

PINCONNING TOWNSHIP ORDINANCE NO. 13-01

An Ordinance to create a Compensation Commission and to provide for its creation and duties to establish salaries for Township elected officials pursuant to *MCL 41.95*.

THE BOARD OF TRUSTEES OF THE TOWNSHIP OF PINCONNING,
BAY COUNTY, MICHIGAN, HEREBY ORDAINS:

Section I - Title

This Ordinance shall be known as the Pinconning Township Compensation Commission Ordinance.

Section II - Creation; Composition; Qualifications; Terms of Office; Time of Appointment; Vacancies; Eligibility Restriction.

The compensation commission is hereby created, which shall be responsible for, and have the duty of, determining the salaries of all elected officials. The commission shall consist of ^{seven} members who are registered electors of the Township, appointed by the Supervisor, subject to confirmation by a majority of the members elected in serving on the Township Board. The terms of office shall be five (5) years, except that the members first appointed, one each shall be appointed for terms of one, two, three, four, and five years. The first member shall be appointed within thirty (30) days after the effective date of the Ordinance. Subsequent members shall be appointed within thirty (30) days after a term expires or a vacancy occurs. Vacancies shall be filled for the remainder of an unexpired term. An officer or employee of a Government Agency or unit or member of the immediate family of an officer or employee shall not be appointed to the Commission.

Section III - Determination of Salaries; Rejection by Township Board; Effective Date; Existing Salaries; Expenses.

The Commission shall determine the salary of each member of the Township Board, which shall be effective at the beginning of the next fiscal year. The determination of the Commission shall be the salary unless the Township Board by resolution adopted by 2/3 of the members elected to and serving on the Board rejects the determination. The determination of the Commission shall be effective thirty (30) days following filing of the determination with the Township Clerk unless rejected by the Township Board. If the determination is rejected, the existing salary shall prevail. An expense allowance or reimbursement paid to elected officials in addition to salary shall be for expenses incurred in the course of Township business and accounted for to the Township.

Section IV - Meetings; Time of Determination; Quorum; Chairman; Session Days; Compensation and Expenses.

The Commission shall meet for not more than fifteen (15) session days in each odd numbered year and shall make its determination within forty-five (45) calendar days of its first meeting. A majority of the members of the Commission constitutes a quorum for conducting the business of the Commission. The business that the Commission may perform shall be conducted at a Public Meeting of the Commission held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required

by Act No. 267 of the Public Acts of 1976. The Commission shall not take action or make a determination without a concurrence of a majority of the members appointed and serving on the Commission. The Commission shall elect a chairperson from among its members. As used in this section, "session days" means calendar days on which the Commission meets and a quorum is present. The members of the Commission shall not receive compensation, but shall be entitled to actual and necessary expenses incurred in the performance of official duties.

Section V - Implementation by Resolution; Change of Procedure, Time, and Method.

The Township Board may implement the Ordinance by resolution including the date for convening the Commission.

Section VI - Open Meetings.

The business which the Compensation Commission may perform shall be conducted at a Public Meeting of the Commission held in compliance with Act No. 267 of the Public Acts of Michigan of 1976. Public notice of the time, date and place of the meeting of the Commission shall be given in the manner required by such act.

Section VII - Freedom of Information.

A writing prepared, owned, used, in the possession of, or retained by the Compensation Commission in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of Michigan of 1976, as amended.

Section VIII - Severability.

Should any part of this Ordinance or any resolution adopted hereby be declared unconstitutional, illegal, or of no force and effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any other part or portion hereof.

Section IX - Conflicting Ordinances.

All Ordinances or parts of Ordinances in conflict with any of the provisions contained herein are hereby repealed and shall be of no further force or effect on the effective date of this Ordinance.

Section X - Effective Date.

This Ordinance shall take effect thirty (30) days from the date of publication.

Section XI - Publication.

A copy of this Ordinance shall be published in a newspaper circulated within the Township of Pinconning, Bay County, Michigan within ten (10) days following the adoption hereof.

Authentication of Record

We, SHARON STALSBERG, Supervisor, and BEVERLENE HRIBEK, Clerk, for the Township of Pinconning, Bay County, Michigan, hereby authenticate the following relative to the foregoing Ordinance:

1. That the same was adopted by the Pinconning Township Board on the 1st day of March, 2013

2. That the following members of the Township Board voted "yes" in favor of said Ordinance: Long, Holbrook, Stalsberg, Laframboise, Hribek

3. That the following members of the Township Board voted "no" against said Ordinance: none

4. That the following members of the Township Board were absent: none

Sharon Stalsberg
SHARON STALSBERG
Pinconning Township Supervisor
Dated: 03/01/13

Beverlene Hribek
BEVERLENE HRIBEK
Pinconning Township Clerk
Dated: 03/01/13

Certification

I, BEVERLENE HRIBEK, as Clerk of the Township of Pinconning, Bay County, Michigan, hereby certify the following relative to the foregoing Ordinance:

1. That the same was introduced by the Pinconning Township Board on the 1st day of March, 2013.

2. That the same was published in the Pinconning Journal on the 6 day of March, 2013.

3. That the same was adopted by the Pinconning Township Board on the 1st day of March, 2013.

4. That the same was published in the Pinconning Journal on the 6 day of March, 2013.

Dated: March 4, 2013

Beverlene Hribek
BEVERLENE HRIBEK, Clerk