

You are invited to a Zoom webinar.

When: Feb 25, 2021 06:00 PM Eastern Time (US and Canada)

Topic: 02/25/2021 Ethics Committee Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89225085794>

Or iPhone one-tap :

US: +13126266799,,89225085794# or +19292056099,,89225085794#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1
346 248 7799 or +1 669 900 6833 or +1 253 215 8782

Webinar ID: 892 2508 5794

International numbers available: <https://us02web.zoom.us/j/89225085794>



MACOMB TOWNSHIP

Michigan

ETHICS BOARD

DATE: **Thursday, February 25, 2021**

TIME: **6:00 P.M.**

LOCATION: **Electronic Remote Access**

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF AGENDA**
5. **APPROVAL OF THE MINUTES OF 2-11-2021**
6. **NEW BUSINESS**
 - A. Discussion of Section 2.46; 1 – 14.
 - B. Review of Temporary Complaint Form
 - C. Discussion of Temporary Plan if Complaints are Filed
 - D. Consideration of Statement of Purpose
7. **OLD BUSINESS**
8. *** PUBLIC COMMENTS**
9. **BOARD COMMENTS**
10. **MACOMB TOWNSHIP LIAISON UPDATE**
11. **ADJOURNMENT**

*Comments are limited to three (3) minutes, thank you.

- **Sec. 2-146. - Prohibited conduct.**

new

No public official or employee shall directly or indirectly, solicit or accept any gift of any person or organization, other than the township, which tends to influence the manner in which the official or employee or any other official or employee performs his or her official duties.

Except as permitted by this article, a public official or employee shall not intentionally solicit or accept any gift from any business entity.

This prohibition shall not apply to:

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Complimentary copies of trade publications, books, reports, pamphlets, calendars, periodicals or other informational materials.
3. A gift received from an immediate family member of the public official or employee, provided that the immediate family member is not acting as a third party's intermediary or an agent in an attempt to circumvent this article.
4. Acceptance of unsolicited advertising or promotional materials and other items of nominal intrinsic value.
5. Food or refreshments not exceeding \$75.00 in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared, or (ii) catered. For the purposes of this article, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
6. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the duties of the public official or employee, if the benefits have not been offered or enhanced because of the public official's or employee's official position or employment and are customarily provided to others in similar circumstances.
7. Admission or registration fees, travel expenses, entertainment, lodging, meals or refreshments that are furnished to the public official or employee: (i) by the sponsor(s) of an event, appearance or ceremony which is related to official township business in connection with such an event, appearance or ceremony and to which one or more of the public are invited; or (ii) in connection with teaching, a speaking engagement or the provision of assistance to or service as a director, official, board member, or committee member of an organization or another governmental entity as long as the township does not compensate the public official or employee for admission or registration fees, travel expenses, entertainment, meals or refreshments for the same activity; and are customarily provided to others in similar circumstances. If the event, ceremony, meeting, or conference is outside the state of Michigan, the public official or employee shall obtain approval prior to attending from the board of trustees.
8. Anything for which the public official or employee pays fair market value.

9. Any contribution that is lawfully made or event that is lawfully held under the campaign finance laws of the state of Michigan.

10. Anything provided by an individual on the basis of a personal friendship unless the public official or employee has reason to believe that, under the circumstances, the gift was provided because of the public official's or employee's official position or employment. In determining whether a gift is provided on the basis of personal friendship, the public official or employee shall consider the circumstances, under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the public official or employee, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the public official or employee the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the public official or employee the individual who gave the gift also at the same time gave the same or similar gifts to other public officials and employees.

11. If a friend of a public official or employee offers to pay or agrees to pay for the public official's or employee's travel outside the state, the public official or employee shall obtain approval prior to that travel from the board of trustees.

12. Admission to a charitable or non-profit event or fundraiser when the public official or employee is attending as a representative of the township or for which other public officials of other local governments have similarly been provided complimentary admission due to their status as governmental officials.

13. Admission to events honoring another public official or governmental official when the public official or employee is attending as a representative of the township or for which other public servants or officials of other local governments have similarly been provided complimentary admission due to their status as governmental officials.

14. Each of the exceptions listed in this section is mutually exclusive and independent of every other.

MACOMB TOWNSHIP ETHICS BOARD COMPLAINT FORM

Matters affecting the ethical conduct of a public servant based upon
Standards of Conduct in the Ethics Ordinance, Sections 2 and/or 3

Complainant Full Name:		
E-Mail Address	Phone Number	
Street Address	City	Zip
Public Servant (Name of Elected Official, Appointed Official, or Employee of Whom the Complaint is Made)		
<p>Check next to the specific standard(s) of prohibited conduct contained in the Macomb Township Ordinance 278, section 2, commonly known as the Ethics Ordinance, that were allegedly violated. Please check the ordinance itself if you need more detailed information about each section below as they have been summarized for this document:</p> <p><input type="checkbox"/> GENERAL STANDARD OF CONDUCT: Public officials are bound to uphold the Constitution of the United States and the Constitution of the state and to carry out impartially and comply with the laws of the United States, state of Michigan, and the township. Public officials and employees must not exceed their authority or breach the law or ask others to do so. Public officials and employees are bound to observe in their official acts the highest standards of ethical conduct and to discharge the duties of their offices faithfully, regardless of personal consideration, recognizing that their official conduct should be above reproach.</p> <p><input type="checkbox"/> CONFLICTS OF INTEREST: The public official or employee has any pecuniary interest in the outcome of a matter currently before the township, or is associated as owner, member, partner, official, employee, broker or stockholder in an enterprise that will be affected by the outcome of such matter, and such interest is or may be averse to the public interest in the proper performance of said public official's or employee's governmental duties.</p> <p><input type="checkbox"/> STANDARD OF CONDUCT:</p> <p><input type="checkbox"/> A. <u>GIFTS AND GRATUITIES</u>: No public official or employee shall directly or indirectly, solicit or accept any gift of any person or organization, other than the township, which tends to influence the manner in which the official or employee or any other official or employee performs his or her official duties. Except as permitted by this article, a public official or employee shall not intentionally solicit or accept any gift from any business entity. (See the complete Ordinance for exceptions.)</p> <p><input type="checkbox"/> B. <u>PERSONAL DISCLOSURE FOR PUBLIC SERVANTS</u>: <i>Publicly disclose</i> shall mean to disclose in such a manner as to ensure all involved in considering the decision, action or contract are aware of the conflict of interest (per the ordinance).</p> <p><input type="checkbox"/> C. <u>INCOMPATIBLE EMPLOYMENT</u>: No public official or employee shall engage in or accept employment or render services for any business entity when that employment or service is incompatible or in conflict with the discharge of his or her official duties or when that employment may tend to impair his or her judgment or action in the performance of his or her official duties.</p> <p><input type="checkbox"/> D. <u>INAPPROPRIATE USE OF TOWNSHIP TIME FOR POLITICAL ACTIVITY</u>: A public official or employee shall not, solicit others to work on political campaign activities, or solicit campaign contributions from others, using township property during working hours, on their behalf or on the behalf of another.</p>		

___ E. CONFIDENTIAL INFORMATION: A public official or employee who acquires information in the course of his or her official duties, which by law or policy is confidential, shall not prematurely divulge that information to an unauthorized person, nor use the information to further the private interest of the public official or employee or any third party. Information which is deemed exempt from disclosure under the Michigan Freedom of Information Act, Act 442, Public Acts of Michigan, 1976, or which is the subject of a duly called closed meeting held in accordance with the Michigan Open Meetings Act, Act 267, Public Acts of Michigan, 1976 is confidential.

___ F. USE OF PUBLIC ASSETS FOR PRIVATE PURPOSES: Every public official or employee shall use resources, property and funds under his or her official care and control solely in accordance with prescribed constitutional, statutory and regulatory procedures and not for personal gain or benefit.

Use this space to fully and specifically explain alleged violations of the Macomb Township Ethic Ordinance. Provide evidentiary facts, **not personal opinion**, supporting the allegations detailing who, what, where, when and why. Provide all documentation and facts in writing. The form may be submitted to the Ethics Board via USPS or Email to champion@macomb-mi.gov. **Attach additional sheets if necessary.**

By affixing your signature below, you are affirming that you have (1) read this complaint and know its contents and (2) believe the alleged violation(s) to be true.

Complainant Signature

Complainant Printed Name

NOTARY PUBLIC _____

Notary Signature

Notary Printed Name

State of Michigan, County of Macomb

My commission expires: _____

Date Notarized _____

Acting in Macomb County

Board of Ethics

The Board of Ethics shall receive complaints concerning alleged unethical conduct by a public official or employee from any person or entity, inquire into the circumstances surrounding the alleged unethical conduct, and make recommendations concerning individual cases to the Macomb Township Board of Trustees.

The initial three members of the board of ethics shall be appointed for one-, two-, and three-year terms of office respectively. Terms of office shall expire on December 31 of the respective years. The members of the board of ethics shall serve without compensation, and shall not otherwise be a public official or employee. The Board shall consist of three residents that are approved by the Macomb Township Board of Trustees.