

## Village of Augusta Conflict of interest Policy


No member of the council or any elected or appointed officer shall be a party, directly or indirectly, to any contract or service which results in a conflict of interest prohibited by Public Act No. 317 of 1968 (MCL 15.321 et seq.)

Before casting a vote on a matter on which a Council member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the Council. Failure of a member to disclose a potential conflict of interest as required by this division constitutes malfeasance in office (MCL 125.3815)

No village official or employee shall be a party, directly or indirectly, to any contract with the village, or directly or indirectly solicit any contract with the village, except as may be permitted by Act 317 of the Public Acts of 1968, as amended (MCL 15.321 et seq.)

EFFECTIVE DATE

04/11/2022



John Thomas, Village President

## VILLAGE OF AUGUSTA

### VILLAGE COUNCIL CODE OF ETHICS AND VALUES POLICY

1. **Purpose.** The Code of Ethics and Values Policy ("Policy") of the Augusta Village Council is intended to establish standards of integrity, fair dealing, responsibility, accountability, and disinterested conduct, which are an essential part of a fiduciary duty owed to the public by its elected officials. The Policy is intended to encourage all councilmembers to place the public interest above self-interest and maintain independence, impartiality and fairness in their judgment, decisions and conduct. It is the policy of the Village of Augusta Village Council to uphold, promote and demand the highest standards of ethics from all councilmembers. All members of the Village Council share a commitment to ethical conduct in the service to their community. This Policy has been established to provide guidance for councilmembers so that the performance of their duties will be carried out in an ethical manner. In furtherance of this goal, the following general principles will apply:

- A. Councilmembers shall comply with the laws of the United States of America, the State of Michigan, and the Village of Augusta in the performance of their public duties.
- 8. Councilmembers shall work for the common good of Village residents and not be motivated by their own personal or financial interests.
- C. Councilmembers will endeavor to treat all members of the public and issues before them in a fair and equitable manner.
- D. Councilmembers shall be committed to the concepts of effective and democratic local government.
- E. Councilmembers shall encourage communication between residents, Village Council and the Village Administration and endeavor to keep the community informed on municipal matters, not otherwise made confidential.
- F. Councilmembers shall safeguard public confidence by being honest, fair and respectful of all persons with whom they have official contact and will follow the rules and laws that govern the deliberation of public policy issues and meaningful involvement of the public.
- G. Councilmembers have an obligation to attend Village Council meetings and other meetings necessary for the performance of their official duties. Councilmembers should be prepared for meetings they attend, review materials, listen to the public discussions before them, keep comments and questions relevant to the business at hand, participate in discussions and make informed decisions based on the merits of each question.

2. **Definitions.**

- A. **Councilmember** means a member of the Village Council.

8. **Confidential information** means information, written or non-written, that has been obtained by a councilmember in the course of acting as such, that is not available to members of the public pursuant to the Michigan Freedom of Information Act, being MCL 15.231 *et. seq.*, or pursuant to other law, regulation, policy or procedure recognized by law, and that the councilmember is unauthorized to disclose:

C. **Immediate family** means:

1. A councilmember's spouse or domestic partner.
2. A councilmember's relative by lineal descent, parent, brother, sister, or a person who resides in the councilmember's household; or
3. An individual claimed by a councilmember or a councilmembers spouse as a dependent under the United States Internal Revenue Code, being 26 USC 1 *et. seq.*

D. **Ownership Interest** means financial or pecuniary interest that a councilmember has in the affairs of 1) any business entity in which the councilmember or a member of his or her immediate family is an officer, director, member, or employee; 2) any business entity in which the councilmember or a member of his or her immediate family controls, or directly or indirectly owns, in excess of 5% of the total stock; or 3) any person or business entity with whom the councilmember has a contract.

E. **Personal Gain or Benefit** means any benefit which is accepted or received by a councilmember or the councilmember's immediate family, or is perceived by a reasonable person to be accepted or received by a councilmember or the councilmember's immediate family, as remuneration for the purpose of improperly influencing an official action in a specific manner or for refraining from the performance of an official action in a specific manner, or as inducement for the councilmember to act in favor of some interest other than in the public interest.

3. **Conflict of Interest- Standards of Conduct.**

A. A councilmember shall not divulge to an unauthorized person confidential information acquired by the councilmember in the course of his or her duties as a councilmember in advance of the time prescribed for its authorized release to the public, if it is to be released to the public.

8. Councilmembers shall represent the official policies and positions of the Village Council to the best of their ability when designated as delegates or Village representatives for this purpose. When presenting their individual opinions and positions, a councilmember may not represent, nor allow the inference of, his or her personal opinion or position as that of the Village Council or the Village of Augusta.

- C. A councilmember shall not appear or advocate on behalf of the private interest of third parties, including the councilmember's immediate family members, before the Village Council or any Village board, committee or commission or other proceeding of the Village.
- D. A councilmember shall not solicit or accept a gift or loan of money, goods, services or other things of value for the benefit of a person or organization other than the Village which tends to influence the manner in which the councilmember or another public officer or employee of the Village performs official duties.
- E. Except as permitted by state law, a councilmember shall not engage in a business transaction in which the councilmember may derive a personal profit or gain, directly or indirectly, from his or her official position or authority or benefit financially from confidential information which the councilmember has obtained or may obtain by reason of that position or authority.
- F. Except as permitted by state law, a councilmember shall not engage in or accept employment or render services for a private or public interest when that employment or service is incompatible or in conflict with the discharge of the councilmember's official duties or when that employment may tend to impair his or her independence or judgment or action in the performance of official duties.
- G. Except as provided by state law, a councilmember shall not participate in the negotiation or execution of contracts, making of loans, granting of subsidies, fixing of rates, issuance of permits or certificates or other regulation or supervision relating to a business entity in which the councilmember has a personal or ownership interest.
- H. Except as permitted by state law, a councilmember shall not vote or participate in any other question on which the councilmember has a substantial direct or indirect financial, personal or ownership interest other than an interest similar to that of other citizens affected.

4. **Disclosure.** Whenever the performance of official duties shall require a councilmember to deliberate and vote on any matter involving the councilmember's financial or personal interest, the councilmember shall publicly disclose the nature and extent of the interest and is disqualified from participating in the deliberations and voting on the matter. The disclosure shall be made public at a meeting of the Village Council before the matter is voted upon or in any other manner required by law.

5. **Gifts.** Councilmembers and their immediate family members shall not directly or indirectly solicit or accept a gift or loan of money, goods, services, or other things of value which tend to influence the manner in which the councilmember or other public officer or employee of the Village performs his or her official duties. Councilmembers are not prohibited from receiving money, goods, services or other items of value if not given to influence the councilmember in the performance of his or her official duties. The following list includes, but are not limited to, examples not prohibited:

- A The solicitation and acceptance of campaign contributions in accordance with state law.
- B. Admission or registration fees, travel expenses, entertainment, meals or refreshments that are furnished to a councilmember by the sponsor of an event which is related to official local government business in connection with the event to which one or more members of the public are invited or are furnished to the councilmember in connection with a speaking engagement, teaching or the provision of assistance to an organization or another governmental entity as long as the Village does not compensate the councilmember for the same items.
- C. An award publicly presented to a councilmember by an individual or a non-governmental entity or organization in recognition of the councilmember's public service, acts of heroism, crime solving or other similar recognition.
- D. Any gift or loan of money, goods, services or other things of value paid for by the federal, state, local government or other public agency authorized bylaw.

6. **Use of Village Property.** No councilmember shall request, use, or permit the use of any Village owned or supported property, vehicle, equipment, material, labor, or service for the personal convenience or the private advantage or personal gain of the councilmember or any other person which is not available to the public at-large.

7. **Nepotism.** A councilmember shall not influence or cause, directly or indirectly, the employment or any favorable employment action of an immediate family member, or participate in any employment decision about such family member.

8. **Political Activity.** Councilmembers shall not use any Village owned property, vehicle, equipment, material, labor or services for the councilmember's own political benefit or for the political benefit of any other person seeking elective office, which is not available to the public at large on an equal basis. No political activity of the councilmember shall interfere with the performance of the usual duties of any Village officer or employee.

9. **Compliance.**

- A This Policy is intended to encourage and promote the highest standards of ethical conduct and behavior by members of the Augusta Village Council and is not intended to be a code of conduct enforceable by punitive measures. Violations of this Policy are not intended to subject councilmembers to reprimand or censure by the Village Council. A violation of this Policy shall not be considered a basis for challenging the validity of a councilmember's decision or position as a councilmember.
- 8. It is not the intent of this Code to in any way limit the right or ability of any councilmember to exercise his or her discretion in making legitimate policy decisions which are within their discretion so long as such action does not provide a special benefit to that person, relieve the

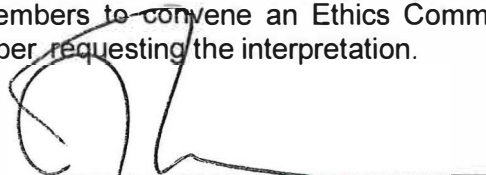
councilmember of a particular duty, or treat that person differently than other similarly situated Village residents.

10. **Delivery of Policy to Councilmembers.** The Village Clerk shall deliver a copy of this Policy to each councilmember as soon as practicable after the enactment of this Policy and to each new councilmember at the time of taking office. The Village Clerk shall also request that each councilmember sign and return an acknowledgement the receipt of this Policy.

11. **Amendments.** This Policy may be amended to remain consistent with state law regarding the local code of ethics and the standards required therein.

12. **Ethics Committee.** If a councilmember requests an interpretation of this Policy, the Village President shall select three (3) councilmembers to convene an Ethics Committee meeting who will provide its opinion to the councilmember requesting the interpretation.

EFFECTIVE DATE 04/11/2020



John Thomas, Village President

## VILLAGE OF AUGUSTA

### PURCHASING POLICY

#### **A. Purchasing Agent.**

The Village Manager shall function as Purchasing Agent for the Village and shall be authorized to purchase supplies, materials, equipment, and services for the Village for which funds are provided in a budget approved by the Village Council and to dispose of surplus supplies, materials, and equipment in accordance with this policy. The Village Manager, acting as Purchasing Agent, may from time to time designate one or more Village employees to act on his/her behalf. The Purchasing Agent shall prepare and/or approve all forms and additional procedures required to carry out this policy.

#### **B. Petty Cash Fund.**

A petty cash fund is established to be funded in an amount determined from time to time by the Village Clerk. Petty cash purchases from this fund may be used for small items needed at once or for reimbursement of incidental Village expenditures. Petty cash will allow the Village to procure supplies, materials and services quickly and cost effectively.

The Village Clerk shall maintain the petty cash fund and in connection therewith shall (i) provide proper security and storage of cash and receipts; (ii) permit the use of funds for only permitted expenditures; (iii) obtain itemized receipts for petty cash expenditures; and (iv) obtain, from time to time, funding for the total maximum petty cash balance from the general funds.

Each expenditure or reimbursement from the petty cash fund shall not exceed \$50.00 without prior approval of the Village Clerk or his/her designee. No personal checks shall be cashed, and no personal loans shall be made from the petty cash fund.

#### **C. Purchasing Guidelines.**

Except as otherwise provided in this policy, the expected cost of purchase of supplies, materials, equipment, and services shall determine which procedures are required, as set forth below.

Purchases may only be made pursuant to these guidelines if funds are included in a budget approved by the Village Council. If not so included, the Village Council shall approve a budget amendment before the purchase may be made. If the quotes or bids obtained for a purchase fall into a higher cost classification than expected, the procedures for the higher classification must be followed.

Cost of Purchase	Procedures
Up to and including \$5,000	<ul style="list-style-type: none"> <li>• effort shall be made to obtain best price via telephone, catalog, or internet quotations</li> <li>• no formal request for written quotations is required</li> <li>• approval of the Purchasing Agent, i.e., Village Manager or his/her designee, required</li> </ul>
\$5,001 to and including \$10,000	<ul style="list-style-type: none"> <li>• whenever possible, at least three written quotations required</li> <li>• approval of Village Council required</li> </ul>
\$10,001 to and including \$20,000	<ul style="list-style-type: none"> <li>• at least three written quotations required</li> <li>• approval of Village Council required regardless of whether or not included in a currently approved Village budget</li> </ul>
\$20,001 and greater	<ul style="list-style-type: none"> <li>• bid solicitation as determined by Village Manager</li> <li>• sealed bids required</li> <li>• approval of Village Council required regardless of whether or not included in a currently approved Village budget.</li> </ul>

**D. Evaluation and Acceptance of Quotes and Bids.**

Quotes and bids shall be evaluated with the objective of getting the best quality goods and services at the lowest price. The Village shall evaluate all quotes and bids objectively. In such evaluation it shall be noted whether price or quality is the predominant consideration and what other criteria will affect the valuation. Any or all quotations or bids or portions thereof may be rejected. Quotes and bids may be approved or awarded where applicable as a total package or on an item-by-item basis.

**E. Exceptions to Quotes and Bids.**

Informal competitive quotes or formal competitive bids in accordance with this policy shall not be required (i) where the subject of the purchase is from a sole source provider and no advantage to the Village would result from obtaining quotes or bids which must be noted in the purchase order; (ii) in the employment of professional services; (iii) for purchases from, or joint purchases, with another governmental unit; (iv) when the Village elects to perform work using Village employees; or (v) where the purchase involves the use of State of Michigan or federal funds and State or federal rules, regulations and procedures with respect to purchases apply.

**F. Emergency Purchases.**

In an emergency or an apparent emergency endangering the public peace, health and safety of the Village which requires the immediate purchase of supplies, materials, equipment or services, the Purchasing Agent may purchase any supplies, materials, equipment, or services which he/she deems immediately necessary. In the case of emergency purchases, a full report of the circumstances of the emergency purchase shall be filed within 30 days of the purchase with the Village Council.

**G. Additional Purchases After Noncompetitive Quotes or Competitive Bids.**

The Purchasing Agent may make additional purchases of supplies, materials, equipment or services from a successful vendor provided (a) the additional purchases are at or near the same cost or less per quantity as originally quoted or bid by the vendor and the purchase occurs no more than twelve months after the date of the original purchase, or (b) the Purchasing Agent is reasonably certain that the same supplies, materials, equipment or services are not available at a lesser cost from another source.

**H. Blanket Purchase Orders.**

Periodic purchases from a single vendor as set forth in a single purchase order for reasons of time savings, availability and pricing may be made using a blanket purchase order. The pricing of such supplies, materials, equipment, or services shall be reviewed no less frequently than every 24 months.

**I. Prohibitions.**

No purchase or contract shall be subdivided to avoid the requirements of this policy.

No officer or employee shall have a financial interest directly or indirectly in any purchase or contract unless the Village Council determines by majority vote that waiver of such requirement is in the best interests of the Village.

**J. Disqualification of Vendor.**

No quote or bid shall be accepted from a vendor who is in arrears to the Village, who is in default on a contract with or payment due to the Village or has previously demonstrated bad faith in dealing with the Village.

**K. Local Vendors Preference.**

The Village recognizes the need to support its area businesses. In the event that two quotes or bids are received, one being from a local vendor, both of which are for the same total amount or unit price, quality, and service, and both of which otherwise meet the requirements of this policy, including specifically those contained in paragraph D. hereof, the local vendor shall be selected.

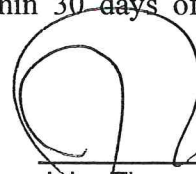
**L. Retention of Quote and Bid Documents.**

A record of all quotation and bids documents related to the purchase of supplies, materials and equipment shall be retained by the Village until completion of the financial audit for the fiscal year of the purchase.

**M. Disposal of Surplus Supplies, Materials and Equipment.**

The Purchasing Agent may dispose of supplies, materials and equipment of the Village which are surplus, unsuitable or unusable, or may exchange the same for other supplies, materials and equipment. Such supplies, materials and equipment shall be sold in such manner as shall be determined by the Purchasing Agent who shall within 30 days of disposal report any such disposal sale to the Village Council.

EFFECTIVE DATE 04/11/2022

  
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John Thomas, Village President

Village of Augusta  
Kalamazoo County, Michigan  
Resolution #20220411-01  
Approving a Records Retention  
and Disposal Schedule

**WHEREAS**, the very nature of the governmental process generates an enormous amount of public documents and records; and

**WHEREAS**, the ability to manage and store these public records and documents is an integral part of that process; and

**WHEREAS**, the amount of available space to store these public records and documents is always limited; now therefore,

**BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF AUGUSTA** that:

The General Schedule #24 for Village and City Clerks as suggested by the State of Michigan is hereby approved as the Record Retention and Disposal Schedule for the Village of Augusta

[https://www.michigan.gov/documents/hal/mhc\\_rm\\_gs24\\_255759\\_7.pdf](https://www.michigan.gov/documents/hal/mhc_rm_gs24_255759_7.pdf)

  
Julie Glenn, Village Clerk

**CERTIFICATE**

I hereby certify that's the foregoing is a true and complete copy of a resolution adopted by the Village Council of the Village of Augusta at a meeting held on Monday, April 11, 2022 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with Public Act 267 of 1976, as amended and that minutes of said meeting were kept and will be or have been made available as required by law.

  
Julie Glenn, Village Clerk

VILLAGE OF AUGUSTA  
KALAMAZOO COUNTY, MICHIGAN  
RESOLUTION TO AMEND RATES  
FOR PUBLIC WATER AND SEWER

Minutes of a regular meeting of the Augusta Village Council, held on Monday April 11, 2022, at 7:00 p.m. local time, at the Augusta Village Hall.

Present: Brink, Daly, Silkworth, C Thomas, Tracy, J Thomas

Absent: Bowers

The following resolution was offered by Silkworth and supported by C Thomas.

**WHEREAS**, this Council is authorized by statute and by the provisions of the Village Utility Ordinance to determine by resolution rates, fees and other charges for services and benefits by the Village's water and sewer systems; and

**WHEREAS**, this Council finds that the amended proposed schedule of rates is reasonable and necessary based upon an increase in service costs and for the continuing operations of the Village of Augusta water and sewer systems,

**NOW, THEREFORE, BE IT RESOLVED**, that the Augusta Village Council does hereby determine that the rates for water and sewer shall be set at the following:

Current Water Usage Rate (per cubic foot) \$0.0445 going to \$0.0476 on 4/1/22 (this increase was voted in on 3/5/18)

Proposed Rate

- 2023 \$.0486
- 2024 \$.0496
- 2025 \$.0511
- 2026 \$.0516
- 2027 \$.0521
- 2028 \$.0526
- 2029 \$.0531
- 2030 \$.0536

Proposed Sewer Rate increases:  
For Residents

	Current	Proposed 2022	Proposed 2023
Per cu ft	\$0.035	\$0.046	\$0.057
Flat Rate	\$65.00	\$75.00	\$75.00

For Non-Residents:

Per cu ft	\$0.039	\$0.050	\$0.061
Flat Rate	\$85.00	\$95.00	\$95.00

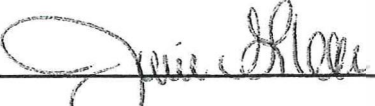
**RESOLUTION DECLARED ADOPTED**

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**CERTIFICATE**

I, Julie Glenn, Clerk of the Village of Augusta, do hereby certify that the foregoing Resolution was adopted by the Village Council at a regular meeting held on April 11, 2022, at 7:00 p.m. Upon motion of Silkworth, supported by C. Thomas, and the vote on said Resolution was as follows:

AYES            6  
NAYS            0  
ABSTENTIONS 0  
ABSENT        1

  
\_\_\_\_\_  
Julie Glenn  
Village Clerk