunteer shall engage in ~~unwelcome any sexually harassing conduct, conduct.~~ unwelcome any sexually harassing conduct. ~~No supervisor or other employee~~ Employee shall threaten or insinuate, either explicitly or implicitly, that another ~~employee's~~ Employee's, Contractor's, Volunteer's, or Applicant's or an applicant's refusal to submit to sexual advances will adversely affect that person's employment, work status, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development, ~~nor.~~ No supervisor or other employee shall, create a hostile work environment for any Employee by through unwelcome sexual conduct, ~~create a hostile work environment for any employee.~~

Any ~~employee~~ Employee, Contractor, or Volunteer who observes, or feels that ~~he or she is~~ they are a the victim of sexual harassment, including, but not limited to any of the conduct listed above, by any supervisor, Township Official, other Employee, Contractor, or Volunteer ~~employee~~, customer, client, or any other person in connection with their employment at ~~the Oshtemo Charter~~ Township shall bring the matter to the immediate attention of ~~his or her~~ the supervisor ~~Personnel Director.~~ The Township will investigate all allegations of harassment in accordance with the Township's "_____ " Policy in this Employee Handbook.

An ~~employee~~ Employee who is uncomfortable for any reason in bringing such a matter to the attention of ~~his or her~~ the Personnel Director ~~supervisor~~, or is not satisfied after bringing the matter to the attention of ~~his or her supervisor~~ the Personnel Director, shall report the matter to the ~~Personnel Director,~~ Township Attorney or ~~to the~~ Human Resources ~~Committee of Oshtemo Charter Township.~~ Any questions about this policy or potential sexual harassment should be brought to the attention of one (1) of these individuals.

The Township will promptly investigate all allegations of sexual harassment in as confidential a manner as possible. The Township prohibits retaliation against any person who brings a complaint of sexual harassment or who takes part in investigating such a complaint.

Revised – Effective 02/28/17

Commented [EW105]: Combining with Discriminatory Harassment and Drug use policy.

Commented [EW106]: Waiting for name for the "No-No" Policy.

Commented [EW107]: Now in the "Harassment" section of Section 10 ("Harassment and Hostile Visitors")

Any Employee, Contractor, or Volunteer found to be engaging in sexual harassment is subject to disciplinary action, up to and including termination of employment/affiliation with the Township.

~~Any employee whom the Township believes to have been involved in sexual harassment in violation of this policy will be subject to appropriate sanctions, up to and including termination of employment.~~

Commented [EW108]: changed to match Discriminatory Harassment language.

Revised

-

Effective

02/28/17

6.17 Prohibited Discriminatory Harassment:

It is the policy of Oshtemo Charter Township to provide and maintain a work environment that is free of harassment and discrimination based on race, color, creed, religion, national origin, sex (see the sexual harassment policy), non-disqualifying disability ~~or handicap~~, age, height, weight, veteran status, marital status, familial status, sexual orientation, or gender identity.

Harassment is any unwelcome or unsolicited verbal, physical, or sexual conduct that unreasonably interferes with an employee's job performance or creates a hostile, offensive, or abusive working environment. Examples of harassment include, but are not limited to, disparaging remarks about a person's race, color, creed, religion, national origin, sex, disability or handicap, age, height, weight, sexual orientation, or gender identity; unwelcome or unsolicited touching or threats of physical harm; and/or the use of degrading words, nicknames, pictures, stories, or jokes.

All Employees of Oshtemo Charter Township, as well as all other persons or entities affiliated or connected with (including Contractors and Volunteers), Oshtemo Charter Township, are prohibited from engaging in any behavior that constitutes Discriminatory Harassment~~such harassment~~.

~~Any employee who feels that he or she is a victim of harassment shall bring the matter to the immediate attention of his or her supervisor. An employee who is uncomfortable for any reason in bringing such a matter to the attention of his or her supervisor, or is not satisfied after bringing the matter to the attention of his or her supervisor, should report the matter to the Township Supervisor or to the Human Resources Committee of Oshtemo Charter Township.~~

~~Oshtemo Charter Township will promptly investigate all allegations of harassment in as confidential a manner as possible. Oshtemo Charter Township prohibits retaliation against any person who brings a complaint of discriminatory harassment or who takes part in investigating such a complaint.~~

~~Any employee found to be engaging in discriminatory harassment would be subject to disciplinary action, up to and including termination of employment.~~

Commented [EW109]: Combine with/mirror Sexual Harassment above re: reformat

Commented [EW110R109]: See new Drug/Harassment policy

Commented [EW111]: Combined with sexual harassment in new "NAME" section.

Revised Sec. 6.17 – Effective 07/09/13

6.18 Substance Use and Abuse Policy:

Commented [EW112]: Combined with 6.20 and 6.21 (and Harassment) into the “_____” Policy

Definitions.

“Adversely Affect Work Performance” and “Under the Influence” shall be determined to be present if the employee is perceptively impaired, has impaired alertness, coordination, reactions, responses, or efforts; if the employee’s condition threatens the safety of him/herself or others; or if the employee’s condition or behavior presents the appearance of unprofessional or irresponsible conduct detrimental to the public’s perception of the Township as an employer as determined by the Supervisor or immediate supervisor or others observing the employee. It includes operation of any Township vehicle or equipment at any time, or use of any personal, rental, or other vehicle on Township business. For purposes of this definition, an employee with a blood alcohol level of .04% alcohol in the blood, by weight, shall be considered sufficient to establish the employee is/was “under the influence.” However, an employee with a blood alcohol content of less than .04% alcohol in the blood, by weight, may be considered “under the influence” if job performance is impacted to any appreciable degree. For purposes of this definition, an employee with any blood level of THC shall be considered sufficient to establish the employee is/was “under the influence.” However, an employee without any THC present in their blood may still be considered “under the influence” if job performance is impacted to any appreciable degree.

“Controlled Substance(s)” or “Drug(s)” means those substances whose distribution is controlled by regulation or statute, including but not limited to Amphetamines, THC, Cocaine, Opiates, Phencyclidine (PCP), Alcohol, Tobacco, Barbiturates, Benzodiazepines, Methaqualone, Methadone, Propoxyphene, and any/all substances applicable. For the purposes of this policy, “Controlled Substances” or “Drugs” do not include medications for which the Employee has a prescription to treat a medical condition as recorded with Human Resources.

“Reasonable Suspicion Drug Testing” refers to requests for testing based on the “reasonable suspicion” standard. In order for “reasonable suspicion” to exist, there must be a basis for forming a belief that testing is justified based on specific facts and rational inferences drawn from those facts. Reasonable Suspicion Drug Testing may be performed (1) post-accident, and/or (2) when the Township reasonably suspects that the individual: (a) is, or was, under the influence of Drugs; (b) has violated Township’s written work rules prohibiting Drug use; and/or (c) was observed to be acting in an abnormal manner, or exhibiting any of the following (non-exclusive) signs of Intoxication: (1) Odors (smell of alcohol, body odor, or urine); (2) Movements (unsteady, fidgety, dizzy/lack of balance); (3) Eyes (dilated, constricted, or watery eyes; involuntary movements); (4) Face (flushed, sweating, confused, or blank look); (5) Speech (slurred, slow, distracted mid-thought, unable to verbalize thoughts); (6) Emotions (argumentative, agitated, irritable, drowsy); (7) Actions (yawning, twitching); (8) Inactions (sleeping, unconscious, no reaction to questions).

Oshtemo Charter Township is committed to maintaining a ~~Dr~~ug and ~~alcohol~~-free workplace. This policy is designed to ensure ~~e~~Employee/~~C~~ontractor/~~V~~olunteer safety, reduce absenteeism and tardiness, improve productivity, and protect the Township's status and reputation.

Commented [EW113]: Purpose

Employees, ~~C~~ontractors, and ~~V~~olunteers are expected and required to report to work on time and in appropriate mental and physical condition. ~~The~~ unlawful use, possession, manufacture, distribution, or dispensation of ~~drugs~~ ~~Drugs~~ while on Township premises or while on Township business off-premises (~~including working from home~~) is strictly prohibited. ~~Violation of this policy will result in disciplinary action, up to and including termination, as well as possible criminal consequences.~~

Commented [EW114]: "Unlawful" does not take into account the tobacco prohibition- use of tobacco is legal (for 21+) but prohibited for Township Employees while working.

Commented [EW115]: Reporting for Work Header- combined in part with "Scope" and "D" (below) and 6.20 to reduce duplication of terms/repetitive language.

Commented [EW116]: Consequences/violations header

~~Possession or use of alcohol or marihuana on Township premises is prohibited.~~

~~An~~ Employee, ~~C~~ontractor, or ~~V~~olunteer ~~s~~ whose physician has prescribed a ~~Dr~~ug or ~~e~~Controlled ~~s~~Substance that might adversely affect ~~their~~his or her ability to perform their assigned work must provide a written statement to the ~~Township Supervisor~~HR/Benefits Coordinator from their doctor stating that the ~~employee~~ Employee can properly perform ~~his or her~~their specific job duties.

Commented [EW117]: Duplicated in D

The Township recognizes that ~~alcohol, marihuana and drug~~the abuse of ~~Drugs~~ and addiction are treatable illnesses, ~~and, The Township also realizes~~ that early intervention and support improve the success of rehabilitation. ~~To support our Full-Time employees~~Employees, ~~our drug free workplace policy, eligible Employees have access to an Employee Assistance Program (EAP). Employees with questions about the EAP should contact the HR/Benefit Coordinator.~~

Commented [EW118]: Revised per information from carrier via Sara that coverage is only for employees enrolled in the short/long term disability, and does NOT cover family members.

- ~~Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.~~
- ~~Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.~~
- ~~Ensures the availability of a current list of qualified community professionals.~~
- ~~Offers all full-time employees and their family members' assistance with alcohol and drug problems through the Employee Assistance Program (EAP).~~
- ~~Allows the use of accrued paid leave, if applicable, while seeking treatment for alcohol and other drug problems.~~
- ~~Those testing positive shall be referred to a substance abuse professional.~~

~~whether a full time or part time employee or an applicant.~~

Treatment for ~~alcoholism and/or other~~ drug use disorders may be covered by the ~~employee~~ Employee benefit plan, if applicable. However, the ultimate financial responsibility for recommended treatment belongs to the ~~employee~~ Employee.

Commented [EW119]: "Drug Treatment and Counseling" header of new section.

~~Drug and Alcohol Testing for Employees. The Township recognizes that alcohol and drug abuse adversely affects any employee's job performance and safety. It is imperative to maintain a level of performance above reproach. It is the purpose of this policy to maintain the highest level of integrity for all employees, Contractors, and Volunteers of the Township.~~

Commented [EW120]: Purpose

A. Scope.

This policy applies to all ~~applicants~~ Applicants and ~~employees~~ Employees, ~~as well as paid on-call firefighters.~~ This policy is applicable at the Township facilities or wherever the Township ~~personnel~~ Employees are performing Township business. It is also applicable when operating any of the Township vehicles or equipment at any time or any personal, rental, or other vehicle while on Township business.

B. Definitions.

1. ~~"Adversely Affect Work Performance" and "Under the Influence" shall be determined to be present if the employee is perceptively impaired, has impaired alertness, coordination, reactions, responses, or efforts; if the employee's condition threatens the safety of him/herself or others; or if the employee's condition or behavior presents the appearance of unprofessional or irresponsible conduct detrimental to the public's perception of the Township as an employer as determined by the Supervisor or immediate supervisor or others observing the employee. It includes operation of any Township vehicle or equipment at any time, or use of any personal, rental or other vehicle on Township business. For purposes of this definition, an employee with a blood alcohol level of .04% alcohol in the blood, by weight, shall be considered sufficient to establish the employee is/was "under the influence." However, an employee with a blood alcohol content of less than .04% alcohol in the blood, by weight, may be considered "under the influence" if job performance is impacted to any appreciable degree. For purposes of this definition, an employee with any blood level of THC shall be considered sufficient to establish the employee is/was "under the influence." However, an employee without any THC present in his/her blood may still be considered "under the influence" if job performance is impacted to any appreciable degree.~~

~~2. “Controlled Substances” or “Drugs” means those substances whose distribution is controlled by regulation or statute, including but not limited to Amphetamines, THC, Cocaine, Opiates, Phencyclidine (PCP), Alcohol, Barbiturates, Benzodiazepines, Methaqualone, Methadone, Propoxyphene, and any/all substances applicable.~~

C. Non-Discrimination.

Consistent with its general policy against discrimination, the Township recognizes that disabled individuals should be protected from discriminatory treatment. Under Michigan law, a disabled person is someone who has a medical or psychological condition which materially impairs a major life activity. However, in accordance with Michigan law, disability does not include any condition resulting from ~~alcohol or other drugs~~ the abuse of Controlled Substances which prevents a person from performing essential functions of the job or which creates a direct threat to property or the safety of individuals.

D. Prohibitions.

1. No ~~Employee, Contractor, or Volunteer~~employee shall report to work, or perform Township work, under the influence of ~~alcohol, marijuana, or other drugs~~ Controlled Substances or other prescription medications which affect ~~his/her~~their alertness, coordination, reaction, response, judgment, decision-making, or safety.

2. No ~~Employee, Contractor, Applicant, or Volunteer~~employee shall operate, use, or drive any equipment, machinery, or vehicle of the Township, or operate, use or drive a personal, rental, or other vehicle on Township business, while under the influence of ~~alcohol, marijuana, or other drugs~~ Controlled Substances, prescription medications, or other mood-altering drugs. Such ~~employee~~ Employees, Contractors, and/or Volunteers ~~is~~are under an affirmative duty to notify ~~his/her~~the HR/Benefit Coordinator ~~supervisor immediately promptly~~ that ~~he/she is~~they are not in an appropriate mental or physical condition to operate, use, or drive the equipment, whether or not belonging to the Township.

Commented [EW121]: Thinking specifically of Fire Applicants

E. Alcohol and Drug Testing.

1. ~~In order to~~To carry out the Township’s commitment to an ~~alcohol and drug-free~~ workplace, the Township reserves the right to require that ~~applicants, Applicants, and employees~~ Applicants, and Employees, and Contractors submit to drug and/or alcohol testing in accordance

6.20 Drinking, Smoking or Consuming Marihuana in Uniform:

~~Township Employees, Contractors, and Volunteers~~ Employees shall not consume or use ~~Drugs~~ alcoholic beverages, smoke or consume marihuana while in uniform, or in official work clothing, while handling official Township business, or while in an Oshtemo Township vehicle which identifies ~~oneself~~ the individual as an Township Employee/Contractor/Volunteer employee of the Township.

Commented [EW132]: Combined with Section 6.18 and 6.21 (and Harassment) for new "____" Policy

Commented [EW133]: "Drugs" includes alcohol, tobacco, and marijuana

Revised Sec. 6.20 – Effective: 03/26/19

6.21 Non tobacco and Electronic Delivery Systems Use Policy:

~~All Township officials and employees shall abstain from using tobacco products or any electronic delivery system (including, but not limited to, smoking, chewing, electronic cigarettes, e pens, e pipes, e hookahs, e cigars or vapor devices of any kind) while on Township property, in Township vehicles, or in uniform or clothing identifying themselves as employees of Oshtemo Charter Township. [The purpose of this requirement is to protect the health and welfare of all employees, in compliance with the Michigan Clean Indoor Air Act, as well as maintain a positive image for the Township to the general public. Medical facts have clearly been established showing that the use of tobacco (smoking or chewing) and secondary effects are detrimental to one's health and has been directly linked to respiratory and cardiovascular diseases. This is especially true for the firefighting profession as noted by the United States Fire Administration: Heart attacks were the most frequent cause of firefighter deaths in 2007, with the loss of 52 members. This is up slightly from the 50 deaths in 2006 (according to U.S. Fire Administration, Firefighter Fatalities in the United States in 2007, Report dated June 2008.)~~

~~Electronic delivery systems are also banned because they are unregulated by the U.S. Food and Drug Administration (FDA). Upon the recommendation of the American Lung Association because electronic delivery systems are unregulated, often contain nicotine, formaldehyde, benzene, as well as flavor ingredients not approved for inhalation, and may pose a health risk to the user and those inhaling secondhand emissions, the same are prohibited.~~

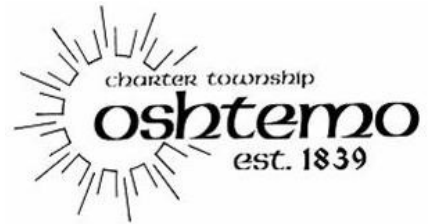
Commented [EW134]: Combine with Section 6.18 and 6.20 re: "Drug Use" with "Harassment" in new " _____ " policy.

Commented [EW135]: Added to Definition re: Tobacco: including, but not limited to smoking, chewing, electronic cigarettes, e-pens, e-pipes, e-hookahs, e-cigars, or vapor devices of any kind

Commented [EW136]: Added to "Purpose" for new Drug use/Harassment policy

Commented [EW137]: Possibly change to reference to State Law re: cancer and heart attack for fire fighters.

*New Sec. 6.21 - Effective 9/23/08
Revised Sec. 6.21 - Effective 5/26/09
Revised Sec. 6.21 - Effective -04/26/16*



Memorandum

Date: February 3, 2022
To: Township Board
From: Anna Horner, P.E., Deputy Director of Public Works
Subject: Parkview Avenue – Proposal for Engineering and Construction

OBJECTIVE

Township Board consideration of Parkview Avenue Engineering and Construction and authorization to Supervisor to execute Sanitary Sewer Agreement.

BACKGROUND

The Road Commission of Kalamazoo County was awarded Federal Safety Grant funds to improve the intersections on Parkview Avenue at 11th Street and 12th Street with compact urban (“mini”) roundabouts. The Township has other infrastructure needs along this corridor, including sanitary sewer and non-motorized, that was requested be coordinated with during design in effort to provide comprehensive planning and project scope implementation.

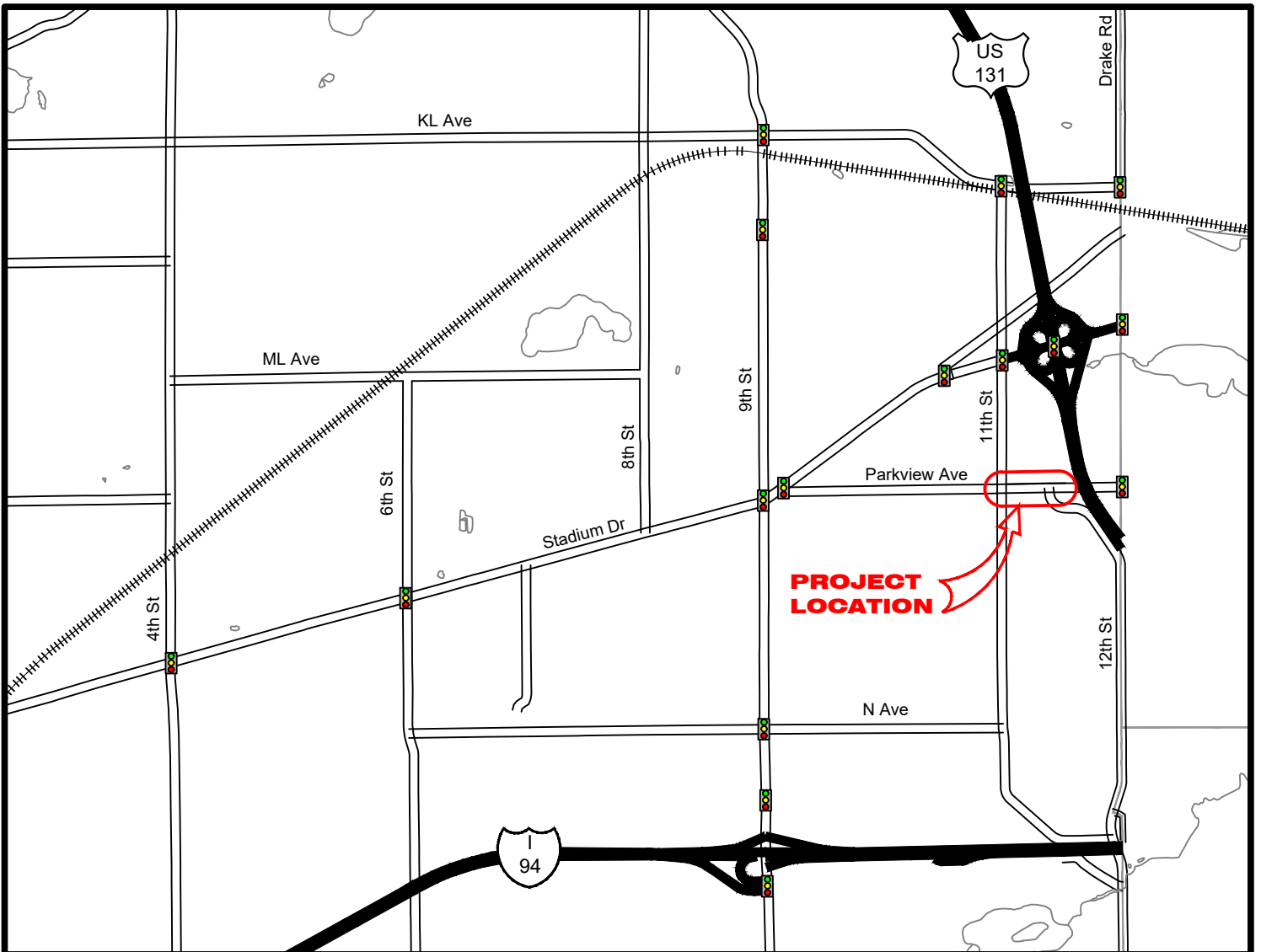
The “Road Improvements Project” on Parkview Avenue (See limits in attached Exhibit A) will be under the oversight and administration of RCKC as eligible Act 51 Agency for Federal funding requirements. Through the proposed “Sanitary Sewer Project Agreement” and current “Non-motorized Facilities Umbrella Agreement”, the consultant, HRC, will complete design engineering, ROW acquisition, construction bid documents, and construction observation for the Township’s work within the RCKC project limits. RCKC will subsequently invoice Oshtemo for all costs. (The sewer will be designed to Stadium Dr as is needed for proper engineering calculations, but no final design plans will be produced within this contract for outside of RCKC project limits.)

One of the biggest reasons for including Oshtemo’s work within a project the RCKC is undertaking, is cost savings from economies of scale and standard costs assumed from any project (insurance, mobilization of equipment, construction detour signage, etc.). These are not realized to the degree we expected or hoped, however the benefit remains of completing this work during the already expected disruptions to residents and traffic. While some of the work is already being done (like removing the pavement for sewer installation) remains an appropriate and timely opportunity to capitalize on.

Concurrently, we are working with MDOT to understand requirements for utilizing bridge over US-131 for eastern connection to Drake Road non-motorized facilities from this project. Similarly, staff is going to pursue connecting to the west, Crystal Lane, in the short term for when funding and opportunity allows. This work would need to be completed outside of this proposal and RCKC’s project.

ENCLOSURES

HRC Proposal Letter
RCKC Sanitary Sewer Agreement w/ Exhibits A & B
Budget Amendment (Item 6f of this packet)



Project Description:

The proposed project limits for the Parkview Avenue project are from a point approximately 500' west of 11th Street to the west end of the Parkview Avenue Bridge over US 131 (approximately 700' east of 12th Street) for a total length of approximately 2,210 feet. Project limits also include approaches to Parkview Avenue on 11th Street and 12th Street approximately 400' in length. Anticipated work will include construction of two roundabouts at 11th Street and 12th Street intersections with Parkview Avenue. Intersection areas where the proposed roundabouts are planned will be reconstructed. Milling and resurfacing is anticipated for all other areas within the project limits. Storm sewer improvements may also be needed depending on intersection reconstruction and as needed to fix deficiencies identified during design. Sanitary Sewer is planned to be installed within project limits.



EXHIBIT A:
Project Summary

Date: January 2022

Scale: No Scale

Exhibit B

01/25/2022

Parkview Avenue Improvements Project Cost Estimate

Project Costs	Total	RCKC Project	Oshtemo Township Project
Estimated Total Construction Cost - Road Improvements	\$ 1,082,983.83	\$ 1,082,983.83	\$ -
Estimated Total Construction Cost - Township Sewer Project	\$ 458,579.00	\$ -	\$ 458,579.00
Estimated Total Construction Cost - Township Non-motorized Project	\$ 198,847.00	\$ -	\$ 198,847.00
Federal Funds	\$ 600,000.00	\$ 600,000.00	\$ -
Construction Local Share	\$ 1,140,409.83	\$ 482,983.83	\$ 657,426.00
Design Engineering	\$ 126,385.60	\$ 91,221.80	\$ 35,163.80
Right of Way Services	\$ 66,268.40	\$ 24,808.40	\$ 41,460.00
Construction Engineering	\$ 145,011.00	\$ 126,764.20	\$ 18,246.80
Sub Total	\$1,478,074.83	\$725,778.23	\$752,296.60
RCKC Overhead 7.92%*			\$59,581.89
Total			\$811,878.49

*Or current Act 51 Overhead Rate.

Amounts above are estimates.

Actual billing is to be based upon actual bid prices and installed costs.

Road Commission for Kalamazoo County
Parkview Avenue - 11th and 12th Street
Engineer's Estimate - TIP Amendment
1/25/2022

Pay Item No.	Item Description	QTY	Unit	Unit Price	Total Cost
CAT 001 - RCKC ROADWORK					
1100001	Mobilization, Max	0.63	LS	\$ 144,000.00	\$ 90,720.00
2020002	Tree, Rem, 19 inch to 36 inch	5	Ea	\$ 1,500.00	\$ 7,500.00
2020004	Tree, Rem, 6 inch to 18 inch	4	Ea	\$ 750.00	\$ 3,000.00
2040020	Curb and Gutter, Rem	411	Ft	\$ 10.00	\$ 4,110.00
2040035	Guardrail , Rem	350	Ft	\$ 10.00	\$ 3,500.00
2040070	Utility Pole, Rem	3	Ea	\$ 500.00	\$ 1,500.00
2050010	Embankment, CIP	1,500	Cyd	\$ 15.00	\$ 22,500.00
2050016	Excavation, Earth	2,250	Cyd	\$ 15.00	\$ 33,750.00
2057002	Roadway Grading	17	Sta	\$ 1,500.00	\$ 24,900.00
2057021	Subgrade Undercutting, 21AA, Special	100	Cyd	\$ 25.00	\$ 2,500.00
2080020	Erosion Control, Inlet Protection, Fabric Drop	8	Ea	\$ 100.00	\$ 800.00
2080036	Erosion Control, Silt Fence	2,200	Ft	\$ 3.00	\$ 6,600.00
3010002	Subbase, CIP	480	Cyd	\$ 30.00	\$ 14,400.00
3020016	Aggregate Base, 6 inch	600	Syd	\$ 12.00	\$ 7,200.00
3020020	Aggregate Base, 8 inch	717	Syd	\$ 15.00	\$ 10,755.00
3050002	HMA Base Crushing and Shaping	8,406	Syd	\$ 2.00	\$ 16,812.00
3060020	Maintenance Gravel	100	Ton	\$ 25.00	\$ 2,500.00
3062000	Driveway Maintenance, Commercial	3	Ea	\$ 1,500.00	\$ 4,500.00
3062001	Driveway Maintenance, Residential	3	Ea	\$ 1,000.00	\$ 3,000.00
3082002	Road Grade Biaxial Geogrid	240	Syd	\$ 10.00	\$ 2,400.00
4010012	Culv End Sect, 12 inch	3	Ea	\$ 500.00	\$ 1,500.00
4010072	Culv End Sect, Footing	3	Ea	\$ 500.00	\$ 1,500.00
4020987	Sewer, CI IV, 12 inch, Tr Det B	500	Ft	\$ 60.00	\$ 30,000.00
4021260	Video Taping Sewer and Culv Pipe	500	Ft	\$ 1.00	\$ 500.00
4030050	Dr Structure Cover, Type K	9	Ea	\$ 900.00	\$ 8,100.00
4030200	Dr Structure, 24 inch dia	4	Ea	\$ 1,500.00	\$ 6,000.00
4030210	Dr Structure, 48 inch dia	4	Ea	\$ 2,500.00	\$ 10,000.00
4037050	Dr Structure, 48 inch dia, Leaching Basin	1	Ea	\$ 4,000.00	\$ 4,000.00
5010002	Cold Milling HMA Surface	7,311	Syd	\$ 2.00	\$ 14,622.00
5010005	HMA Surface, Rem	572	Syd	\$ 9.00	\$ 5,148.00
5010061	HMA Approach	104	Ton	\$ 125.00	\$ 13,000.00
5017031	HMA, 36A, Modified	1,827	Ton	\$ 85.00	\$ 155,295.00
5017031	HMA, 13A, Modified	1,884	Ton	\$ 85.00	\$ 160,140.00
6020050	Conc Pavt, Misc, Nonreinf, 6 inch	1,432	Syd	\$ 55.00	\$ 78,760.00
8020002	Curb, Conc, Det E2	54	Ft	\$ 20.00	\$ 1,080.00
8020031	Curb and Gutter, Conc, Det D2, Modified	362	Ft	\$ 20.00	\$ 7,240.00
8020038	Curb and Gutter, Conc, Det F2, Modified	2,046	Ft	\$ 20.00	\$ 40,920.00
8020040	Curb and Gutter, Conc, Det F6	2,117	Ft	\$ 20.00	\$ 42,340.00
8030010	Detectable Warning Surface	24	Ft	\$ 50.00	\$ 1,200.00
8030030	Curb Ramp Opening, Conc	32	Ft	\$ 20.00	\$ 640.00
8032002	Curb Ramp, Conc, 6 inch	131	Sft	\$ 7.50	\$ 982.50
8070004	Guardrail, Type MGS-8	312.5	Ft	\$ 30.00	\$ 9,375.00
8070012	Guardrail, Curved, Type MGS-8	162.5	Ft	\$ 30.00	\$ 4,875.00
8070044	Guardrail, Approach Terminal, Type 2M	1	Ea	\$ 4,000.00	\$ 4,000.00
8070080	Guardrail Reflector	16	Ea	\$ 7.50	\$ 116.25
8070095	Post, Mailbox	6	Ea	\$ 150.00	\$ 900.00
	Permanent Pavement Marking and Signs	1	LS	\$ 10,000.00	\$ 10,000.00
	MOT Items	0.63	LS	\$ 85,000.00	\$ 53,550.00
8167011	Turf Establishment	7,460	Syd	\$ 6.00	\$ 44,760.00
8167011	Native Seeding	1,590	Syd	\$ 6.00	\$ 9,540.00
8230431	Gate Box, Adj, Case 1	1	Ea	\$ 750.00	\$ 750.00
8252145	Sanitary Structure Cover, Adj, Case 1	1	Ea	\$ 750.00	\$ 750.00
				Subtotal RCKC Road Cost	\$ 984,530.75
				Contingency 10%	\$ 98,453.08
				Total RCKC Road Cost	\$ 1,082,983.83

Road Commission for Kalamazoo County
 Parkview Avenue - 11th and 12th Street
 Engineer's Estimate - TIP Amendment
 1/25/2022

Pay Item No.	Item Description	QTY	Unit	Unit Price	Total Cost
CAT 003 - OT NON-MOTORIZED PATH COSTS					
1100001	Mobilization, Max	0.11	LS	\$ 144,000.00	\$ 15,840.00
2010001	Clearing	0.1	Acre	\$ 15,000.00	\$ 1,500.00
2020002	Tree, Rem, 19 inch to 36 inch	10	Ea	\$ 1,500.00	\$ 15,000.00
2020003	Tree, Rem, 37 inch or Larger	5	Ea	\$ 1,750.00	\$ 8,750.00
2020004	Tree, Rem, 6 inch to 18 inch	30	Ea	\$ 750.00	\$ 22,500.00
2040020	Curb and Gutter, Rem	30	Ft	\$ 10.00	\$ 300.00
2040025	Fence, Rem	150	Ft	\$ 20.00	\$ 3,000.00
2040050	Pavt, Rem	75	Syd	\$ 10.00	\$ 750.00
3020016	Aggregate Base, 6 inch	115	Syd	\$ 12.00	\$ 1,380.00
3062001	Driveway Maintenance, Residential	4	Ea	\$ 1,000.00	\$ 4,000.00
5010061	HMA Approach	15	Ton	\$ 125.00	\$ 1,875.00
8010005	Driveway, Nonreinf Conc, 6 inch	75	Syd	\$ 50.00	\$ 3,750.00
8030010	Detectable Warning Surface	80	Ft	\$ 50.00	\$ 4,000.00
8030030	Curb Ramp Opening, Conc	80	Ft	\$ 20.00	\$ 1,600.00
8032002	Curb Ramp, Conc, 6 inch	400	Sft	\$ 7.50	\$ 3,000.00
8060040	Shared use Path, HMA	275	Ton	\$ 125.00	\$ 34,375.00
8067001	Shared use Path, Grading, Special	1,400	Ft	\$ 15.00	\$ 21,000.00
8067011	Shared use Path, Aggregate, 6 inch, 21AA, Special	1,600	Syd	\$ 12.00	\$ 19,200.00
	MOT Items	0.11	LS	\$ 85,000.00	\$ 9,350.00
8167011	Turf Establishment	1,600	Syd	\$ 6.00	\$ 9,600.00
				Subtotal OT Non-Motorized Cost	\$ 180,770.00
				Contingency 10%	\$ 18,077.00
				Total OT Non-Motorized Cost	\$ 198,847.00
CAT 003 - OT SANITARY SEWER COSTS					
1100001	Mobilization, Max	0.26	LS	\$ 144,000.00	\$ 37,440.00
3010002	Subbase, CIP	1,250	Cyd	\$ 30.00	\$ 37,500.00
3020020	Aggregate Base, 8 inch	1,875	Syd	\$ 15.00	\$ 28,125.00
5010005	HMA Surface, Rem	1,875	Syd	\$ 9.00	\$ 16,875.00
5017031	HMA, 36A, Modified	230	Ton	\$ 85.00	\$ 19,550.00
5017031	HMA, 13A, Modified	460	Ton	\$ 85.00	\$ 39,100.00
	MOT Items	0.26	LS	\$ 85,000.00	\$ 22,100.00
8255039	Sanitary Sewer, PVC, 12 inch, Tr Det B2	1,900	Ft	\$ 75.00	\$ 142,500.00
8252072	Sanitary Structure, 48 inch dia	7	Ea	\$ 4,500.00	\$ 31,500.00
8252080	Sanitary Structure, Add Depth of 48 dia, 8 foot to 15 foot	20	Ft	\$ 100.00	\$ 2,000.00
8252098	Sanitary Structure Cover, Type Q	7	Ea	\$ 750.00	\$ 5,250.00
8252113	Sanitary Structure, Tap, 12 inch	1	Ea	\$ 1,200.00	\$ 1,200.00
8252122	Sanitary Sewer, Serv Lead, PVC, 6 inch	675	Ft	\$ 50.00	\$ 33,750.00
				Subtotal OT Sanitary Sewer Cost	\$ 416,890.00
				Contingency 10%	\$ 41,689.00
				Total Sanitary Sewer Cost	\$ 458,579.00
				TOTAL PROJECT COST	\$ 1,740,409.83

SANITARY SEWER PROJECT
CONSTRUCTION & REIMBURSEMENT AGREEMENT

This Sanitary Sewer Project Construction & Reimbursement Agreement (“Agreement”) is entered into between the Road Commission of Kalamazoo County, a Michigan municipal corporation (the “RCKC”) and Oshtemo Township, a Michigan municipal corporation (the “Township”) on the ____ day of _____, 2022. For good and valuable consideration, the receipt of which is acknowledged, the parties mutually agree as follows.

Recitals

WHEREAS, RCKC has identified, applied, and received Michigan Department of Transportation approval for a FY 2023 Safety Project using federal funding for a road and drainage improvement on Parkview Avenue (“Road Improvements”) in Oshtemo Township, as more particularly described on **Exhibit A**; and

WHEREAS, the Township desires to construct and install a sanitary sewer main and service leads within the public right of way along Parkview Avenue between 11th Street and 12th Street to provide properties located in the Township (“Township Sewer Project”) with public sanitary sewer service; and

WHEREAS, the Township Sewer Project shall be installed within the RCKC’s road right-of-way along Parkview Avenue (“ROW”), which requires the consent of RCKC; and

WHEREAS, the Township desires to install and construct their Township Sewer within the ROW concurrent with the RCKC Road Improvements; and

WHEREAS, the parties wish to set forth their respective responsibilities in this Agreement.

Agreement

1. **Township Sanitary Sewer Project.** The Township Sewer Project shall consist of the sanitary sewer improvements within the general location identified on **Exhibit A**, which location is hereby deemed approved by RCKC. Final design of the Township Sewer Project shall be subject to approval by the RCKC through RCKC’s permit process as noted in paragraph 2 of this agreement. RCKC shall make final design decisions regarding driveways, intersections, signage, utilities, and stormwater drainage features within the ROW. The Township Sewer Project shall not include any storm water improvements.
2. **RCKC Approval and Permit.** The Township shall apply to RCKC for a permit for the Township Sewer Project, the approval of which shall not be unreasonably withheld. If RCKC fails or refuses to issue a permit required for construction of the Township Sewer Project, then this Agreement shall be of no further force and effect as to the Township Sewer Project that did not receive RCKC permit approval.

3. Construction. Construction of the Township Sewer Project, including all labor and materials, shall be completed by a contractor selected through a competitive bidding process by the Michigan Department of Transportation (MDOT) and subject to Paragraph 6 of this Agreement. Construction shall comply with the plans and design as approved by RCKC. RCKC shall determine whether construction satisfies all RCKC requirements.
4. Ownership; Maintenance. The Township shall pay all actual costs of constructing the Township Sewer Project subject to the terms of this Agreement. Upon completion, the Township shall own the Township Sewer Project. The Township shall execute any documents reasonably required to accept ownership of their Township Sewer Project and the RCKC shall execute any documents reasonably required to transfer any interest or title in the Township Sewer Project to the Township; provided the Township has reimbursed the RCKC for any and all costs pursuant to this Agreement. Following completion of construction and acceptance, the Township shall be solely responsible for maintenance of the Township Sewer Project, including but not limited to repair and restoration of the street and all components of their Township Sewer Project located in the ROW.
5. Costs of Construction.
 - a. *Estimate.* The parties acknowledge that they have received the “Parkview Avenue Improvements Project Cost Estimate” dated 1/25/2022 (**Exhibit B**). The estimated cost of the RCKC Road Improvements is \$1,082,983.83 (“RCKC Estimated Cost”) and the estimated cost of the Township Sewer Project is \$458,579.00 (“Township Estimated Cost”).
 - b. *Deposit.* The Township shall deposit with RCKC an amount equal to ninety (90) percent of the estimated local cost of the construction project plus the RCKC overhead factor before construction of the Township Sewer Project begins.
 - c. *Competitive Bids.* MDOT shall solicit and review competitive bids for construction of the Project.
 - d. *Construction Cost; Overhead.* The Township shall be obligated to pay the total actual cost of the Township Sewer Project, plus an additional amount equal to 7.92% or the current RCKC overhead factor of the total actual cost of the Township Sewer Project for overhead. Overhead factor includes any and all costs incurred by RCKC directly related to the Township Sewer project, including but not limited to administrative review and legal review.
 - e. *Invoices.* RCKC shall issue invoices to the Township as actual costs of the Township Sewer Project are incurred. The Township shall pay their respective invoices within fifteen (15) days after receipt. Upon completion of the Township Sewer Project, RCKC shall conduct a final accounting to determine whether any further payment is due from the Township and whether the Township is entitled to a refund.

- f. *Project Changes.* If a change to the plans or design of the Township Sewer Project is necessary, RCKC, the project engineer, and the Township must approve any such change order in writing. The Township also may request any necessary change orders relating to the Township Sewer Project, so long as the change order does not interfere with completion of the Road Improvements and the Township agrees to pay any such additional costs applicable to the change order.
 - g. *Status Meetings.* Representatives of RCKC and the Township shall meet with the contractor(s) every two weeks, or as frequently as needed, to review the status of the Township Sewer Project and to review costs.
6. The parties do anticipate the need for utility relocation within the ROW. The cost for that utility relocation made necessary by either Project shall be borne by that party whose Project necessitates the utility relocation. If both the Road Improvement and Township Sewer Project require utility relocation, the cost of relocating utilities shall be borne equally by the RCKC and Township.
7. The Township approves of the Township Sewer Project, declares it a public necessity and authorizes the RCKC to perform or cause to be performed, and complete, the Township Sewer Project along with all administration related to same.
8. Other Provisions.
- a. *No Partnership or Joint Venture.* This Agreement does not create a partnership or joint venture between the Township and RCKC. No employee, agent, or contractor of any party is to be considered an employee, agent, or contractor of the other parties for any purpose. Each party agrees to supervise any employees, contractors, volunteers, or other agents that it uses to perform the work under this Agreement.
 - b. *No Assignment.* The parties may not assign any of their obligations or rights under this Agreement without the express written consent of the other parties, which may be granted or denied in each party's sole discretion.
 - c. *Counterparts.* This Agreement may be executed in one or more counterparts, all of which together are deemed to be one complete document.
 - d. *Severability.* If any portion of this Agreement is deemed unenforceable, the remaining provisions of this Agreement are nevertheless binding.
 - e. *Entire Agreement.* This Agreement contains the entire understanding and agreement between the parties and cannot be amended or modified except by a written agreement signed by all parties.

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**ROAD COMMISSIONERS OF
KALAMAZOO COUNTY**

OSHTEMO TOWNSHIP

By: _____
Joanna I. Johnson

By: _____

Its: Managing Director

Its: Supervisor

**SANITARY SEWER PROJECT
CONSTRUCTION & REIMBURSEMENT AGREEMENT**

This Sanitary Sewer Project Construction & Reimbursement Agreement (“Agreement”) is entered into between the Road Commission of Kalamazoo County, a Michigan municipal corporation (the “RCKC”) and Oshtemo Township, a Michigan municipal corporation (the “Township”) on the ____ day of _____, 2022. For good and valuable consideration, the receipt of which is acknowledged, the parties mutually agree as follows.

Recitals

WHEREAS, RCKC has identified, applied, and received Michigan Department of Transportation approval for a FY 2023 Safety Project using federal funding for a road and drainage improvement on Parkview Avenue (“Road Improvements”) in Oshtemo Township, as more particularly described on **Exhibit A**; and

WHEREAS, the Township desires to construct and install a sanitary sewer system-main and service leads within the public right of way along Parkview Avenue between 11th Street and 12th Street to serve-provide properties located in the Township (“Township Sewer Project”) with public sanitary sewer service; and

WHEREAS, the Township Sewer Project shall be installed concurrently with the Road Improvements within the RCKC’s RCKC’s road right-of-way along Parkview Avenue (“ROW”), which requires the consent approval and permit the consent of RCKC; and

WHEREAS, the Township desires to install and construct their Township Sewer within the ROW concurrent with the RCKC Road Improvements; and ~~WHEREAS, the Township desires to install and construct their Township Sewer Project within the ROW concurrent with the RCKC Road Improvements ; and~~

WHEREAS, the parties wish to set forth their respective responsibilities in this Agreement.

Agreement

1. Township Sanitary Sewer Project. The Township ~~Sanitary~~ Sewer Project shall consist of the sanitary sewer improvements within the general location identified in the plans and design on Exhibit A, which are location is hereby deemed approved approved agreeable by RCKC. Final design of the Township Sewer Project shall be subject to approval by the RCKC through RCKC’s permit process as noted in paragraph 2 of this agreement. RCKC shall make final design decisions regarding driveways, intersections, signage, utilities, and stormwater drainage features within the ROW. The Township ~~Sanitary~~ Sewer Project shall not include any storm water improvements.
2. RCKC Approval and Permit. The Township shall apply to RCKC for a permit for the Township Sewer Project, the approval of which shall not be unreasonably withheld. If RCKC fails or refuses to issue a permit required for construction of the Township Sewer

Commented [AH1]: Need to clarify this is MDOT’s FY? “...approval of a Safety Project within their FY 2023 using ...”

Commented [JH2R1]: RCKC Does not feel that this clarification is necessary for the agreement.

Commented [AH3]: Can this not be 1 statement?

Commented [JH4R3]: RCKC would prefer to keep it separate as it is our standard language used in other Sewer Agreements. We do not see the need to consolidate the statements.

Commented [AH5]: If it is deemed approved, why the next section?

Commented [JH6R5]: This section approves the location of the sewer in the project not the specifics of design which are covered under the permit.

Project, then this Agreement shall be of no further force and effect as to the Township Sewer Project that did not receive RCKC permit approval.

3. Construction. Construction of the Township Sewer Project, including all labor and materials, shall be completed by a contractor selected ~~by the MDOT~~ through a competitive bidding process by the Michigan Department of Transportation (MDOT) and subject to Paragraph 6 of this Agreement. ~~Construction shall comply with the plans and design inas approved by RCKC Exhibit A Approved permit.~~ RCKC shall ~~ensure~~ determine whether that construction satisfies all RCKC requirements.

Commented [AH7]: Section 5c?

Commented [JH8R7]: No. Section 6 speaks to costs which will need to be paid for utility relocation which is outside the MDOT bid.

Commented [AH9]: Exhibit A does not include plans and design?

Commented [JH10R9]: Exhibit A is simply to show the general location of the project. Design details will not be known at the time of this agreement but will be permitted via the RCKC at a later date.

4. Ownership; Maintenance. ~~The Township shall pay all actual costs of constructing the Township Sewer Project subject to the terms of this Agreement.~~ Upon completion ~~of the Township Sewer Project,~~ the Township shall own the Township Sewer Project, ~~and shall pay all actual costs of constructing the Township Sewer Project subject to the terms of this Agreement.~~ The Township shall execute any documents reasonably required to accept ownership of their Township Sewer Project and the RCKC shall execute any documents reasonably required to transfer any interest or title in the Township Sewer Project to the Township; provided the Township has reimbursed the RCKC for ~~the any and all~~ costs pursuant to this Agreement. Following completion of construction and acceptance, the Township shall be solely responsible for maintenance of the Township Sewer Project, including but not limited to repair and restoration of the street and all components of their Township Sewer Project located in the ROW.

5. Costs of Construction.

a. Estimate. The parties acknowledge that they have received the "Parkview Avenue Improvements Project Cost Estimate" dated ~~_____~~ 1/25/2022 (Exhibit B). The estimated cost of the RCKC Road Improvements is \$ ~~_____~~ \$1,082,983.83 ("RCKC Estimated Cost") and the estimated cost of the Township Sewer Project is \$ ~~_____~~ \$458,579.00 ("Township Estimated Cost").

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Commented [JH11]: Highlighted for now. Cost estimate is being prepared and will be included in the final version of this agreement.

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b. Deposit. The Township shall deposit with RCKC an amount equal to ninety (90) percent of the estimated local cost of the construction project plus the RCKC overhead factor before construction of the Township ~~Sanitary~~ Sewer Project begins.

c. Competitive Bids. MDOT shall solicit and review competitive bids for construction of the Project.

d. Construction Cost; Overhead. The Township shall be obligated to pay the total actual construction cost of the Township Sewer Project, plus an additional amount equal to ~~7.92~~ % or the current RCKC overhead factor of the total actual construction cost of the Township Sewer Project for ~~overhead~~. Overhead factor includes any and all costs incurred by RCKC directly related to the Township Sewer project, including but not limited to administrative review and legal review.

Commented [AH12]: Clarify OH on construction costs ONLY or consultant services too?

Commented [JH13R12]: OH will be required on construction and any consultant costs. Further clarification of this overhead and it's estimated value will be shown in Exhibit B of the agreement (Cost Estimate)

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~~Economies of Scale. Items that recognize savings from efficiencies or economies of scale from concurrent construction shall be passed on to the Township. Specifically, the unit price of the Mobilization pay item cannot be more than 10% (maximum) of overall bid. However, if the actual unit price for the awarded bidder is lower, the lesser of the amount will be reduced from the Township's portion in the Engineer's Estimate with the understanding that minimal cost for the Township's scope items require additional mobilization and this is not a proportional savings in this joint effort.~~
d. _____

Commented [JH14]: RCKC has removed this section which was added by Oshtemo Township because Mobilization and Temporary Traffic Control costs will be split between the entities based upon the bid costs as a percentage of the entire bid price. If bid prices are less than estimate, both entities would see savings equivalent to their portion of the bid cost

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e. *Invoices.* RCKC shall issue invoices to the Township as actual costs of the Township Sewer Project are incurred. The Township shall pay their respective invoices within ~~fifteen (15)~~~~thirty (30)~~~~fifteen (15)~~ days after receipt. Upon completion of the Township Sewer Project, RCKC shall conduct a final accounting to determine whether any further payment is due from the Township and whether the Township is entitled to a refund.

~~f. Project Changes.~~ If a change to the plans or design of ~~either the Township Sewer Project is necessary, RCKC, the project engineer, and the Township (for changes regarding the Township Sewer Project)~~ must approve any such change order in writing. The Township also may request any necessary change orders relating to the Township Sewer Project, so long as the change order does not interfere with completion of the Road Improvements and the Township agrees to pay any such additional costs applicable to the change order, ~~related to the Township Sewer Project. The RCKC, the project engineer, and the Township must approve any requested change orders in writing related to the Township Sewer Project.~~

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~~f.~~
g. *Status Meetings.* Representatives of RCKC and the Township shall meet with the contractor(s) every two weeks, or as frequently as needed, to review the status of the Township Sewer Project and to review costs.

6. ~~The parties do anticipate the need for utility relocation within the ROW. The parties do anticipate the need for utility relocation within the ROW.~~ The cost for that utility relocation made necessary by either Project shall be borne by that party whose Project necessitates the utility relocation. If both the Road Improvement and Township Sewer Project require utility relocation, the cost of relocating utilities shall be borne equally by the RCKC and Township.

Commented [AH15]: Not sure we know this at this point...

Commented [JH16R15]: We do not know if the Sewer project will require utility relocations, however, we do know that the RCKC project will require utility relocations (Consumers Electric poles). Therefore this section should stay as written.

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7. The Township approves of the Township Sewer Project, declares its a public necessity and authorizes the RCKC to perform or cause to be performed, and complete, the Township Sewer Project along with all administration related to same.

8. Other Provisions.

a. *No Partnership or Joint Venture.* This Agreement does not create a partnership or joint venture between the Township and RCKC. No employee, agent, or contractor of any party is to be considered an employee, agent, or contractor of the other

parties for any purpose. Each party agrees to supervise any employees, contractors, volunteers, or other agents that it uses to perform the work under this Agreement.

- b. *No Assignment.* The parties may not assign any of their obligations or rights under this Agreement without the express written consent of the other parties, which may be granted or denied in each party's sole discretion.
- c. *Counterparts.* This Agreement may be executed in one or more counterparts, all of which together are deemed to be one complete document.
- d. *Severability.* If any portion of this Agreement is deemed unenforceable, the remaining provisions of this Agreement are nevertheless binding.
- e. *Entire Agreement.* This Agreement contains the entire understanding and agreement between the parties and cannot be amended or modified except by a written agreement signed by all parties.

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**ROAD COMMISSIONERS OF
KALAMAZOO COUNTY**

OSHTEMO TOWNSHIP

By: _____
Joanna I. Johnson

By: _____

Its: Managing Director

Its: Supervisor _____

Memorandum

Date: February 03, 2022
To: Township Board
From: Anna Horner, P.E., Public Works Director
Subject: Public Water Connection Fees for 2022



Objective

Board adoption of attached resolution to provide fee adjustments for public water utility connections.

Background

The Public Works Department, with guidance of the Capital Improvements Committee (CIC) and Township Engineering Consultants, annually review utility connection fees and recommends fee adjustments to the Board as appropriate. This year, a major consideration is the new water service agreement established with the City of Kalamazoo that was executed in 2021. The new agreement established the Utility Policy Committee (UPC), made up of representatives from both City and Townships, to oversee the agreements' implementation and execution.

A large goal of the new agreement was establishing equal usage rates and applying consistent practices for all users. The usage rate (i.e., quarterly utility bill) adjustments between outside and inside City customers has been underway for a few years and is projected to be completely achieved in March 2022. The next part the UPC is working through is standardizing how expansions or new water main installation are charged.

Since inception of public utility service in Oshtemo Township, connection fees have been collected for such capital expansions and fees set by industry accepted practice of using benefit unit(s) and frontage or lineal foot. Now that the entire water system is being treated as having one owner the consideration of how watermain expansions are funded is being analyzed by the technical members of the UPC to provide clear guidance on appropriate fees. While this work is still underway, an incremental step is proposed for Oshtemo residents so they can immediately start to realize the benefits of the new water service agreement.

Important Considerations:

1. These rates apply only to new connections or new construction.
2. Since most plat and subdivisions have developer-built utility extensions, parcel connection fees are typically liable only for the Benefit Unit Charge. (Water BU charge for 2022 will remain unchanged.)
3. It is expected that as further analysis and capital forecasting is completed by UPC, there may be subsequent changes to these rates. At this time, these are conservative adjustments (could be reduced more over time).

CIC Recommended Rate Adjustments

The Capital Improvements Committee recommends the following rate changes:

2022 Water Fees

- Revise the front foot fee from \$65/ft to \$45/ft.
- No Change lineal foot fee (interior, cross country) \$85/ft.
- No Change water benefit fee \$1000.00 per benefit unit.

An example of Public Water Connection Fees for a residential property with average 110' of frontage:

2021 rates = 110' x \$65/foot + 1 BU @ \$1,000 = \$8,150

2022 rates = 110' x \$45/foot + 1 BU @ \$1,000 = \$5,950

(Additionally, the City of Kalamazoo owns the water service line and sets the cost associated with new installation of the service line and water meter).

Please note that the only other change in the Resolution is in section II. User Fees, updating the date of new water service agreement.

Attachments:

1. *Board Resolution, Amended and Restated Water Connection Fees (2022).*
2. Supporting Memo from Prein & Newhof

Memorandum

Date:	December 9, 2021
To:	Libby Heiny-Cogswell
Company:	Charter Township of Oshtemo
From:	Ryan M. Russell, P.E.
Project #:	2210138
Re:	2022 Water Connection Fees

On December 6, 2021 you inquired about evaluating the 2022 water connection fees for Oshtemo Township due to the new water service agreement with the City of Kalamazoo. This new service agreement created a Utility Policy Committee (UPC) which consists of Township and City of Kalamazoo representatives and has the responsibility to recommend revenue policies for new watermain projects; including being paid for by rates, assessments, or connection fees, or a combination thereof. The UPC is in the process of developing these policies; however, the initial discussions have included that some portion of future extension costs may have a rate revenue component. If a rate component is included in the final policy, then the effect on township connections would be that the connection charges or assessments would be reduced.

Based on these UPC discussions and anticipated changes in revenue policy we are suggesting that Oshtemo Township adjust your connection fees by roughly 30%. To accomplish this, we recommend that Oshtemo Township lower the front foot charge from \$65.00 to \$45.00.

OSHTEMO CHARTER TOWNSHIP
KALAMAZOO COUNTY, MICHIGAN

MOTION TO APPROVE
AMENDED AND RESTATED WATER CONNECTION FEES

February 8, 2022

WHEREAS, the Charter Township of Oshtemo has heretofore adopted the Public Water Service Ordinance, being Ordinance No. 508; and

WHEREAS, pursuant to Sections 2, 4 and 5 of said Ordinance, the Township Board is required to establish appropriate fees for public water main connections, private water main connections, user fees and other charges, from time to time, to reflect the changes in construction costs and to maintain a uniformity between current projects and special assessment districts; and

WHEREAS, it is the desire of the Township Board to treat all persons similarly benefitted and similarly situated in an equal manner with respect to water service charges.

NOW, THEREFORE, until further modification by the Township Board, water connection fees and construction charges within the Charter Township of Oshtemo shall be as follows.

Motion made by _____, seconded by _____, to adopt the foregoing Amended and Restated Water Connection Fees.

Upon roll-call vote, the following voted "Aye":

The following voted "Nay":

The following "Abstained":

The following were absent:

The Supervisor declared that the Motion carried, and duly adopted.

Dusty Farmer, Clerk
Oshtemo Charter Township

* * * * *

CERTIFICATE

I, Dusty Farmer, the duly elected and acting Clerk of the Charter Township of Oshtemo, hereby certify that the foregoing Motion to Approve the Amended and Restated Water Connections Fees was adopted by the Township Board of said Charter Township at a regular meeting of said Board held on February 8, 2022, at which meeting a quorum was present, and the Motion was approved and ordered to take effect on February 8, 2022.

Dusty Farmer, Township Clerk
Oshtemo Charter Township

**OSHTEMO CHARTER TOWNSHIP
KALAMAZOO COUNTY, MICHIGAN**

AMENDED AND RESTATED WATER CONNECTION FEES

EFFECTIVE: FEBRUARY 8, 2022

I. CONNECTION FEES

A. Public Water Main Connection and Benefit Fees.

1. All property connecting to a public water main shall pay a water main connection Fee unless the property has been assessed as part of a water main special assessment district or is part of a development wherein the developer paid the full cost of water main installation, in which case, there shall be no water main connection fee charged.
2. The public water main connection fee is to be calculated as follows:
 - a. Assessable front foot \$45.00
 - b. Lineal foot (measured along center line of main) \$85.00
 - c. Boring under existing road, additional hydrant to existing main, topsoil, and surface restoration as required Actual Cost + 15%
 - d. Assessable frontage and lineal foot charges shall only be collected for the first 200 feet* for private single and two-family residential properties with only one residential building thereon.

* New parcels, lots or building sites which are split from property already connected to the public water system shall pay the fees as set forth above, except to the extent that a portion of the new lot, parcel or building site front footage or lineal footage was part of the first 200 feet for which the front foot or lineal foot charge has already been levied and paid.

All commercial development, industrial development, residential plat or site condominium, as well as multi-family residential development, shall pay the applicable footage charge without limitation.

- e. All property connecting to a public water main shall also pay a Benefit Fee unless the property was assessed as part of a special assessment district, in which case, the subject property shall be entitled to a credit for one benefit

fee. Any additional benefit unit charges shall be calculated and paid in accordance with Section V.

3. The assessable front foot connection charge shall apply when a property borders the water main right-of-way, and the lineal foot charge shall apply when the water main right-of-way is located in the interior of a parcel.
4. Installment Payment Agreements shall not exceed 20 years to be charged at the rate of interest equal to the rate set up by Fannie Mae on January 1 of each year based upon the Loan Level Price Adjustment (LLPA) matrix table 1 for all eligible mortgages, using an average credit score of 660-679, and a loan to value range of 80-85%, plus .5%, not to exceed the maximum rate allowed by law.
5. Hydrants shall be placed at intervals of approximately 1,000 feet on all new installation as determined by the Township Engineer. All hydrants are subject to review and approval of the Township Fire Department and may be required at intervals less than 1,000 feet.

B. Water Service Connections and Connection Fees.

On January 1, 2019, the work to install residential water main taps and curb stop valves is planned to transition from Oshtemo to the City of Kalamazoo. Fees and scope of water connection work are dependent upon policies established separately by the City of Kalamazoo (utility service provider) and Oshtemo Township. When an application for water service is received, Oshtemo shall identify the necessary installation service and the organization responsible for providing the water service. For non-residential or non-standard service sizes the City may allow the developer's contractor to complete the service at a private cost under the City's oversight. If required, an agreement between the City of Kalamazoo and the customer will be necessary to initiate this work. If the above described transition is not completed and Township does a portion of the work, the fee for the work by Oshtemo is described herein. If provided, Oshtemo's work is limited to the public right of way. The remaining service line extent shall be privately installed with oversight by the City of Kalamazoo. All private contractors require pre-approval by the Township or its agent, the City of Kalamazoo. The following service line installation fees are established by Oshtemo:

1. The service connection is that pipe from the public water distribution main that delivers water to the curb stop which, in turn, delivers water to the property being serviced. The customer pays for the installation of this service based upon size unless the same was previously installed by the Developer. In the event that the Township has previously installed the curb-stop, or one will need be installed, the charge for a standard connection is as follows:
 - a. 1¼" tap with installation of line and curb box installed by Oshtemo or its construction agent - \$2,700.00.

- b. 1¼” tap to existing line and curb box previously installed by Oshtemo Township- \$1,515.00.
 - c. 1¼” tap with installation of line and curb box installed by City of Kalamazoo or its contractors – see City of Kalamazoo fee schedule.
 - d. Special services, 2" – Contact City of Kalamazoo
- 2. Upon payment of Fees to the Township, the water service applicant (owner) shall be issued a Permit by Oshtemo to receive public water service. This Permit will need to be presented to the City of Kalamazoo in order to establish a service billing account and initiate the water service installation/inspection.
 - 3. The water customer (private owner) is responsible for paying the City of Kalamazoo construction inspection fees. This fee is currently \$350.00 for a residential service, but is subject to the City of Kalamazoo’s fee schedule. The work observed by the Township’s agent for operation and maintenance includes the water main tap, the curb-stop valve installation, and installation of the service line from the curb box to the water meter.
 - 4. Once Oshtemo and City fees are paid, the property owner or owner’s contractor will need to initiate work coordination and scheduling. All inspections will need to be scheduled by the Township’s agent for operation and maintenance, as will the Township’s construction participation – if a portion of work is to be completed by the Township. If known, the agent/contractor that will be completing the work will be identified in conjunction with the Township’s issuance of a Permit to connect to the water utility.
 - 5. Ditches will be left in reasonable condition: Any exceptional lawn work is the owner’s responsibility. Extra charges for winter construction may be added when the service is installed at the customer’s insistence at times and places when the frost is over 12" thick. Emergency connectors to be made in less than 48 hours may also result in extra charges.

II. USER FEES

- A. Monthly or quarterly user fees shall be billed to each customer connected to the Oshtemo Township water system as provided in the Water Service Agreement between Oshtemo Charter Township and the City of Kalamazoo fully executed on dated September 1, 2021.

III. BENEFIT UNIT CHARGES

- A. Benefit Unit Charges. Each benefit unit charge shall be \$1,000.00 and the number of benefit units to be charged for each connection shall be determined by the following Benefit Unit Schedule:

<u>Connected Use or Activity</u>	<u>Benefit Units</u>	<u>Benefit Unit Factor</u>
Auto Dealer- New and/or Used	1.00	Per premise plus 0.25 per 1,000 square feet of building including service area
Auto Repair/Collision	1.00	Same as above
Auto Wash (coin operated do-it-yourself, 10 gallons or less per car)	1.00	Per stall
Auto Wash (Mechanical- over 10 gallons per car- recycled)	5.00	Per stall or production line including approach and drying area
Auto Wash (Mechanical- over 10 gallons per car- not recycled)	10.00	Per stall or production line including approach and drying area
Bar	4.00	Per 1,000 square feet
Barber Shop	1.00	Per shop plus 0.1 per chair after 2
Beauty Shop	1.00	Per shop plus 0.1 per booth
Bowling Alley (No bar)	1.00	Per premise plus 0.2 per alley
Campground Facilities- recreation vehicle, tents, trailers under 12 feet	0.35	Per pad or site plus picnic facilities
Campground Facilities- trailer park or trailers in excess of 12 feet	0.50	Per pad or site plus picnic facilities
Church	0.25	Per 1,000 square feet minimum of 1
Cleaners (pick-up only)	1.00	Per shop
Cleaners (cleaning and pressing facilities)	1.00	Per premise plus 0.5 per 500 square feet
Clinic (medical or dental)	1.00	Per premise plus 0.5 per exam room

Convalescent or boarding home	1.00	Per premise plus 0.25 per bedroom
Convent	1.00	Per premise plus 0.25 per bedroom
Convenience store	1.50	Per premise plus 0.8 per 1,000 square feet
Country club and athletic club	1.50	Per 1,000 square feet of clubhouse plus restaurant, bar and pro shop as retail store
Drug store	1.00	Per premise plus snack bar
Factory (office and production)	0.75	Per 1,000 square feet
Factory (wet process)	TBD	Based on metered flow
Funeral home	1.50	Per 1,000 square feet plus residence to be computed separately
Grocery store and supermarket	1.00	Per premise plus 0.8 per 1,000 square feet
Hospital	1.10	Per bed
Hotel and motel	0.40	Per bedroom plus restaurant and bar
Laundry (self-serve)	1.00	Per premise plus 0.5 per washer
Marina - per boat docking Space	.06	Per space under 25 feet in length
	.10	Per space over 25 feet in length
Mobile home (free standing)	1.00	Per unit
Mobile home (park or division)	0.75	Per pad or site at indirect connection rate plus laundry, community buildings and office to be computed separately per schedule

Multiple-family residence		
Duplex, row house or townhouse	1.00	Per dwelling unit
Apartment residence self-contained unit including laundry facilities in apartment	1.00	Per dwelling unit
Apartment residence- other than self-contained unit - not having laundry facilities in apartments	0.80	Per dwelling unit
Fraternity or sorority house	0.50	Per 1,000 square feet of floor area
Park, recreation facilities, campground		
Picnic facilities- no bathing or overnight accommodations	0.20	Per parking space
Picnic facilities- with bathing privileges or swimming pool	0.35	Per parking space
Post office	1.00	Per 1,000 square feet
Professional office	0.25	Per 500 square feet minimum 1
Public institution	0.75	Per 1,000 square feet
Restaurant (meals only)	2.5	Per 1,000 square feet excluding restrooms, public areas not in regular use and unfinished areas
Restaurant (meals and drinks)	3.5	Per 1,000 square feet excluding restrooms, public areas not in regular use and unfinished areas
Restaurant (public area, auxiliary dining room, dance floor or ballroom which are not in regular use)	0.5	Per 1,000 square feet

Retail store (other than listed)	1.0	Per premise plus 0.1 per 1,000 square feet
School	1.0	Per classroom
Service station	1.5	Per 1,000 square feet of building area
Single-family residence	1.0	Per residence
Snack bar, drive-in, etc.	2.5	Per 1,000 square feet
Theater, drive-in	0.04	Per car space
Theater	0.0068	Per seat
Two-family residential	1.0	Per unit
Veterinary facility	1.5	Per facility
Veterinary facility with kennel	1.5	Per facility plus 0.5 per 5 kennels
Warehouse and storage	0.2	Per 1,000 square feet

- B. For those uses not specifically identified above, the Supervisor or his or her designee shall determine the benefit unit factor applicable by identifying the proposed use with that use listed above which is most similar. As a further guide in such determination, each 250 gallons of average daily flow or fraction thereof estimated to be applicable shall constitute one (1) benefit unit.
- C. In no event shall a connected use or activity be charged less than one (1) benefit unit.
- D. The benefit unit charge is predicated upon an assumed average daily flow for a single-family residence of 250 gallons.
- E. All prior resolutions are hereby repealed.

IV. REGULATIONS APPLYING TO SERVICE CONNECTIONS

- A. SERVICE APPLICATIONS: Applications for service are taken at the Township offices at 7275 West Main Street, Kalamazoo, Michigan.

- B. PAYMENT: All service installation charges will be paid in advance. Customers requesting special services, 2" and above, are required to apply at the City of Kalamazoo Water Department, 415 Stockbridge Avenue.
- C. INSTALLATION AND MAINTENANCE: All service installations and maintenance are under the control of the Township or its designated representatives, at the request of the property owner or his authorized representative. However, any changes to the site or building subsequent to the installation which hamper the operation or maintenance of their service, shall be rectified at the expense of the owner; the Township is not liable for any resultant damage. No buildings or structures are permitted on top of the service.
- D. SERVICE AND METER LOCATIONS: The location of the service and meter is subject to the approval of the water utility. ALL SERVICE INSTALLATIONS MUST MEET THE DESIGN REQUIREMENTS OF THE DEPARTMENT OF PUBLIC UTILITIES OF THE CITY OF KALAMAZOO.
- E. PLUMBING CONNECTIONS: The water utility will supervise work on the water service ends at the valve on the discharge side of the meter. Future maintenance is the responsibility of the customer. If you have a well or jet-operated sump, THAT MUST BE DISCONNECTED AND REMAIN PHYSICALLY SEPARATE FROM THE WATER SERVICE. ABSOLUTELY NO "CROSS CONNECTION" CAN BE MADE TO THE SYSTEM.
- F. SYSTEM PRESSURE: During the time of installation, the distribution system pressure will be checked. If the distribution system pressure exceeds the International Plumbing Code Standard of 80 PSI, a red tag will be attached to the meter. THE CUSTOMER IS RESPONSIBLE FOR INSTALLING A PRESSURE REDUCING VALVE AT THE DISCHARGE SIDE OF METER.

V. **DEVELOPER CONSTRUCTION CONTRACT/WATER MAIN EXTENSION AGREEMENT**

- A. A developer may contract with the Township to extend a public water main to and through a property subject to the following requirements:
 - 1. The design of the water main extension including hydrant placement, roadway borings, topsoil and surface restoration must be in accordance with the current Township standards and approved by the Township Engineer. Generally, construction will be undertaken by or under the control of the Township (water main extension agreement). If, however, pursuant to the approval and authorization of the Supervisor, construction is undertaken by the developer (developer construction contract), then all construction must be inspected and approved by the Township Engineer and/or City of Kalamazoo prior to any use of the system addition.

2. All construction and related costs including administrative fees shall be paid by the developer and deposited with the Township prior to commencement of construction. Said costs shall be calculated at the lineal foot rate for new water main. In the event the Township has authorized the developer to undertake the construction, 7% of the costs shall be paid to the Township.
 3. The Township will collect from property owners for all property outside the development connecting to the water main extension the appropriate connection fee, and pursuant to a written agreement with the developer, will refund to the developer during the next ensuing 10-year period following completion of construction, 80% of the assessable front foot fee. The amount of the refund, however, shall in no case exceed the total construction cost.
- B. All water main extensions shall be extended to the far boundary of the property served so as to allow for future extension through adjoining property.

VI. ANNUAL REVIEW

These fees are to be reviewed annually.

MEMORANDUM

Date: February 1, 2022
To: Township Board
From: James Porter
Subject: Resolution to Declare a Climate Emergency



OBJECTIVE:

To request the Board's review and approval of the Resolution to Declare a Climate Emergency.

BACKGROUND:

The Board heard a request from the Kalamazoo Climate Crisis Coalition at its January 18, 2022 meeting regarding the global climate crisis. The County of Kalamazoo has already adopted such a resolution in December of 2019. The Board discussed adopting a similar resolution with the Kalamazoo Climate Crisis Coalition during its work session. The Board stated that it would like such a resolution to include information about the steps already taken by the Township to address climate change.

The Township's Parks, Planning, Public Works, and Legal Departments coordinated with the Township Supervisor and Clerk to draft a Resolution to Declare a Climate Emergency in keeping with the direction from the January 18, 2022 Board meeting.

INFORMATION PROVIDED:

I have attached the proposed Resolution to Declare a Climate Emergency for the Board's review.

STATEMENT OF REQUESTED BOARD ACTION:

I recommend that the Board adopt the proposed Resolution to Declare a Climate Emergency.

**OSHTEMO CHARTER TOWNSHIP
COUNTY OF KALAMAZOO, MICHIGAN**

RESOLUTION TO DECLARE A CLIMATE EMERGENCY

Adopted: February 8, 2022

Effective: February 8, 2022

WHEREAS, the U.S. Fourth National Climate Assessment detailed the massive threat posed by climate change to the American economy and underscored the need for emergency climate action at all levels of government; and

WHEREAS, the 2019 Assessment of the Impacts of Climate Change on the Great Lakes highlights the significant impacts of climate change in our region, including many observed, and predicted effects of climate changes (e.g., increased flooding, power outages, heat waves/record high temperatures, out-of-season tornados, record low temperatures, delayed planting/growing season changes, etc.), which disproportionately impact the Township’s most vulnerable residents; and

WHEREAS, the consensus of scientific and policy assessments from the Intergovernmental Panel on Climate Change calls for urgent and decisive action by local governments to make “rapid, far-reaching and unprecedented changes in all aspects of society” in order to limit global warming to 1.5 degrees Celsius to avoid the most dangerous impacts of climate change; and

WHEREAS, the Oshtemo Township Board has already recognized climate crisis in our area, the importance of taking action to mitigate global climate change, and wishes to promote local solutions and regional cooperation on the climate crisis issue; and

WHEREAS, the Township Board has already taken action to mitigate climate change on a local level through:

1. The 2019 Adoption of GO! Green Oshtemo, a comprehensive and coordinated plan for parks and recreation (e.g., increasing parks/green space by acquiring 65+ acres of land since 2004 and improving facilities), conservation (e.g., revising ordinances to adopt a Natural Features Protection District; encouraging open space communities; and identifying areas of conservation interest for additional preservation), and non-motorized transportation (e.g., requiring sidewalks in new developments, adopting the Complete Streets Policy (to add sidewalks and increasing non-motorized trails and reduce reliance on cars);
2. Establishing an ordinance to allow green burials to: (a) reduce the carbon footprint of maintenance operations, (b) promote biodegradable burial alternatives to residents, (c) preserve natural spaces and provide native prairie/savannah reconstruction habitats;
3. Acting as good stewards of our publicly owned natural resources by: (a) reconstructing native prairie, constructing raingardens, planting trees, removing invasive vegetation, (b) updating the Township's ordinances to allow for "planned native landscaping", and (c) integrating sustainable landscaping at Township facilities;
4. Promoting non-motorized transportation by constructing sidewalks and trails on Drake Road, Stadium Drive, Green Meadow Road, and Croyden Avenue in 2020 and 2021 and by creating a road cyclist trailhead with a wide variety of amenities for cyclists at the Grange Hall;
5. Promoting sustainable practices and energy use reduction including: (a) revising Township Ordinances to minimize excessive areas of pavement to limit the urban heat island effect and decrease runoff, (b) requiring monitoring and limiting of natural resource loss for issuance of all clear-cutting permits, and (c) transitioning street lighting (and lights in Township facilities) to LED lights to reduce energy consumption;
6. Requiring all new developments within the Business Research Park (BRP) districts to incorporate one (or more) sustainable products and/or methodologies (e.g., Leadership in Energy and Environmental Design (LEED) certification from the U.S. Green Building Counsel, installing solar technology, etc.) for Planning Commission and/or Board of Appeals approval;
7. Installing an electric car charging station on 9th Street at Flesher Field (funded by the Downtown Development Authority (DDA));

8. Updating the Master Plan to preserve the Township's rural character by reducing allowable density in the Rural Residential area, updating Township Ordinances to encourage sustainable development and preserve natural habitats within and outside the Natural Features Protection District;

WHEREAS, hundreds of municipalities have pledged to adopt and uphold the 2016 Paris Climate Agreement, committing to: the reduction of greenhouse gas emissions, an increase in investment in renewable energy and energy efficiency, the creation of a clean energy economy, and building relationships to address climate change; and

WHEREAS, over 1,000 local governments in 18 countries (including Kalamazoo County's Board of Commissioners) have already signed emergency declarations; and

WHEREAS, Oshtemo Township residents have requested that the Township Board take action to declare a climate emergency; and

WHEREAS, a formal Declaration of a Climate Emergency by the Township Board is a critical step in addressing said crisis to (1) provide a catalyst to mobilize residents, businesses, faith and community organizations, and others to work together to prioritize an immediate reduction in CO2 emissions, (2) support the Township's current effort to mitigate climate change, and (3) assist with future plans for community resilience and adaptation.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Oshtemo Charter Township Board declares that a climate emergency threatens our citizens as well as the larger region, state, and natural world, and further resolves as follows:

1. that the intent of this Declaration of a Climate Emergency is to both affirm the Township's existing commitments and to support current efforts to develop a local climate action plan and to set measurable goals to achieve and implement such a plan; and
2. to accept a role of leadership in the local community and seek partnerships with local and regional governments, businesses, community groups, educational, and other organizations to utilize existing resources and expertise to meet our shared goals; and

3. to take action to seek any available state, federal, or other funding available for its climate change mitigation plans, and form alliances with other Michigan municipalities that have declared a climate emergency (or have an established action plan) to lobby for such funding; and

4. commit to keeping the concerns of its residents (including the most vulnerable communities) in mind when making plans, adopting policies, and planning for changes by actively encouraging resident participation and advocacy in its climate change mobilization efforts to ensure inclusivity and that community needs are being met.

Motion was made by _____ and seconded by _____, to adopt the foregoing Resolution.

Upon roll call vote the following voted "Aye":

The following voted "Nay":

The following were Absent:

The following Abstained:

The Supervisor declared the motion carried and the Resolution duly adopted.

Dusty Farmer, Clerk
Oshtemo Charter Township

CERTIFICATE

STATE OF MICHIGAN)
) ss.
COUNTY OF KALAMAZOO)

I, Dusty Farmer, the duly appointed and acting Clerk of the Township of Oshtemo, certify that the foregoing constitutes a true and complete copy of a Resolution adopted at a regular meeting of the Oshtemo Charter Township Board held on February 8, 2022, which meeting was preceded by required notices under the Michigan Open Meetings Act, being 1976 PA 267; that a quorum of the Board was present and voted in favor of said Resolution; and that minutes of said meeting were kept and will be or have been made available as required by said Open Meetings Act.

IN WITNESS WHEREOF, I have hereto affixed my official signature on this ____ day of February, 2022.

Dusty Farmer, Clerk
Oshtemo Charter Township



Memorandum

Date: February 8, 2022
To: Oshtemo Township Board
From: Rick Everett
Subject: **Fire Stations One & Two Generator Replacements**

Objective

Township Board consideration to allow Supervisor to work with Maintenance Director to order and replace the failed generator at Fire Station One, and at the same time to replace the generator at Fire Station Two, in an amount up to \$70,000 for both. Request to also amend the 2022 Fire 206 Equipment Fund Budget to use Carryover (savings) for this Capital Outlay purchase.

Background

Replacing Station One generator is a must, given it has failed and the Station needs to have emergency fire services operational during a power outage. The cost is not planned as it had not failed at the time that the 2022 Budget was developed and approved. Replacing Station Two generator at this time would be prudent as it is the same age and is having some of the same maintenance intricacies but has not totally failed.

One of the quotes so far has indicated that we could save \$1,348 if they were purchased at the same time. The quote for the Generac brand, which is the same brand that we currently own, utilizes our current transfer switch and the quote is for replacing the generator unit only. I also sought other quotes, however being different brands, they include replacing the transfer switch which is a substantial component of the generator replacement. It is still being determined if a different brand can communicate with our current transfer switch and to save that portion of cost.

At this point I am still working through a comparison between the vendor quotes I have obtained. Therefore I do not have the specific vendor to recommend nor an exact dollar amount. I am following up on the important details therein to make this final recommendation. Another important consideration in this purchase is the lead time required from order to delivery—all vendors indicate there is roughly a 44-week lead time with present supply chain. In the interim we have borrowed and connected a mobile unit to utilize in case of power failure for Fire Station One.

Core Values Recognized Public Service (the value to our Township and residents.); ***Sustainability*** (Meet the needs of the present without compromising future generations.); ***Innovation*** (Providing the best value-conscious technology currently available. Leverage new technologies and ways of doing business to increase accessibility and improve services.) ***Fiscal Stewardship*** (Ensure that taxpayer investments are spent wisely, effectively and efficiently.)

Memorandum

Date: 07 February 2022
To: Township Board
From: Libby Heiny-Cogswell, Supervisor
Subject: Fire Chief Hiring



Objective

Township Board consideration of using a professional recruiter to assist in identifying the next Township Fire Chief, up to \$25,000, and of amending the Fire Operations Budget using carryover (savings) to add to the hiring expense line.

Background

The Fire Chief Hiring Committee appointed by the Township Board has been meeting and working toward identifying the next Township Fire Chief. The Committee learned today that one of two semi-finalists has withdrawn due to COVID illness. Only one candidate remains. The Committee has not met in person with any candidates to date given the interviews scheduled for early January were cancelled primarily due to illness, and now the early February interviews are experiencing essentially the same situation.

Given one candidate remains, the Committee cancelled the February interviews. It is not good use of the Committee Members' time to proceed with one interviewee, for them or for the Township. The Supervisor along with HR recommend the Township start the process over using a professional recruiting service.

In background and for perspective, in 2008, the Township received roughly 70 applications for the open Fire Chief position. In 2021, the Township received 17 applications. Some of the current issue is the tighter job market for employees, and some is due to the very real and recent downturn in persons pursuing careers in the field of emergency police, fire, and EMS services.

The Township cost for recruiting services will be \$23,000 for MML. There are other recruiters the Township could explore if the Board is supportive.

A decision to move forward with a recruiter does not eliminate ongoing Staff and Committee work. The advantage will be a recruiter's ability to identify and recruit 'passive candidates,' those qualified but not actively seeking other employment.

Information Provided

MML Recruiting Services Brochure (one recruiter example)

Core Values Recognized

PROFESSIONALISM

- *Hire staff with strong core competencies within their given profession.*
- *Commitment to continuous improvement to government operations.*
- *Dedicated to open communication to improve productivity and effectiveness.*