

TOWNSHIP OF SCIO
WASHTENAW COUNTY, MICHIGAN
RESOLUTION #2024-31

To Promote Better Governance of Scio Township

At a Regular Meeting of the Township Board of Scio Township, Washtenaw County, Michigan, held at the Scio Township Hall, 827 N Zeeb Road, in said Township, on November 20, 2024, at 12 pm.

Members Present: Brant, Knol, Moenck, Reiser, Flintoft, Yapple, Kerry

Members Absent: None

The following preamble and resolution were offered by Flintoft and supported by Reiser.

WHEREAS, the residents of the Scio Township are best served when its government operates with the checks and balances codified in the various statutes authorizing the governance of Townships; and

WHEREAS, the Michigan Constitution establishes the public offices of Township Clerk, Township Supervisor, Township Treasurer, and Township Trustees, and prescribes that their legislative and administrative powers and duties are set forth by law; and,

WHEREAS, statute sets forth the legislative and administrative powers and duties of the Township Clerk, Supervisor, and Treasurer, and these duties are assigned to each of them personally; and,

WHEREAS, statute establishes a Board of Trustees comprised of the Clerk, Supervisor, Treasurer, and Trustees; and sets forth the legislative and administrative powers and duties of the Board; and,

WHEREAS, MCL 15.181 et seq prohibits any public officer holding incompatible offices which includes one office from being subordinate to, or supervised by, another officer; and the Clerk, Supervisor, and Treasurer are not subordinate to the Board of Trustees; and,

WHEREAS, MCL 41.75a allows a Board of Trustees to employ a township manager and other employees as necessary. The manager and other employees shall serve at the pleasure of the township board and shall perform duties lawfully directed by the township board, except those duties that are delegated by law to another township official, unless consent has been granted;

WHEREAS, from time to time it is important to clarify and confirm the duties of the different officers and employees, and

WHEREAS, the Clerk's duties are set forth in MCL 41.65 through MCL 41.69; and,

WHEREAS, the Treasurer's duties are set forth in MCL 41.76 through MCL 41.79; and,

WHEREAS, the Treasurer is responsible for receipting monies and the Clerk is responsible for making all entries into the journals and ledgers; and,

WHEREAS, to properly carry out the Clerk's duties the Clerk must supervise and direct the activities of any Township staff when they are carrying out the Clerk's statutory duties; and,

WHEREAS, to properly carry out the Treasurer's duties the Treasurer must supervise and direct the activities of any Township staff when they are carrying out the Treasurer's statutory duties; and,

WHEREAS, per MCL141.422b(3)(e) the Chief Administrative Officer is the manager of a township or, if the township does not employ a manager, the Supervisor of the township; and per MCL 141.434(1), unless the Township assigns responsibility to another, it is the Chief Administrative Officer who is responsible for preparation of a proposed annual budget; and,

WHEREAS, between August 17, 2021 and January 10, 2023, no fewer than six resolutions were adopted that created conflict with the statutory duties of the Township officials; and

WHEREAS, it is necessary to resolve the conflicts;

NOW THEREFORE BE IT RESOLVED, that the job description for the position of Township Manager shall revert back to what is currently enumerated in Scio Township Ordinance 2-40 and adopted job description of July 27, 2021, with the understanding that this job description is currently under further review by the Board of Trustees and will be further revised; and,

BE IT FURTHER RESOLVED THAT the following resolutions are superseded by this resolution, and shall be repealed in full: Resolution #2021-31 of August 17, 2021 *Resolution Adopting Job Descriptions for Supervisor and Township Administrator*; Resolution #2022-05 of February 22, 2022 *Resolution Updating the Township Administrator Job Description and Authority and Designating FOIA Coordinator*; Resolution #2022-25 of December 13, 2022 *Resolution to Grant Clerk Access to All Eight BS&A Financial Modules*; Resolution #2023-05 of January 10, 2023 *Resolution to Change Title of Administrator to Manager*; Resolution #2023-06 of January 10, 2023 *Resolution to Hire a Finance Director Who Shall Perform the Duties Assigned by the Board of Trustees and Report to and Be Supervised by the Township Manager*; and Resolution #2023-07 of January 10, 2023 *Resolution to Repeal the August 17, 2021 Supervisor Job Description of the Scio Township Supervisor*; and,

BE IT FINALLY RESOLVED THAT any other resolution or motion in conflict with this resolution is repealed but only to extent necessary to eliminate the conflict.

ROLL CALL VOTE:

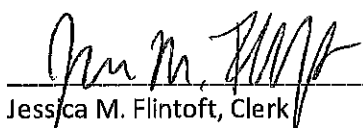
YES: Knol, Brant, Kerry, Flintoft, Yapple, Moenck, Kerry, Reiser

NO: None

ABSENT: None

ABSTAIN: None

RESOLUTION DECLARED ADOPTED.

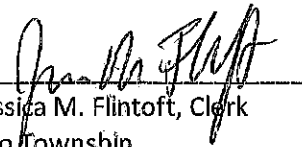


Jessica M. Flintoft, Clerk
Scio Township

DATED: November 20, 2024

CERTIFICATE

I, Jessica Flintoft, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of Scio Township, County of Washtenaw, State of Michigan, at a (Special or Regular) Meeting held on (date) and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.



Jessica M. Flintoft, Clerk
Scio Township

DATED: November 20, 2024