

EMPIRE VILLAGE COUNCIL WORK SESSION

MARCH 12, 2020 @ 7 PM

EMPIRE TOWN HALL, 10088 FRONT ST.

AGENDA

A. PLEDGE OF ALLEGIANCE

B. MOTION OF REQUIRED COUNCIL ACTION(S) ONLY

1. Planning Commission Appointments
2. ZBA Appointments
3. Committee Appointments
4. Advertisement for Clerk Position

C. CHANGES/ADDITIONS TO AGENDA

D. PUBLIC COMMENT ON AGENDA ITEMS

E. DEPARTMENT HEAD REPORTS

F. COMMITTEE ISSUES

G. OLD BUSINESS

H. NEW BUSINESS

1. Clerk Position – Job Description Review and Update
2. Rules of Procedure – Approval of Agenda and Professional Services Contact
3. Michigan Municipal League Training and Materials
4. MSU Extension ZBA Workshop on April 22
5. Grant Writer Proposal
6. Water Level Discussion
7. GMC Sierra Transmission

QUESTIONS / COMMENTS FROM THE AUDIENCE

BOARD COMMENTS

ADJOURNMENT

To The Empire Village Council:

03/06/2020

This letter is over concern for and in response to the posting of the Village Clerk's position. Empire has been literally to hell and back since the retirement of it's long term Clerk Pat Zoyhofski. As a former council member and President I was involved in past appointments and interviews. The position of Clerk was changed during my tenor as President from elected to appointed. This was because of the vast amount of knowledge needed and the importance of the position itself. The council received and paid for new Job Descriptions, attorney contracts and ordinances. All of this was to help assure a smooth transition for a new clerk with the high degree of skills needed for the position. Unfortunately, I did not perceive the amount of politics that would come into the appointment process. This is why I am very concerned with the process the council may take.

I learned:

1. The importance of continuity in the Clerks office to the Village. Since the appointment of Derith Smith we have reviewed and corrected an entire year of accounting entries resulting in a successful audit, the implementation of a new accounting software which will eventually allow for more streamlined audits, and reports. This is no small feat and it has been accomplished and I am looking forward to another good audit. The office had to be reorganized and a new deputy clerk hired. Together they have reorganized, updated the water system, provided support for boards and commissions, updated ordinances, the list is endless. Her department is within budget, and council has given no indication that they are unhappy with her performance. They have not exercised their power of review on any issue regarding the Clerk's office.
2. The Clerk is not your friend. The State of Michigan specifically assigns and describes the duties and responsibilities. There are always conflicts to be addressed and a clerk with integrity, strength of character, will resist the pressure of manipulation that is certainly brought to her office. Like Pat Zoyhofski, Derith gives the information she has experience with, seeks that which needs to be confirmed, and delivers it without sugar coating. It's what a good Clerk does, period.
3. It is why the Village changed from an elected to an appointed position.
4. To consider a change in the position already would be in my opinion a huge disservice to the Village. It takes time to clean up a mess, become acquainted to a new community, and deliver the services required of you by law. Continuity will only improve the services for the village delivered by a knowledgeable and experienced Clerk.
5. It is not required by law or by historical precedent that the position be posted every 2 years. Nor is it not allowed. As President I filled Clerk and Treasurer by reappointment from within on multiple occasions.
6. The job descriptions outline the experience and skills required to fill the position. Each candidate must be rated fairly on their skills for each criteria. We used a scale of 1-10. Derith scored at the very top of the range, far above the other candidates.
7. Lastly and maybe most importantly introducing the politics to the appointment process failed miserably following Clerk Zoyhofski's 40+ years of service. During that process I was allowed very limited interview access to the candidates during the personnel committee's review, and when they had narrowed the field to two candidates. I was told whom I could choose they had four votes and would support no other candidate than their choice, and if I chose and somehow got the appointment passed they would make life miserable for that appointee. I sincerely regret to this day that I did not fight harder. Don't let that happen again, experience, merit,

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integrity, knowledge must prevail over political retribution and nonsense. It's the Village's Clerk, not the elected officials personal assistant.

8. You have a choice.

Thank you for your attention and consideration. Hopefully this posting was simply an exercise in awareness for the public not an attempt to remove a highly qualified person from a position.

Sue Carpenter

Updated 03/04/2020

TERM EXPIRATION

Derith Smith	Clerk	March 2020
Grace Ronkaitis	Treasurer	March 2021
John Friend	DPW Superintendent	
Alacia Acton	Deputy Clerk	
Chris Grobbel	Zoning Administrator	
Alacia Acton	PC Recording Secretary	

<u>VILLAGE COUNCIL</u>		(2/4 YEAR TERM)
Wayne Aylsworth	President	November 2020
Beryl Skrocki	President pro-temp	November 2022
Dan Davis	Treasurer pro-temp	November 2022
Todd Avis		November 2020
Maggie Bacon		November 2020
Tom Rademacher		November 2020
Linda Chase		November 2020

<u>PLANNING COMMISSION</u>		(3 YEAR TERM)
Sue Palmer	Chairman	March 2021
Phil Deering	Vice Chairman	March 2019
Rollie Groening	Treasurer	March 2022
Peter Schous	Secretary	March 2021
Maggie Bacon		November 2020
Todd Avis		March 2020
Frank Clements		March 2020

<u>ZBA</u>		(3 YEAR TERM)
David Diller	Chairman	March 2020
JoAnne Beare		March 2022
John Collins		March 2019
Phil Deering		March 2019
Dan Davis		November 2018
Bob Scott	Alternate	March 2020
Jeff Chalup	Alternate	March 2021

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Current Appointments

Appointments made at December 16th, 2019 Regular Meeting

Village of Empire Committees

Streets, Sidewalks / Equipment

Maggie Bacon Street Administrator
Beryl Skrocki
Tom Radamaker

Water

Dan Davis Chair
Tom Radamaker
Sue Deering

Recreation

Mae Stier Chair
Maggie Bacon
Sue Deering

Personnel / Insurance

Beryl Skrocki Chair
Mae Stier
Dan Davis

Planning

Maggie Bacon

President Pro Temp

Beryl Skrocki

Treasurer Pro Temp

Dan Davis

Airport Committee

Dan Davis
Soni Aylsworth

Beautification Committee

Lynda Payment

Preferred meeting notice time is 5 business days.

Meeting minutes need to be published within 8 calendar days of the meeting.

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Village of Empire

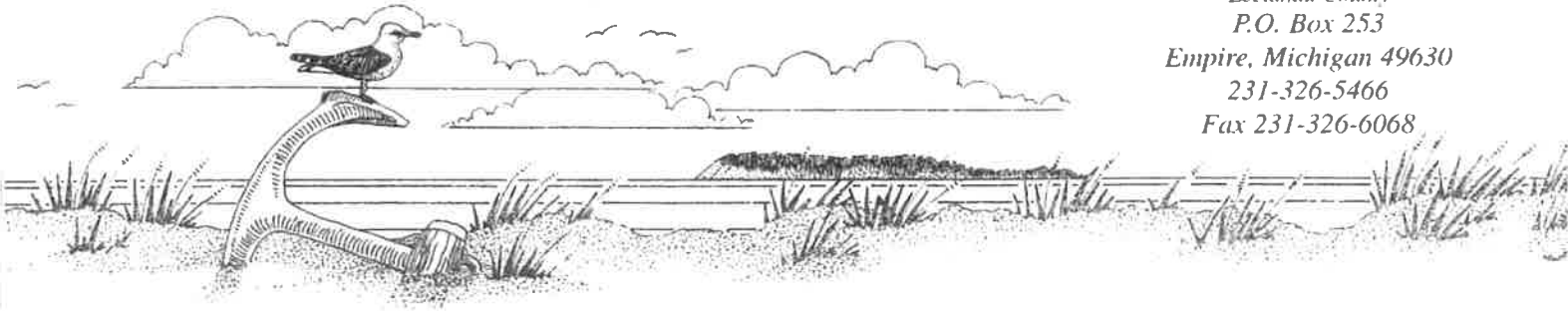
Leelanau County

P.O. Box 253

Empire, Michigan 49630

231-326-5466

Fax 231-326-6068



Application to Serve on Boards and Committees

The Village of Empire is committed to seeking qualified and interested citizens to participate in public service through appointment to various positions, boards, and commissions. To be considered for appointment, a citizen must have an application on file with the Village Clerk's office. In addition to the completion of this application, please submit references and cover letter that expresses your desire to serve on the specified board/commission. You may also include any relevant education background, experience or area(s) of expertise that may be beneficial.

Name: Tom Pykosz Date: 2/7/2020

Address: 7670 W. EMPIRE HWY, EMPIRE, MI 49630 PO BOX 171

Occupation: RETIRED (1-31-2019)

Home: _____ Cell: 616-446-0133 Work: _____

Email: tom.pykoszsr@gmail.com

Position(s) Applying For: OPEN PLANNING COMMISSION SEAT

Are you a Village of Empire resident? YES NO If so, for how long? EMPIRE TOWNSHIP

What other Boards/Commissions or positions have you served on or held? TWO COMPANY BOARDS (16 YRS)

Could you regularly attend scheduled Board/Commission meetings? YES NO Conflicts: _____

Why do you wish appointment to this position? COMMUNITY SERVICE, INTERESTED IN HELPING MAINTAIN/IMPROVE THE AESTHETICS OF EMPIRE AND SURROUNDING AREA.

What are your qualifications/credentials for appointment? HELD COMPANY (AUTO & AEROSPACE)

PRESIDENT POSITIONS FOR 23 YRS. NEIGHBORHOOD ASSOCIATION PRESIDENT. M.S./B.S. IN BIOLOGY/ECOLOGY.

Signature: Tom Pykosz

By signing this application, you are stating your desire and commitment to serve for length of your term.

REFERENCES ON BACK ↓

REFERENCES;

1. SKIP (DAN) HARRIGEN - EMPIRE BUILDER 231-645-9505
2. KEVIN CONNORS - VP OF MARKETING/SALES - JEDCO INC, GRAND RAPIDS, MI
248-546-7395 HM (WEEKENDS)
* 248-752-1196 CELL
3. TOM PEDD - STATE FARM INS. (FRIEND) 586-914-6882

deputyclerk@villageofempire.com

From: Frank Clements <frankclements007@yahoo.com>
Sent: Tuesday, February 25, 2020 5:47 PM
To: Darlene Friend
Subject: Planning Commission

Hi Alacia, my term on Planning Commission ends in March. I told Soni I would be willing to serve another term. He asked me to send you a note stating my interest.

Thanks,

Frank

Sent from my iPad

Village of Empire

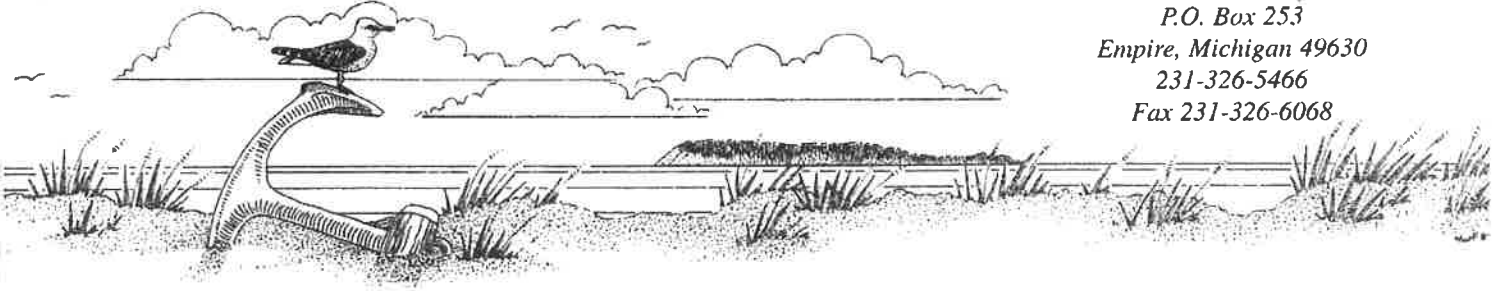
Leelanau County

P.O. Box 253

Empire, Michigan 49630

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Fax 231-326-6068



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Name: John Collins Date: 2-12-2020

Address: 11359 S. LAKE MI DR

Occupation: EMPIRE PROPERTY OWNER

Home: 231 930 4848 Cell: 312 560 8395 Work: _____

Email: JOHN.POLLINS4@gmail.com

Position(s) Applying For: PLANNING COMMISSION

Are you a Village of Empire resident? YES NO If so, for how long? 6 YEARS / 50 YEARS PART
FULL TIME TIME

What other Boards/Commissions or positions have you served on or held? CHAIR WASTEWATER COMM,
PROS, SOUTH BAR LAKE ASSN

Could you regularly attend scheduled Board/Commission meetings? YES NO Conflicts: _____

Why do you wish appointment to this position? SUPPORT VILLAGE

What are your qualifications/credentials for appointment? OVER 40 YEARS EXPERIENCE
IN FACILITIES PLANNING, OPERATIONS, MANAGEMENT

Signature: John P Collins

By signing this application, you are stating your desire and commitment to serve for length of your term.

Village of Empire

Lecanau County

P.O. Box 253

Empire, Michigan 49630

231-326-5466

Fax 231-326-6068

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Name: Christopher P. Webb Date: January 15, 2019

Address: 11158 S. Lake Michigan Dr.

Occupation: Marketing Consultant

Home: 231-326-5386 Cell: 231-342-5600 Work: 231-342-5000

Email: chris@cpwmarketing.com

Position(s) Applying For: Possibly the Planning Commission

Are you a Village of Empire resident? YES NO If so, for how long? 19 YEARS

What other Boards/Commissions or positions have you served on or held? Lexington Peninsula Board of Planning

Could you regularly attend scheduled Board/Commission meetings? YES NO Conflicts: _____

Why do you wish appointment to this position? My family has had property in Empire since 1968. I love Empire and like to use my life experience to manage growth.

What are your qualifications/credentials for appointment? I'm a people person. I'm a good communicator. I've served on the board of the Empire Chamber & the Lexington Peninsula Chamber

Signature: [Signature]

By signing this application, you are stating your desire and commitment to serve for length of your term.

deputyclerk@villageofempire.com

From: T. C. RECORD-EAGLE INC. <sgraves@record-eagle.com>
Sent: Friday, March 6, 2020 2:16 PM
To: deputyclerk@villageofempire.com
Cc: sgraves@record-eagle.com
Subject: Quotes for Ad 541951
Attachments: AD541951_jnl.pdf

Record Eagle Pricing

Alacia,

Below are some quotes for the attached help wanted ad. All of these quotes include 30 days on Monster.com.

2 days = \$230

3 days = \$252

4 days = \$274

5 days = \$296

6 days = \$318

Let me know what days you would like the ad to run (they don't have to run consecutively) or if you want me to put it on hold for Denise to finish up next week.

Thank you,
Sherry

deputyclerk@villageofempire.com

From: Kaula Collier <Kaula@leelanaunews.com>
Sent: Friday, March 6, 2020 12:57 PM
To: deputyclerk@villageofempire.com
Subject: Pricing w/ example job posting.
Attachments: temp.ctrr.pdf; Untitled attachment 00050.txt

Attached below is a copy of a previous job posting and a great example of what I think works best for these types of positions to generate the best candidates to apply. This ad is a half inch bigger than the previous one sent, but the difference in price is minimal.

Ad rate is \$34.50 until April 1st, and is \$35.85 after April 1st

Thank you for your time and business.

Kaula Collier

*Leelanau Enterprise
Example*

The Village of Empire

Has an immediate opening for the position of **Deputy Clerk**. This is a permanent part-time position requires regular office hours and meeting attendance. Salary is commensurate with experience. Applicants will be expected to have excellent communication, customer service, and office management skills. Letters of interest should be sent by October 10th, 2018 to Village of Empire, Personnel Committee, PO Box 253 Empire, MI 49630 or E-mail clerk@villageofempire.com 231-326-5466 A complete job description is available upon request.

Village of Empire is an Equal Opportunity Provider & Employer

Council,

I urge everyone to take a look at the 2018 Job Description for the Clerk. There are any number of changes that need to be made to reflect the day-to-day work being done - including the use of BS&A software. The statutory duties remain the same, I think.

The Council should have the opportunity to provide input PRIOR to going to the Personnel Committee (and there no rule that says it has to go to the Personnel Committee).

The President and the Council should be working together to move this process along. It would be useful, as a Trustee, to understand what process the President is recommending on this issue.

All of this happens in public meetings:

1. President discusses with Council the term expiring
2. President recommends next steps
3. Council and President decide to move tasks to a designated committee or take on themselves.

Maggie Bacon

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**VILLAGE OF EMPIRE
JOB DESCRIPTION
VILLAGE CLERK**

Appointed by the Village Council

Supervises: Deputy Clerk

Position Summary:

Under the direction of Village President and Village Council, acts as the official clerk of the Village. Plan, oversees, and performs routine and complex administrative duties including records retention, utility billing, and accounts payable. Serves as the general accountant for the Village, maintains Village funds and accounts, coordinates fund and account management with accounting professional and keeps Village Council apprised of the Village's financial condition. *Serves at the pleasure of the Village Council as an employee.*

Statutory Duties and Job Functions:

An employee in this position may be called upon to do any or all the following essential functions. These examples do not include all of the duties which the employee may be expected to perform. To perform this job successfully, an individual must be able to perform each essential function satisfactorily.

Unless otherwise provided for by ordinance the clerk shall do all the following:

1. **Serves as the Clerk for the Village Council.** Prepares, in consultation with the President and Council, meeting agendas, gathers meeting materials and distributes meeting packets according to the timelines outlined in the Council's Rules of Procedure. Post and published public hearings, meetings, and other notices, attends regular and special meetings including those held outside of normal business hours, records and prepares minutes, and certifies all ordinances, resolutions and regulations, and official actions of the Council in accordance with the Rules of Procedure and the Open Meetings Act.
2. **Serves as the general accountant of the Village,** maintains a complete set of books, vouchers, and documents related to the accounts, contracts, debts, and revenues of the Village. Provides Village Council with regular monthly status updates of the Village's financial condition, prepares financial statements, provides financial summaries as requested and is prepared to answer financial or operational questions. as provided for in the Village's annual financial reporting policy. (which shall be drafted)
3. **Maintains accounts payable records, accounts, and spreadsheets.** Prepares and files 1099 forms and maintains W-9 forms. Updates and maintains vendor data. Follows up with vendors for missing information and responds to vendor questions as needed.
4. **Oversees and participates in processing accounts payable.** Directs the disbursement of funds in accordance with the provisions of law and the General Law Village Act. Prepares check run, performs data entry of invoice data, records payments, and prints and mails checks.
5. **Prepares and maintains quarterly and annual payroll reports,** including payroll tax filings, Worker's Compensation and Unemployment insurance, W-2s, 941 deposits, and other related reports.

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6. **Oversees the year-end closing of financial records** and general audit with the Villages accounting professional. Prepares year-end adjustments and schedules *for review* and works with accountant and auditors to ensure accuracy of financial reporting of *state and local funds including Act 51 funds* and provide documentation and analysis as needed.
7. **Oversees and participates in processing payroll** for Village employees. Collects summaries of hours worked, calculates payroll figures, withholding taxes, benefit premiums, retirement allocations, and other withholdings. Processes checks and maintains related records. Executes changes in employee deductions as needed.
8. **Coordinates the development and administration of the Village budget**, works with Village President, Council and other Village departments in developing budget requests, and provides Council and Treasurer with accurate balanced revenue and expense projections. Researches, prepares, and administers grants as appropriate.
9. **Administers the Village's benefits and insurance programs** including health coverage, retirement plans, and liability insurance. Serves as the primary contact for benefit carriers and maintains associated records and documentation in compliance with Village policies and legal requirements.
10. **Serves as the official custodian** for the safekeeping and management of the Village seal and all Village records, papers, documents, and bonds. Certifies and records ordinances, resolutions and other official actions of Council. Administers oaths of office, issues permits and licenses. Catalogues, files, and otherwise maintains comprehensive record keeping systems for all official Village documents.
11. **Tracks and provides notices of expiration** or termination of franchises, contracts, agreements, bonds or other official agreements. Countersigns and registers all granted licenses, bonds issues, and maintains a list of all property belonging to the Village.
12. **Seeks professional guidance with the consent of the Village Council** or Village President. Offers guidance to staff as appropriate, communicates input from specialist and experts to Council as needed, and coordinates the activities of contracted services. Ensures coordination, compliance, and communication with other local units and State and Federal agencies in matters related to the administrative services of the Village.

JOB FUNCTIONS

13. **With Village President and Council approval**, oversees deputy clerk and staff to assist in the operations of the Clerk's duties. Assigns work, supervises personnel, provides training, evaluates performance, and takes disciplinary action as necessary.
14. **Serves as a key liaison** to the public, responding to routine and complex resident or customer inquiries and assisting the public with a broad range of issues and needs.
15. **Serves as FOIA Coordinator**. Receives, processes, and responds to all freedom of information requests received by the Village. Coordinates with the Village Attorney as needed.

16. **Oversees the utility billing process** of meter readings, generating reports, and preparing utility bills. Prepares delinquent notices, assigns penalties, and issues shut-off notices according to established procedures. Receives and posts payments and follows up on overdue accounts.
17. **Able to Respond to utility billing related inquiries** made by phone and in person, providing necessary forms, reviewing paperwork, and taking appropriate action to resolve questions or concerns. Submits service requests as needed.
18. **Coordinates w/ zoning administrator** on special billings as needed for code violations, inspection fees, and other miscellaneous receivables. Provides follow-up on past due payments as needed.
19. **Provides customer service** and administrative support to the zoning function. Assists, as needed the Zoning Administrator. Prepares, publishes and distributes hearing notices and other correspondence, and assists in assembling information and prepares the minutes for the Zoning Board of Appeals.
20. **Keeps abreast of new administrative techniques** and current issues through continued education and professional growth. Attends work related conferences, workshops and seminars.
21. **Performs other related duties** as assigned or as required by state law, the provisions of the General Law Village Act, or by Village Ordinance.
22. *The functions of Village Clerk are subject to an ordinance adopted by the Village Council and may be altered by such an ordinance.*

Required Knowledge, Skills, Abilities and Minimum Qualifications:

The requirements listed below are representative of the knowledge, skills, abilities and minimum qualifications necessary to perform the essential functions of the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the job.

- Education in accounting, finance, business or related field is preferred.
- Skill in the use of office equipment and technology, including computers and related software, and the ability to master modern technologies. Software may include, but is not limited to, Microsoft Office, QuickBooks, and BS&A.
- Substantial knowledge of generally accepted accounting principles and governmental accounting principles and practices and the ability to apply them accurately.
- Three or more years of progressively responsible experience in accounting or related field is required. Previous municipal experience preferred.
- General knowledge of the General Law Village Act, official Village policies, and the laws and ordinances governing record keeping and access to public information.
- State of Michigan Vehicle Operator's License, a satisfactory driving records, and the ability to maintain one throughout employment.
- Certification as a Notary Public, or the ability to attain certification upon hire.

- General knowledge of Village services, organizational structure, general municipal operations, and rules of public meeting conduct to effectively direct and assist the public.
- Skill in taking minutes, maintaining and updating complex records, documents, and financial information, compiling and evaluating data, and preparing clear and accurate reports and financial statements.
- Excellent customer service skills, including responding diplomatically to customer questions and complaints.
- Skill in preparing, interpreting, and analyzing complex data, developing operating and capital budgets, and creating financial forecasts.
- Ability to communicate effectively and present ideas and concepts orally and in writing, and make presentations in a public forum.
- Ability to establish and maintain effective working relationships and use good judgement, initiative and resourcefulness when dealing with employees, Village officials, professional contacts, the media, and the public.
- Ability to critically assess situations, problem-solve, exercise a high degree of diplomacy, and work effectively under stress, within deadlines and changes in work priorities.
- Ability to attend meetings outside of normal business hours and travel to other locations.

Physical Demands and Work Environment:

The physical demands and work environment characteristics described here are representative of those an employee encounters while performing the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee regularly works in an office setting with a controlled climate where they sit and work on a computer, communicate by telephone, email or in person, and move around the office to travel to other locations. The noise level in the work environment is usually quiet.

The employee is required to work extended hours to attend evening meetings, travel by foot or vehicle to run Village errands, and must lift and/or move items of light to moderate weight. The employee may encounter adverse weather conditions while traveling outside of the office.

Date:6-26-18
8-28-18

FIGURA LAW Suggestions

Proposed Amendment to Section 6.1 (New text shown in bold)

6. Conduct of Meeting

6.1 Regular Meeting Agenda/ Consent Agenda:

The Village President may use a consent agenda to allow the council to act on numerous administrative or non-controversial items at one time. Includes on these agenda can be non-controversial matters such as approval of minutes, payment of bills, approval of recognition resolutions, etc. Upon request by any member of the council, an item shall be removed from the consent agenda and placed on the regular agenda for discussion. All Council members and staff shall have agenda items submitted to the Village Office by the Tuesday afternoon preceding each regular meeting for inclusion on the agenda. This would pertain to any item from the public that may require consideration and or action by the Village Council. This does not mean letters of public comment.

An agenda shall be prepared for each regular council meeting with the following order of business as applicable:

Call to Order
Taking of the Roll
Pledge of Allegiance
Changes/Additions to the Agenda \
Approval of Agenda
Public Comments on Agenda items
Public Hearings
Consent Agenda
Review of Financial Statement Presentations
Public Comment on Presentation
Communications
Department Head Reports
Committee Reports (Water, Streets, Personnel, Planning Commission, etc. if necessary)
Old Business
New Business
Questions/Comments from the Audience
Board Comments
Adjournment

Work Session Meeting Agenda

All Council members and staff shall have agenda items submitted to the Village Office by noon on Thursday preceding each work session meeting for inclusion on the agenda. This would pertain to any item from the public that may require consideration by the Village Council. An agenda shall be prepared for each work session meeting with the following order of business as applicable:

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Pledge of Allegiance
Motion of required council action(s) only
Changes/Additions to the Agenda
Approval of Agenda
Presentation
Public Comments on Agenda items
Department Head Reports
Committee Issues (Parks and Water etc.)
Old Business
New Business
Questions/Comments from the Audience
Board Comments
Adjournment

6.1.1 Amending an Approved Agenda

An approved agenda may be amended at any time during a regular or work session meeting by a motion to amend same adopted by a {pick one}

- *2/3rd vote of the members present (assuming there is a quorum)*
- *majority vote of the members present (assuming there is a quorum)*
- *2/3rd vote of the council*
- *majority vote of the council*

10.4 Committee Authority

No committee shall have any authority to take any action on behalf of the Village Council, unless the Council otherwise instructs it. A committee may only make reports and recommendations to the Council on matters referred to it.

10.5 Citizens Task Forces

Citizen task forces may be established by a resolution of the council which specifies the task to be accomplished and the date of its dissolution. Members of such committees will be appointed by the Village President subject to approval by a majority vote of the Council and must be residents of the Village. Vacancies will be filled by majority vote of the Village Council in the same way appointments are made.

11. Authorization for Contacting Village Professional Service Providers

The President and Clerk (in consultation with the President or Council), are authorized to contact the Village professional service providers (i.e., Village Attorney(s), Auditor, Engineers, or other professional service providers) regarding Village matters. The President or Village Council may also authorize a Councilmember to contact a particular professional service provider. The person making contact with a professional service provider shall do so in writing, setting forth the reason for the contact, the authorization, all relevant facts and the action requested of the professional service provider. A copy of the written contact, including a printed copy of any e-mail, shall be submitted for filing to the Village Office and a copy shall be distributed to all councilmembers at least by the next meeting. A request should be made that a response from an attorney or auditor shall be in writing, filed in the Village Office and distributed to each councilmember.

Unless there is immediate need, no contact with professional service providers shall be made regarding Village business and/or issues until fully disclosed to the Village Council and approved by the Council.

In the event the contact with the professional service provider is not in writing, the person making the contact shall prepare a written record of any and all contacts by the next Council meeting, setting forth the date, method of contact, authorization, people present and to the best recollection of the person, the statements of every person party to the conversation. A copy of such record shall be filed in the Village records and distributed to all council members. Also, the response of the professional service provider shall be in writing, filed in the Village Office and distributed to all council members.

12. Amendment of Council Rules of Procedure

These rules were adopted by resolution of the Village Council pursuant to the authority of the General Law Village Act. None of these rules may supersede the Village Charter or the laws of the State of Michigan. The Council may alter or amend its rules at any time by a majority vote of its members after notice has been given of the proposed alteration or amendment.

- Adopted: November 20, 2001
- Amended: September 17, 2002
- Amended: November 21, 2006
- Amended: December 19, 2006
- Amended: March 20, 2007
- Amended: April 22, 2008
- Amended: August 25, 2009

- Amended: November 12, 2015
- Amended: June 28, 2016
- Amended: December 8, 2016
- Amended: April 25, 2017
- Amended: June 27, 2017
- Amended: September 25, 2018
- Amended: March 26, 2019
- Amended: May 28, 2019

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Webinar: Newly Elected Officials Webinar Series

You Won! Now What? Newly Elected Officials Webinar Series

Our Newly Elected Officials Training aims to educate first-time elected officials (and seasoned officials looking for a refresher) with core topics and basic functions you'll need to hit the ground running in your role as a public official. Now, we're making it easier than ever for you to access the information you need by offering our Newly Elected Officials training in a webinar series format. Whether you missed our in-person sessions throughout the state, or you want to experience this information again, this series is for you. Topics include: introduction to League services; an overview of basic local government; roles and responsibilities of elected officials; Open Meetings Act (OMA); Freedom of Information Act (FOIA); government finance, and tips from an experienced public official.

Cost Per Person

League Member, Business Alliance Participants, \$75
League Nonmember Government; Limited Associate Members: \$165

[Click here](#) for a registration form.

About the Speakers

League Staff & Experienced Elected Officials

Dates

April 7, 2020- *Roles & Responsibilities, the Freedom of Information Act*
Speaker: Chris Johnson, General Counsel, Michigan Municipal League

April 14, 2020- *Municipal Finance & Top 10 Things to Remember as an Elected Official*
Speakers: Plante Moran;
Bob Slattery, Past President, Michigan Municipal League; former Mayor, Mount Morris

April 21, 2020- *An Overview of the Open Meetings Act*
Speaker: Chris Johnson, General Counsel, Michigan Municipal League

****This webinar series is a package deal. You will have access to all of the webinars, even if you do not attend the live webinar*****

Agenda

10:00 am- 11:00 am

Location Information

Webinar

Webinar Links

Please check your inbox for a confirmation email that will have the links to the webinars.

When: 4/7/2020 - 4/21/2020

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michigan municipal league

Training Seminar

You Won! Now What? Newly Elected Officials Webinar Series

Our Newly Elected Officials Training aims to educate first-time elected officials (and seasoned officials looking for a refresher) with core topics and basic functions you'll need to hit the ground running in your role as a public official. Now, we're making it easier than ever for you to access the information you need by offering our Newly Elected Officials training in a webinar series format. Whether you missed our in-person sessions throughout the state, or you want to experience this information again, this series is for you. Topics include: introduction to League services; an overview of basic local government; roles and responsibilities of elected officials; Open Meetings Act (OMA); Freedom of Information Act (FOIA); government finance, and tips from an experienced public official.

Cost Per Person

League Member, Business Alliance Participants, \$75
League Nonmember Government, Limited Associate Members \$165

Live Dates

April 7, April 14, April 21
(The webinar links will be accessible even if you can not attend the live view)

Agenda

10:00 am- 11:00 am

Location Information

Webinar

Education Credits Approved For This Program

3 EOA

About the Speakers

League Staff & Experienced Elected Officials

You Won! Now What? Newly Elected Officials Webinar Series

Cost: League Member, Business Alliance Participants \$75; League Nonmember Government, \$165

Name of Municipality or Firm: _____

Billing Address/State/Zip: _____

Phone #: _____

Fax #: _____

	Name	Title	Email*
1.			
2.			
3.			
4.			

Payment Info: Cost \$ _____ x Quantity _____ = Total Due: \$ _____

Cancellation Policy

All cancellations must be submitted in writing either by fax, 734-669-4223 or email, registration@mml.org. No refunds will be given for cancellation requests received after 04/06/2020. For a full list of registration policies, please visit www.mml.org, then click on training/events.

To Register

1. If paying by credit card, register online by visiting www.mml.org. On the home page, located on the right hand side next to "My League," click "Log on" then "Register for an Event." Select this training in the listing of available events.
2. If paying by check, please mail this form along with a check payable to the Michigan Municipal League, P.O. Box 7409, Ann Arbor, MI 48107-7409.

deputyclerk@villageofempire.com

From: Trudy Galla <tgalla@co.leelanau.mi.us>
Sent: Wednesday, March 4, 2020 10:10 AM
To: Trudy Galla
Subject: REGISTER NOW! Zoning Board of Appeals Training in Leelanau County
Attachments: Spring Training ZBA.pdf

REGISTER NOW for the Zoning Board of Appeals (ZBA) Training in Leelanau County on Wednesday, April 22.

SEE ATTACHED FLYER

Hosted by: Leelanau County Planning Commission

DATE/TIME: Wednesday, April 22, 6PM – 8PM

LOCATION: Leelanau County Government Center, 8527 E. Government Center Dr., Suttons Bay MI 49682 (lower level)

TOPIC: Zoning Board of Appeals Training

Presented by: Mary Reilly, MSU Extension Educator

COST: \$20 (includes handouts, light refreshments and snacks).

RSVP and to pay – 231-256-9812

(Please feel free to share this email).



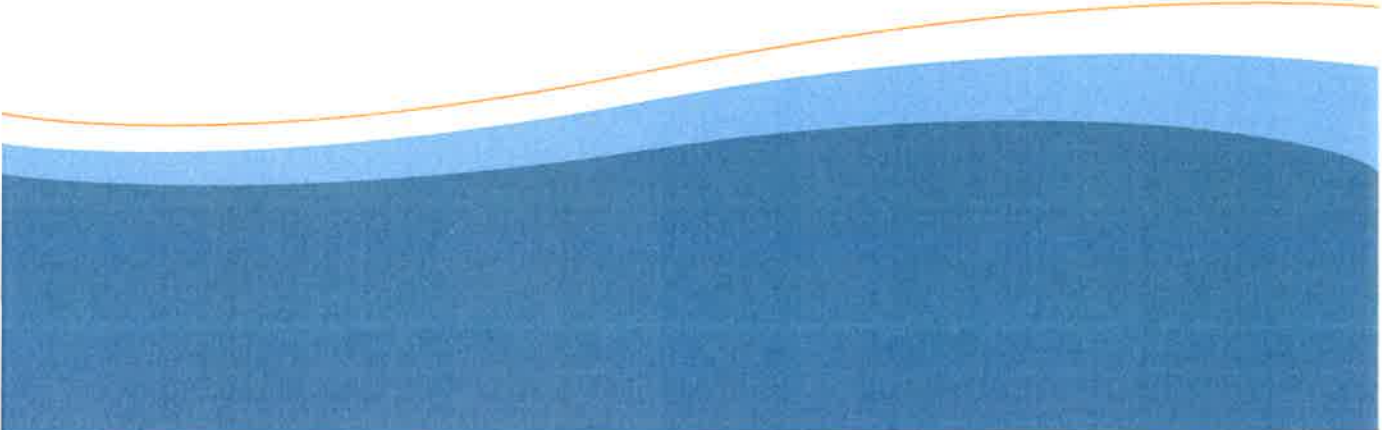
Zoning Board of Appeals Workshop!

This Zoning Board of Appeals (ZBA) training will benefit new members that want to better understand ZBA fundamentals and more experienced members that would benefit from a refresher. This training will include interactive scenarios that encourage members to discuss and deliberate in small groups. Newer members will enjoy the ability to ask questions and deliberate among peers in a low-pressure environment. The most seasoned ZBA members can find value in hearing perspectives from ZBA'S outside of their jurisdiction.

Come join us for an enjoyable evening!

- Date:** Wednesday, April 22, 2020
- Time:** 6:00—8:00 p.m.—Presentation and Q & A
- Location:** Lower level of the Leelanau County Government Center
8527 E. Government Center Dr., Suttons Bay, MI 49682
- Speaker:** Mary Reilly, AICP, Government and Public Policy Educator, Michigan State University
- Cost:** \$20 (includes handouts, light snacks and refreshments)
To register call the Planning Department at 231-256-9812.

Mary Reilly is a Michigan State University Extension land use educator with over 20 years of experience in planning and zoning. She was formerly the Mason County Zoning and Building Director and a planner for the Jicarilla Apache Nation in New Mexico. She served as a member of the Natural River Zoning Board of Appeals (Pere Marquette River) for 10 years. Her years of experience offer a deep working knowledge of the wide range of issues that come before Planning Commissions, Zoning Board of Appeals, and elected officials.



From: Trudy Galla <tgalla@co.leelanau.mi.us>
Sent: Wednesday, March 4, 2020 1:42 PM
To: Trudy Galla
Subject: 2nd Opportunity - Zoning Board of Appeals Training
Attachments: Zoning Board of Appeals Workshop Flyer.pdf

If you are unable to attend the Leelanau County ZBA training on April 22, attached is another opportunity for you – in East Bay Township starting at 5:30 on Thursday, April 16. This program will be put on by Michigan Association of Planning, and certificates of completion are available to those who complete the session.

Zoning Board of Appeals Workshop

Thursday, April 16th - 5:30 - 8:00 PM
East Bay Township Hall, 1965 N Three Mile Rd

Local officials from across Northern Michigan are invited to learn the essentials of the Zoning Board of Appeals process and procedures. Everyone is welcome to attend!

Workshop Description:

This information-packed program is not only perfect for Zoning Board of Appeals members but also for planning commissioners and other elected officials.

This interactive workshop will integrate real-world examples from around Northern Michigan to help decision makers tackle complex ZBA cases. This workshop will thoroughly explore issues such as practical difficulty and unnecessary hardship. A summary of voting and membership requirements and other procedural requirements unique to ZBA operations will also be reviewed.

This training was developed by the Michigan Association of Planning.

Pizza will be provided!

Cost: \$40 per attendee
(includes handbook)
A certificate of completion will be presented to all attendees who complete the workshop.

Register: In person, by mail, or by phone.
1965 N Three Mile Rd
lcouturier@eastbaytwp.org
(231) 947-8681

Please register by April 6, 2020



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See below for several other options to fund grant writing that I researched in other communities. The first two are from other consultants in the field; the second two are proposals used by GovHR in the past-- depending on the size and interests of the community.

We are flexible and would adopt any one of these approaches that you might prefer should the Empire Village Council and Boards like our future assistance. No worries either way. All the best! Ryan

Options Elsewhere

1. Flat grant writing fee:

- **\$1,000 for any grant under \$50,000;**
- \$3,000 for grants over \$50,000;
- \$100 per hour for additional research on grants or a \$500 flat fee, whichever is less;
- **\$100 per hour** for grant administration or attendance at any meetings;
- **Monthly reports:** Name of agency, due dates for applications, eligibility, brief program summary and the level of funding available will be presented to the City for review and approval to proceed

2. Flat monthly fee:

- **\$3,000 per month not to exceed \$36,000 for the year;**
- **Plan of services** includes: review goals and objectives of the strategic plan to determine the priority projects of the City and assist in building a private public partnership and identify and utilize all funding tools and resources available through Federal, State and Local funding resources.
- No less than **quarterly reports** to the City Manager on activities surrounding grant research, applications, status and funding awarded.

3. Flat grant writing fee (Alternative GovHR model used for larger communities):

- **\$750 Initial Fee per grant written under \$75,000;**
- \$2,000 Initial Fee for all others, up to \$500,000;
- For grants to be written over \$500,000, fees would be discussed and mutually agreed in advance;
- Additional fees would include \$55 per hour for initial grant submittals.
- After notification of award, amount will be approximately \$125 per hour, plus any
- related expenses and travel time.
- Plan of service would include initial meetings with staff, creating an inventory of potential grant-funded projects, monitor board minutes, assessment of grant value versus time, and establish a grant application calendar.

4. Percentage of Grant Fee (GovHR smaller community model offered last year):

- **1% of grant submittal requested;**
- 4% of grant -- once awarded, except for grants over \$500,000 in which case an amount would be discussed and mutually agreed in advance;
- Plan of service would include the customary research and an applicable grant inventory and calendar;
- **No hourly fees.**

Ryan Cotton
Vice President

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About Grant Writer Success Rates

by Guest Author | Aug 16, 2018 | Development/Fundraising, Grant Writing | 0 comments

by Amy Clinton

While many nonprofits are interested in a grant writer's past success rates as a measure of potential future performance, this metric provides little in the way of proof of a grant writer's work product, skill as a grant writer, or likelihood of writing successful grant proposals. A grant writer's success depends on a myriad of other factors, including organizational grant readiness, quality and timeliness of the documents and other material requested by the grant writer, the grant writer's ability to identify appropriate funders whose priorities are a good fit with an organization, and a host of other factors, some of which have little to do with the grant writer's skill.

The overall success of a grant writer should ultimately be measured by whether or not the organization for which that person is writing grants is building relationships and program credibility with funders and achieving incremental increases in grant funding revenues.

Some Things to Consider*1:

1. If an organization is submitting applications to already-established funders who know them well, they can expect:
 - a. For existing programs, high success rates, up to 90 percent
 - b. For expanding existing programs, good success rates, up to 80 percent
 - c. For new programs, lower success rates, generally 30 to 40 percent
2. If submitting applications to NEW funders, an excellent success rate would be 30 to 40 percent
3. If submitting applications to a combination of existing and new funders, an organization should expect a success rate of between 50 and 60 percent.

Evaluating a Grant Writer's Work*2:

A grant writer's "success rate" depends on both the grant writer's professional skills and the organization's readiness to submit the proposals in the first place. Specific organizational factors that influence the ratio of proposals funded include the following:

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- **Has the organization set realistic targets for achievement?**

Some nonprofits ask a grant writer to submit an arbitrary, but large number of proposals each year. To meet this target, the grant writer may use the “shotgun approach” and submit the same generic proposal to a large number of funders as a time-saving approach, without proper research or cultivation. As a result, the success rate for this approach is likely to be low.

- **Does the organization have strong programs that meet a clear community need?**

Grant proposals have a much greater chance of being funded if they can offer a compelling solution to a well-documented community problem.

- **Is the organization seeking general operating, endowment, or start-up funding?**

These types of grants are generally tougher to get than program funding.

- **Is the organization structurally and fiscally sound?** Sometimes the best-written grant proposal can be rejected because the funder has serious questions about the organization’s capacity to carry out the scope of work described in the proposal.

- **Do the Executive Director and board support the grant writer by actively participating in cultivation and stewardship of funders?**

Top level cultivation of funders is essential for success.

- **Has the grant writer been involved in the budget-making process?** Too often, grant writers are asked to bring in a certain amount of revenue based on the needs of the organization’s budget, rather than on what is reasonable and possible. By involving the grant writer in the budget development process from the outset, the organization can set realistic and achievable revenue targets and avoid a budget crisis later in the year.

Benchmarks for Evaluating a Grant Writer

Quantitative:

- # of proposals and letters of inquiry submitted
- # of grants awarded
- Amount of money raised
- # of new potential funders identified and researched
- # of contacts with funders and number of funders cultivated

- # of contacts with program staff
- # of internal projects worked on
- # of reports submitted to funders

Qualitative:

- Quality of grant proposals: clarity of writing, ability to answer funder's questions, write a compelling argument for funding, etc.
- Quality of funding research.
- Maintains good relationships with funders
- Works well with organizational staff and program personnel
- Assists staff in identifying and developing fundable projects
- Effectively matches projects and needs with potential funders
- Well regarded in the fundraising community
- Works to improve his/her knowledge and skills through professional development
- Provides service to the fundraising community by serving on boards and committees of professional organizations

Denials are Common

No grant writer (even the most well-seasoned) receives every grant for which he or she applies, and the reasons for failure vary widely. While poorly written proposals generally don't get funded, sometimes a denial has nothing to do with a grant writer's skill or lack thereof:

1. The funder was interested in the project, but the application just didn't rise to the top...

This is extremely common and is one reason that I always stress contacting the funder before submitting an application. Sometimes, there are so many other compelling applications that have been received during a particular grant cycle, that by the time yours is received, the decision has already been made. I've had the experience of a funder telling me to wait until the next cycle to submit an application, because they knew our application likely wouldn't be successful – I wouldn't have known that unless I had contacted the funder first!

2. The organization wasn't grant-ready...

I always recommend that organizations conduct a grant-readiness self-assessment before paying a consultant to write a grant. Grant readiness means having all potential attachments that might be requested, detailed organizational and program line-item budgets, program descriptions, and data pertaining to program performance and outcomes on-hand and easily accessible. The best grant writer in the world won't be able to write a compelling application without comprehensive, detailed information about the project or program in question.

3. A lack of organization/funder "fit"...

Thorough grant prospect research is essential to preventing this issue, which arises when an organization submits a proposal that lies at the edge of or outside the lines of the funder's giving priorities. Sometimes this is due to a lack of information provided by the funder, but it can also occur when a prospect researcher fails to thoroughly read and understand the funder's guidelines.

Grant Writing and Success Rates: Putting Lipstick on a Pig?

by David Lipten on January 28, 2013

I have recently been following a number of discussions on the provision of performance statistics in order to demonstrate a positive return on investment for potential clients. Success would seem to be a relatively reasonable thing for a client to wish to consider when deciding whether or not to hire a grant professional and, particularly, whether or not to spend precious dollars on them.

In fact, the demand for such metrics is becoming the norm, especially as individuals with backgrounds in other, for-profit disciplines are increasingly coming to dominate nonprofit boards of directors and as budgets become even tighter. But, are grant professionals responding by, essentially, putting lipstick on a pig? My guess is that, while there are useful data that can be provided to a potential client for them to evaluate the quality of a grant writer's work, much of the data that is provided consist, largely, of misrepresentations, especially that which pertains to success rate percentages.

I don't mean to imply by this that grant professionals set out to lie. But, in response to the often direct demand for dollar figures and success rate percentages that will lend credence to a decision by someone to hire an outside professional to do what has largely been done in-house

in the past (and, likely, poorly), we are tempted to stretch the truth by claiming what I can only assume are success rate percentages that only the wholly uninformed would believe.

I have seen advertised success rates hovering at or above 90%. It may even be possible for a grant writer to make such claims in cases where all the legwork has already been done, including being invited to submit a proposal after having done all of the research (i.e., matching of client needs to funding source priorities, solicitation of the client, etc.), as well as writing and submitting the grant and having it reviewed by an audience (who should already be positively predisposed to funding the submitted proposal).

Just how does one quantify all that work? For example, how can a grant writer demonstrate success in prospect research or in making contact with funders or in writing letters of inquiry, etc.?

But, aren't we also asking to be paid for all the services that lead up to that point? Just how does one quantify all that work? For example, how can a grant writer demonstrate success in prospect research or in making contact with funders or in writing letters of inquiry, etc.? If, after doing all of that, a grant professional were asked to submit only one or two grants and they were funded, they would have a perfect success rate.

But, what about all of the entreaties made to foundations or government sources that were either rejected or ignored?

What about all the time it took to receive notifications of these efforts being less than successful? These essential activities are not the kinds of things that either lend themselves to or are reflected in success rate percentages.

Conversely, what if a grant writer's efforts lead to a great number of invitations to submit proposals? Given the extremely competitive nature of the process, most in this situation would likely wind up with many more rejected proposals than those that were funded.

Again, what would providing a percentage demonstrate? I would even assume that someone in the latter, frustrating situation would be more than a little tempted to paint a rosier picture than would otherwise be possible.

So, what kind of data is useful (and truthful) for clients to consider when they are trying to

decide whether to engage the services of a grant writer? Some of the ideas I've seen included providing the status of proposals, including those that have been planned or pending, as well as whether they've been funded or denied.

I've also seen a suggestion to measure the percentage of applications reviewed against awards made, though grant writers are not often privy to such information. I often advise potential clients to consider the costs of not applying versus doing so, both in terms of the bottom line and in terms of fulfilling their missions, among a number of other things. As an old advertisement for the NY State lottery used to say, "You gotta be in it to win it." But, what else do you suggest? I'm all ears (if not lips).

About the Author – *David Lipten, Ph.D., has written winning federal grant proposals on behalf of a number of electric utilities, garnering nearly \$40 million in U.S. Department of Energy grants, among other successes. He is based in Tallahassee, FL.*

~~*1 Retrieved May 25, 2018~~

*2 Adapted from Puget Sound Grant Writer's Association online article: "How can we evaluate our grantwriter's work?" Retrieved May 24, 2018

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<https://www.forbes.com/sites/forbesnonprofitcouncil/2018/05/29/nine-traits-of-effective-grant-writers-who-write-great-proposals/#487e9f745d8b>

Nine Traits Of Effective Grant Writers Who Write Great Proposals

Finding the right grant writer can lead to great funding partners and the ability to expand your organization's programs.

Photos courtesy of the individual members.

When looking for a candidate to fill a grant writing position, what is one key trait or skill you seek and why is it important?

Grant writing isn't like other types of writing. It requires a unique combination of skills that must meld in a certain way in order to be most effective. Grant writers are in high demand because many nonprofits need additional help in putting together grant proposals.

We asked members of the Forbes Nonprofit Council for traits that they look for in grant writers. The answers pointed to a specific, nuanced skill set that is a combination of analytical and personable writing. If you're thinking about hiring a grant writer, consider these traits.

Forbes Nonprofit Council is an invitation-only organization for chief executives in successful nonprofit organizations. Do I qualify?

1. Initiative-Driven

I look for the initiative they take because I want to be able to work with a grant writer who speaks up and provides specific recommendations that I may not have realized would help us. I like when they make suggestions or are not afraid to say there should be a different approach. - Gloria Horsley, Open to Hope

2. Data-Driven

A key trait is someone who understands the relevance of data. A writer should use historical data to substantiate what's known and/or why something is needed; a writer should understand the future data that will need to be produced from very intentional tracking and documentation, and should also understand the interdependency of both the historical and future data to substantiate the proposed/intended outcomes in a proposal. - Errika Moore, Technology Association of Georgia Education Collaborative

What Is The Missing Link Between Jobs And People?

3. Writing Skills

I feel it is easier to teach someone how to research grant opportunities than it is to teach them how to be an effective writer. Many grant applications I have seen (and written) are very plain vanilla. All the information is there, but the writing does not match the ask. Sometimes business language is needed, while other times an emotional twist is required. Having a person who excels at the art of writing is priceless. - Tom Van Winkle, Hinsdale Humane Society

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4. Process-Oriented

Grants can be a big undertaking. The measure of a grant writer is not in how well they tell a story but in their ability to use institutional memory to weave a grant process that is effective and duplicable. This is why I always look for candidates who are process-oriented and can build systems that avoid bottlenecks and keep the system working smoothly no matter the situation. - Eduardo Lopez, BIG Stop

5. Detail-Oriented

In a competitive world of grant proposals and limited resources, a lack of attention to details could be the difference between a trip up of what may otherwise be a grand proposal. Hire someone who has a proven track record of attention to details. Details are a critical factor in sound grant writing. - Aaron Alejandro, Texas FFA Foundation

6. Relationship-Building Skills

Look beyond the traditional grant writer capabilities and hire for an ability to build a lasting relationship. Grants are far more nuanced than many folks realize. Without building a relationship with the grantor, much time is wasted and grants are lost with no feedback for improvement. Find a writer intent on understanding grantor goals then align submissions to this reality. Success will follow. - Glenn D. Banton, Sr., (OSD) Operation Supply Drop

7. Evocative Writing

Evocative writing is incredibly important when writing grants. The writer needs to have the ability to make donors feel the importance and urgency of the issue at hand. The best way to do this is by crafting a narrative that is both informative and emotional. If the reader doesn't have a strong response to the grant application, it will easily get lost in the sea of other proposals. - George Tsiatis, The Resolution Project

8. Storytelling Skills

While this might seem self-evident, you've got to ensure the person you're hiring is a good writer! It seems obvious, but having the ability to put together a grant is not the same as having the ability to put together a winning grant proposal. Grants need to have a narrative, they need to tell a story. Analytical ability can only take you so far. - Rupert Scofield, FINCA International

9. Understanding Of Impact

Successful grants are impact-focused. The best grant writers can distill into clear and plain language the unmet need that the grant will address and the unique approach that the organization's proposed program takes to meet that need. Ultimately it's important to seek someone who can connect the dots between community need, grant activities and measurable outcomes that create impact

<https://www.thebalancesmb.com/professional-grant-writer-2501954>

Should Your Nonprofit Hire a Professional Grant Writer?

BY JOANNE FRITZ

Updated July 30, 2019

Most nonprofits want to include grants from foundations or the government in their funding mix. It is a sensible thing to do, but not always easy. Researching and writing grants takes time and finely honed research and writing skills.

You may be fortunate enough to have an experienced grant writer on staff, especially if your organization has a long-standing grants program. But for many nonprofits, this is not so, and it might make sense to hire a grant professional or consultant, at least for a limited time. We asked just such an expert, Jake Seliger of Seliger Associates, about the pros and cons of hiring an outside grant writer.

The Pros of Hiring a Grants Consultant/Writer

The Grant Writer Will Sit Down and Write the Proposal

He or she is not likely to spend time in endless meetings discussing what the proposal should be like. Some organizations assign groups to write a proposal, a strategy that often ends up producing what Jake calls a "franken-proposal," cobbled together from mismatched parts.

The Job Will Get Done on Time

Consultants could not stay in business if they did not meet deadlines. Since the goal of writing proposals is to get the money, being on time is crucial. But it's surprising how many would-be grant writers fail to submit complete and technically acceptable proposals ahead of time. A good consultant will get that proposal to you early enough for a thorough review and revisions and then to the funder by the deadline.

You Have Control

You can hire the grant writer and fire her if the process doesn't go well. If you make someone an employee and discover six months later that he has time management

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issues, that person can often be hard to fire. Or, it can't be done quickly. If your consultant is no good, you cancel her retainer or don't hire her for the next job.

You Get the Benefit of the Consultant's Experience

The diverse experience many consultants have can be a bonus. For instance, a faith-based organization will need someone who understands which foundations give to religious groups. An expert likely knows the quirks of many funders and various systems, such as the Foundation Center's grants database or the federal government's Grants.gov. You don't want to make a million-dollar mistake because the grant writer doesn't know the ins and outs of the application system.

The Cons of Hiring a Grants Consultant/Writer

The Consultant Does Not Have the Institutional Memory That an Insider Might Have

It's great if your staff grant writer has been with you a long time or if the system he set up can be easily passed on to the next person hired. Institutional memory is something to treasure. On the other hand, if you have had staff turnover, the lack of memory could work the other way.

- No one remembers when and how the last proposal was made or where to start next time. With the churn in development staff on the rise, loss of institutional memory may be more damaging than you think. A consultant grant writer might be able to bring you up-to-speed faster than a new hire, and a consultant can often set up a grants system that works well when you do make that next hire.
- But remember that a professional grant writer has several clients to work with at any given time. You might not be happy to share his attention. However, any grants professional worth his fees should be able to juggle that situation and give you all the time you need.

You Might Not Pick the Right Person

It can be tricky finding the consultant who fits with your organization, listens well and has the sharpest skills. Look for experienced grant writers with a roster of satisfied

clients. Also, sign a short-term contract so you can have a trial run before getting involved long-term.

It May Cost Too Much

Cost is likely the most frequent reason organizations hesitate to hire a professional grant writer. But that fear itself can trip up a nonprofit when it is reluctant to hire professional help to do the tasks that can't be handled by current staff. Don't make the mistake of assuming that a rookie grant writer can learn grant writing and research quickly.

- Remember too that a staff person comes with a salary plus benefits. When considering costs, be sure that you include all of them to make a fair comparison.
- Never agree to pay a grant writer a percentage of a successful grant. Legitimate consultants will never suggest this since it is considered unethical by their professional associations.
- You'll want to set up an hourly pay arrangement, a flat fee for writing a particular grant, or a retainer for a certain time.

The bottom line about whether to hire a professional grant writer is that you need to consider these things:

- What talent you have on staff (and how much time they have to devote to grant writing).
- Your need for grants from a variety of sources, and what outside talent you can find at what cost.

Be sure to interview several grant writers before you hire, get estimates of the overall cost, and names of former and current clients. If you are starting from scratch, you can search these sources for listings of consultants, including grant writers:

- The [Association of Fundraising Professionals](#) (AFP) offers a Consultants Directory on its website that can be searched by specialty, name, or by geographic area.
- [The Grant Professionals Association](#) lists consultants by state.

Dave's Garage Empire

12777 S. Benzonia Tr.
 Empire, Michigan. 49630
 Phone: 231-326-5138 Fax: 231-326-5139

Sub Estimate For O:

060276

Estimate for Services

Estimate Date : 3/6/2020

Village of Empire
 P.O. BOX 253
 EMPIRE, MI 49630
 Office: 231-326-5353 Spouse: 231-326-5466

2013 GMC - Sierra 1500 WT - 4.3L,V6 (262CI) VIN(X)
 Lic # : 097X564 - MI Odom. In: 60636
 VIN # : 1GTN1TEX4 **DZ144498**

Part Description / Number	Qty	Sale	Ext	Labor Description	Extended
TRANSMISSION,AUTOMATIC (SERVICE) 17804461	1.00	2,460.79	2,460.79	TRANSMISSION ASSEMBLY - Removal & Replace - 4WD w/Skid Plate	730.00
TRANSMISSION,AUTOMATIC (SERVICE) <CORE> 17804461	1.00	700.00	700.00		
TRANSMISSION,AUTOMATIC (SERVICE) <CORE> 17804461	-1.00	700.00	-700.00		
AUTOMATIC TRANSMISSION FLUID DEXRON VI	8.00	6.99	55.92		
MISCELLANEOUS MISC.	1.00	40.00	40.00		
Shop Supplies/Parts delivery			25.00		

Parts/Supplies: 2,581.71

Labor: 730.00

Total: \$ 3,311.71

Signature _____ Date _____ Time _____

Village of Empire vehicle checklist

Recommended frequency of inspection	Monthly
Vehicle	2012 GMC
Date	2/14/2020
Inspected BY	Tim
Odometer (Miles /Hours) reading	59896 59896

Item	Checked?	Comments
Engine oil Level	✓	
Coolant level	✓	
Brake fluid level	✓	
Steering fluid level	✓	
Transmission Fluid	✓	
Belt(s) condition	✓	
Washer Fluid level/ wipers	✓	
Emergency Beacons	✓	
Lights	✓	
Tire Condition and Pressures	✓	
Body Condition	✓	
Condition of battery	✓	
glass, mirrors	✓	
First aid kit contents	✓	
Fire extinguisher	✓	
Tools	✓	
Clean & tidy?		
General mechanical condition (eg, How good are the brakes? Oil leaks?)		

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February 25, 2020

EMPIRE VILLAGE COUNCIL BUDGET HEARING AND REGULAR MEETING

The meeting was called to order and the Pledge of Allegiance was led by President Aylsworth at 6:00 p.m. Council members Rademacher, Davis, Bacon, and Skrocki were present. Avis and Stier were absent. Clerk Smith, Treasurer Ronkaitis, DPW Superintendent Friend were also present.

BUDGET HEARING – Budget totals by fund were reviewed. Smith noted that Resolutions had been prepared using both 100 and 130% as Equipment Rental charges for the Council to choose. Bacon stated that she had previously supported 100% rate for such rentals, but is comfortable with 130% rate due to possible equipment needs and in keeping with the CIP totals as projected. Aylsworth reviewed the budget line by line. **Motion by Bacon, supported by Skrocki to utilize the 130% Equipment rental rate and approve that proposed Budget. A ROLL CALL vote yielded unanimous approval. MOTION PASSED.** Comments and questions were received from Meg Walton, Chris Frey, Karen Baja and Sue Palmer. There was extensive discussion regarding the principal and interest due on the Water Bond. There was consensus that the line items totals be adjusted to reflect the bond payment schedule and include 1 additional principal payment annually (Principal = \$12K and Interest = \$10,300). Frey pointed out the 51K that was due from the General Fund to the Water Fund.

Motion by Bacon, who read the resolution aloud, and supported by Skrocki to approve Resolution No. 4 of 2020 - Budget for Fiscal Year 2020-21. ROLL CALL: Ayes: Rademacher, Davis, Skrocki, Bacon. Nays: Aylsworth. MOTION PASSED. Bacon noted that Aylsworth had voted no on his budget. He responded that he had not been involved in any of it and there were things in it that he disagreed with.

CHANGES/ADDITIONS TO AGENDA – Skrocki asked who had added the Clerk position and why. Bacon responded that she had noted the end the term and feels the process should be discussed. Aylsworth requested that a Resolution from the Village of Suttons Bay regarding high water be added under New Business.

PUBLIC COMMENTS ON AGENDA ITEMS – John Collins complimented the council on installing the sheet pile at the outlet, the DPW maintenance of such and water levels. Chris Frey commented on his letter regarding the progress made on a drainage district. Karen Baja commented on a request for bids for professional services.

CONSENT AGENDA – Aylsworth requested the Minutes of 2-13-20 Special Meeting and Work Session be removed from the Consent Agenda and be reviewed separately. **Motion by Bacon, supported by Rademacher to approve minutes of Regular Meeting of 1-28-20; and Approve Bills totaling \$41,564.22; and Resolution #5 of 2020 transferring \$1,832.63 in Major to Local Street Funds. ROLL CALL: Ayes: Rademacher, Skrocki, Bacon, Davis and Aylsworth. MOTION PASSED.**

REVIEW OF FINANCIAL STATEMENTS & TREASURER'S REPORT – Motion by Bacon, supported Rademacher to amend the 2019-20 Budget General Fund/ Streetlights (101-448-921) increased from 10K to 12K . **ROLL CALL: Ayes: Rademacher, Davis, Skrocki, Bacon and Aylsworth. MOTION PASSED.**

COMMUNICATIONS – Aylsworth read a letter of resignation from Mae Stier as Village Trustee, a letter regarding water runoff from Pat Zoyhowski, letters from Bud and Martha Acton, and Minnie Rockford regarding the Clerk’s position. Bacon read a letter from Steve and Linda Lewis regarding the Clerk position. All letters are attached.

DEPARTMENT HEAD REPORTS – DPW Superintendent Friend reported on water levels, a sand bar that has emerged that diminishes beach erosion, geo-tubes and several types of bags. He also reported that it will likely be impossible to install the launch ramp this year. He has asked for a quote from Elmer’s for 25’ of rip rap to protect the lighthouse that he will send to Council upon receipt.

COMMITTEE REPORTS – Bacon reported on a recent Streets Committee meeting and asked what process the Council needs to go thru to edge the sidewalks. Friend stated that it previously took 3 months to complete such with all other work included.

OLD BUSINESS

IRON FISH DISTILLERY OFF PREMISE TASTING ROOM LICENSE - Motion by Skrocki, supported by Davis to approve the Local Government Approval for Off-Premises Tasting Room License for 11572 S LaCore Rd., Empire, MI 49630. Bacon clarified the Zoning Administrator has approved the location as an approved use. Jody Hayden clarified that the license be approved for both addresses. **Motion amended to include 11590 S LaCore as well. ROLL CALL: Ayes: Bacon, Skrocki, Rademacher, Davis, Aylsworth. Nays: None MOTION PASSED.**

DISCHARGE OF WATER FROM PRIVATE PROPERTY ORDINANCE #155 – Motion by Rademacher, supported by Skrocki to approve Discharge of Water from Private Property Ordinance #155. Davis expressed concern about the questions raised in the Attorney review and feels that it may not be a solution to the problem. Skrocki expressed concern about the safety of residents due to the spray and frozen water. There was discussion of several other drainage issues around the Village and how the issues will likely increase. Aylsworth feels the Ordinance should be passed to protect public infrastructure, but does not want to give anyone a hardship. Rademacher felt public safety is more important than hardship. Bacon feels it is a policy struggle and wonders if a grace period could be extended. She feels the Ordinance doesn’t solve or prevent the problem, rather it provides a small amount of revenue for the Village. Dorothy Manning pointed out that snow melt and water runoff is running from all the surrounding high ground towards the lake. There was discussion of including the issue as part of a drainage district. **ROLL CALL: Ayes: Skrocki, Rademacher, Aylsworth. Nays: Bacon, Davis. MOTION PASSED.**

NEW BUSINESS

SCHEDULE OF REGULAR AND WORK SESSION MEETINGS FOR FY 2020-21 - Motion by Bacon , supported by Rademacher. There was discussion of changing meeting dates and times and the conflicts with use of the hall. A voice vote was unanimous. **MOTION PASSED.**

EMPIRE CHAMBER OF COMMERCE EVENT STREET CLOSURE REQUESTS FOR 2020 - Motion by Skrocki, supported by Rademacher to approve the requests as detailed in the 2-20-20 letter from the Empire Chamber of Commerce with changes (see attached). There was

discussion about closing all Front Street rather than just a portion for an entire day. **ROLL CALL: Ayes: Rademacher, Skrocki, Bacon, Aylsworth. Nays: Davis. MOTION PASSED.**

CLERK POSITION – Aylsworth stated that he had asked Skrocki to post the position. Bacon was perplexed by the communication between the Deputy Clerk and Skrocki. Davis read such aloud as it was included in the packet. He referenced a FOIA request regarding communication between the Personnel Committee and President regarding the posting of this position. He expressed concern about confidentiality when all business should be conducted according to the Open Meetings Act. He does not want to be involved in any more lawsuits. Skrocki was angry by the FOIA request and upset that she was accused of being secretive when she was trying to be polite. **Motion by Bacon to continue the conversation about the FOIA request and would then like the opportunity to discuss what is supposed to happen regarding this position, support by Davis.** Bacon read the email from Deputy Clerk regarding the process to Skrocki. Aylsworth read Skrocki response and his email to Clerk (all included in packet). Bacon read from a prepared statement that described the process for appointing, advertising for, updating the job description and professional services agreement for the Clerk position and the process for review (attached and available for posting). She feels the process is important to follow for every position. Aylsworth asked if it was described in an MCL. Skrocki asked if a small expenditure must be approved by Council. Bacon clarified that only the Council can approve expenditures, apart from the DPW Superintendent, who is authorized to spend within budget. Aylsworth asked what the motion is. **Motion withdrawn by Bacon and Davis.** Skrocki asked if that was the end of the discussion and Aylsworth responded yes.

RESOLUTION REGARDING A HIGHWATER EROSION - Aylsworth read a resolution received from the Village of Suttons Bay asking the Governor to ask for Federal assistance. **Motion by Bacon, supported by Rademacher to approve Resolution #6 of 2020, using the example as a template and inserting Village of Empire where appropriate.** Clerk or Deputy will contact regarding timeline for submission. **A voice vote was unanimous. MOTION PASSED.**

Motion by Bacon, supported by Davis to approve Resolution #7 of 2020 declaring a Vacancy in a Village Office - Whereas Michigan Statute 62.11 Section 11 states that if any elected officer shall cease to be a resident of the village during his or her term of office, the office shall be thereby vacated, and Whereas Michigan statute 62.13 that allows Council to appoint a successor to serve until the next regular Village election, and Whereas Trustee Mae Stier no longer lives in the Village, Now therefore, be it resolved by the Council of the Village of Empire that a vacancy in the office of Village Council Trustee hereby exists.

Aylsworth stated he would like to put out a request for applications and wondered if a special meeting would be required or if it could be done at a Work Session. There was discussion about the process for receiving applications or using one of the recent applications. **A voice vote was unanimous. MOTION PASSED.**

Motion by Bacon to appoint Linda Chase to fill the vacant seat on the Village Council. As indicated in her application, but not really expressed to the public at our last meeting, Linda spent the first 22 years of her life as a resident of Empire. She was brought up in a family that cared deeply for this Village. Her mother and father certainly instilled in their children the importance of giving back to the community – this community. Linda returned to Empire every year and has participated in a wide variety of community activities and events

supported by the Deering family – including assisting with the purchase and installation of the new playground equipment at South Bar Lake.

Even more interesting and important for this Village Council is Linda’s vast experience on the finance committee, building committee and pastoral council for her former Church. Church politics are a great deal like Village politics. I believe she has a greater understanding than most the role of governing. She is a quick learner and in the short time in the Village as a full-time resident, she has attended council meetings, planning commission meetings, and several committee meetings. She is a highly qualified candidate who will serve the Village of Empire residents. There was discussion about starting the process over. ROLL CALL: Ayes: Bacon, Rademacher, Davis Nays: Skrocki, Aylsworth. MOTION PASSED. Aylsworth welcomed Linda Chase to the Council.

COMMENTS FROM THE AUDIENCE – Tim Barr commented on a tube that was placed on the beach in the 70s. Sam Barr thanked the Clerk for performing her duties beyond expectations. Sue Palmer asked about informing the Post Office about the name change of LaCore. Dorothy Manning asked if there were local resources for information or help with both surface and ground water issues.

BOARD COMMENTS – Skrocki apologized for losing her temper and wondered how a FOIA request was received. She also liked the idea of sending out RFPs for all professional service providers. She also commented that her husband uses the geo tubes in his line of work and she would discuss these with him. Bacon hoped it was evident with the discussion of the vacancy that she had no interaction with any other Council member or Officer regarding her motions tonight. She was just as shocked to hear there was a request to keep something confidential from the Clerk.

ADJOURNMENT at 9:38 p.m.

Derith Smith, Empire Village Clerk

These are draft minutes for approval at the March 24, 2020 Regular Council meeting.

CHAPTER IV
DUTIES OF OFFICERS.

PRESIDENT.

64.1 President as chief executive officer; duties generally.

Sec. 1. The president is the chief executive officer of the village. He or she shall preside at the meetings of the council. The president is a voting member of the council. The president shall give the council information concerning the affairs of the village, and recommend measures which he or she considers expedient. Unless otherwise provided in an ordinance adopted under section 8 of chapter V, the president shall exercise supervision over the affairs of the village and over the public property belonging to the village. The president shall see that the laws relating to the village and the ordinances and regulations of the council are enforced.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2727;—CL 1915, 2597;—CL 1929, 1507;—CL 1948, 64.1;—Am. 1983, Act 205, Imd. Eff. Nov. 10, 1983;—Am. 1985, Act 173, Imd. Eff. Dec. 2, 1985;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

64.2 Village president; duties as conservator of peace.

Sec. 2. The president is a conservator of the peace and may exercise within the village the power to suppress disorder. The president may command the assistance of all able-bodied citizens to aid in the enforcement of the ordinances of the council in cases of emergency or disaster, subject to the applicable limitations of state law.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2728;—CL 1915, 2598;—CL 1929, 1508;—CL 1948, 64.2;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

64.3 Suspension or removal of officer; examination and inspection of books, records, and papers; additional duties of president; section subject to ordinance.

Sec. 3. The president may suspend any officer authorized by this act or appointed pursuant to this act for neglect of duty, and with the approval of the council remove any officer appointed by the council when the president considers it in the public interest. The president may at any time examine and inspect the books, records, and papers of any agent, employee, or officer of the village, and shall perform generally all duties prescribed by the ordinances of the village. This section is subject to an ordinance adopted under section 8 of chapter V.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2729;—CL 1915, 2599;—CL 1929, 1509;—CL 1948, 64.3;—Am. 1985, Act 173, Imd. Eff. Dec. 2, 1985;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

64.4 Acting president.

Sec. 4. In the absence or disability of the president, the president pro tempore of the council shall perform the duties of the president.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2730;—CL 1915, 2600;—CL 1929, 1510;—CL 1948, 64.4.

CLERK.

64.5 Clerk; duties.

Sec. 5. (1) The clerk shall keep the corporate seal and all the documents, official bonds, papers, files, and records of the village, not by this act or the ordinances of the village entrusted to some other officer. The clerk is the clerk of the council and shall attend its meetings.

(2) In case of the absence of the clerk, or if from any cause the clerk is unable to discharge, or is disqualified from performing, his or her duties, the council may appoint a council member, or some other person, to perform the duties of the clerk for the time being.

(3) The clerk shall record all the proceedings and resolutions of the council, and shall record, or cause to be recorded, all the ordinances of the village.

(4) The clerk shall countersign and register all licenses granted.

(5) When required, the clerk shall make reproductions pursuant to the records media act, 1992 PA 116, MCL 24.401 to 24.403, of the papers and records filed and kept in his or her office and shall certify the reproductions under the seal of the village. The admissibility in evidence of such reproductions is governed by section 3 of 1964 PA 105, MCL 691.1103.

(6) The clerk may administer oaths and affirmations.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2731;—CL 1915, 2601;—CL 1929, 1511;—CL 1948, 64.5;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

64.6 Clerk as general accountant; duties; check disbursement.

Sec. 6. (1) The clerk shall be the general accountant of the village.

(2) Claims against the village shall be filed with the clerk for adjustment. After examination, the clerk shall report the claims, with the accompanying vouchers and counterclaims of the village, and the true balance, to the council for allowance. After the claims are allowed by the council, the clerk shall present check disbursement authorizations to the treasurer for payment of the claims, designating the fund from which payment is to be made, and take proper receipts.

(3) The clerk shall not present check disbursement authorizations upon a fund after the fund is exhausted. When a tax or money is levied, raised, or appropriated, the clerk shall report the amount to the village treasurer, stating the objects and funds for which it is levied, raised, or appropriated, and the amounts to be credited to each fund.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2732;—CL 1915, 2602;—CL 1929, 1512;—CL 1948, 64.6;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

64.7 Clerk; duties.

Sec. 7. Unless otherwise provided by ordinance, the clerk shall do all of the following:

(a) Have charge of all the books, vouchers, and documents relating to the accounts, contracts, debts, and revenues of the corporation.

(b) Countersign and register all bonds issued, and keep a list of all property belonging to the village, and of all its debts and liabilities.

(c) Keep a complete set of books, exhibiting the financial condition of the village in all its departments, funds, resources, and liabilities, with a proper classification, and showing the purpose for which each fund was raised.

(d) Keep an account of all the money received for each of the several funds of the village, and credit all check disbursements drawn, keeping an account with each fund.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2733;—CL 1915, 2603;—CL 1929, 1513;—CL 1948, 64.7;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

64.8 Duties; financial report to council; contents.

Sec. 8. The clerk shall report to the council, whenever required, a detailed statement of the receipts, expenditures, and financial condition of the village, of the debts to be paid, and moneys necessary to meet the estimated expenses of the corporation, and shall perform such other duties pertaining to his office as the council may require.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2734;—CL 1915, 2604;—CL 1929, 1514;—CL 1948, 64.8.

64.8a Functions subject to ordinance.

Sec. 8a. The functions of the village clerk are subject to an ordinance adopted under section 8 of chapter V.

History: Add. 1985, Act 173, Imd. Eff. Dec. 2, 1985.

TREASURER.

64.9 Village treasurer; duties.

Sec. 9. The treasurer shall do all of the following:

(a) Have the custody of all money, bonds other than official bonds filed with the clerk under chapter II, mortgages, notes, leases, and evidences of value belonging to the village.

(b) Receive all money belonging to, and receivable by the corporation.

(c) Keep an account of all receipts and expenditures.

(d) Collect and keep an account of all taxes and money appropriated, raised, or received for each fund of the village, and keep a separate account of each fund.

(e) Pay check disbursement authorizations out of the particular fund raised for the purpose for which the disbursement was authorized.

(f) Perform duties prescribed by this act relating to assessing property and levying taxes.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2735;—CL 1915, 2605;—CL 1929, 1515;—Am. 1935, Act 199, Eff. Sept. 21, 1935;—CL 1948, 64.9;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

64.10 Treasurer; reports; contents.

Sec. 10. The treasurer shall report to the clerk on the first Monday of every month, if required, the amounts received and credited to each fund, on what account received, the amounts paid out from each fund during the

PROFESSIONAL SERVICES AGREEMENT FOR THE POSITION OF VILLAGE CLERK

This PROFESSIONAL SERVICES AGREEMENT FOR THE POSITION OF VILLAGE CLERK (Agreement) is made by and between the VILLAGE OF EMPIRE, a Michigan municipal corporation with offices at P.O. Box 253, 11518 LaCore Street, Empire, MI 49630 (Village); and Derith A. Smith, 10816 S Blue Ridge Lane, Traverse City, MI. 49684 (Derith A. Smith or Clerk). The Village and Derith A. Smith may be collectively referred to hereinafter as the "Parties."

WHEREAS, acting pursuant to Village Ordinance, the Village Council has appointed Derith A. Smith to serve as the Village Clerk; and

WHEREAS, Samuel U. Barr represents, and the Village Council finds, that Derith A. Smith is qualified to perform such services and is willing to furnish such services to the Village; and

WHEREAS, it is the desire of the Village to provide certain benefits, conditions of employment, and working conditions for the Clerk;

NOW, THEREFORE, in consideration of mutual covenants and promises set forth below, the Parties agree to the following:

- 1. Appointment.** The Parties acknowledges its appointment of Derith A. Smith to serve as the Village Clerk for the Village on September 6, 2018.
- 2. Term; At-Will Employee.** Derith A. Smith shall commence performance of the duties of Village Clerk as of the 7th day of September 2018. Thereafter, Derith A. Smith shall continue to serve as the Village Clerk at the pleasure of the Village Council as an At-Will appointee. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the Village to terminate the services of the Clerk at any time.
- 3. Duties of Office.** Derith A. Smith agrees to perform all of the duties of the Village Clerk as set forth in the General Law Village Act (MCL §61.1 *et seq.*), as well as those duties set forth *from time to time by resolution* of the Village Council, including but not limited to those stated in the Village Clerk's Job Description. A copy of the Job Description in effect as of the date of this agreement is attached as Exhibit A hereto. The Village may fix, with the consent of the Clerk (which consent shall not be unreasonably withheld) any other terms and conditions of employment as it may determine from time to time relating to the performance of the Clerk, provided such terms and conditions are not inconsistent or in conflict with the provisions of this Agreement, the General Law Village Act, or the ordinances and resolutions of the Village of Empire.
- 4. Compensation.** The Village agrees to pay Derith A. Smith for her services as the Village Clerk for sixteen (16) to twenty (20) hours per week at the rate of 1,833.33 Dollars per month for a probationary period of 60 days, at the end of which a performance review will be

conducted to assess her abilities and determine her level of expertise. Upon completion of a favorable performance review, the Village agrees to increase the rate of pay to \$24,000 per year. The compensation set forth herein is the entire compensation to be paid to Derith A. Smith for her/his services under this Agreement, and Derith A. Smith shall not be entitled to any other compensation in the form of fringe benefit(s), or otherwise. Said compensation shall be paid within fourteen (14) days of receipt of an invoice for same from Derith A. Smith.

5. **Office Hours.** The Clerk shall ensure that the Village Office is staffed and open to the public five (5) full days per week, unless otherwise directed by the Village Council, and that she is available in the office during business hours for at least twelve (12) hours per week.

6. **Additional Work.** No claims for extra, additional, or changes in the services will be made by Derith A. Smith without written agreement with Village prior to the performance of such services.

7. **Training; Conferences.** In addition to the compensation provided for herein, the Village Council, in its sole discretion, may authorize Derith A. Smith to attend any professional conferences or training programs, the purpose of which is to improve her/his skills in performing the duties of the Village Clerk, and it may reimburse Derith A. Smith for the reasonable out of pocket costs incurred in attending such conferences/programs within amounts budgeted therefor if Village Council authorization for such attendance is obtained in advance of incurring such costs.

8. **Performance Review.** The Clerk shall undergo periodic job performance evaluations under such procedures as shall be set by the Village Council.

9. **Public Records.** All documents, records, communications, or other papers generated and/or acquired by Derith A. Smith in performance of this Agreement are and shall remain the public records of the Village. The original materials, or copies thereof, shall be retained in the Village Office at all times.

10. **Termination.** Either party may terminate this Agreement at any time by giving thirty (30) days written notice to the other party at the above address. Should either party terminate this Agreement, payment to Derith A. Smith shall be made on the basis of services performed to date of termination.

11. **Laws and Regulations.** Derith A. Smith shall comply with all applicable state, federal and local laws and regulations, including, but not limited to, the applicable, Michigan laws, as currently existing and as same shall be amended from time to time.

12. **Notice.** All notices and certifications made pursuant to this Agreement shall be delivered to the addresses above by certified mail or personal delivery in care of the person set forth in the preamble of this Agreement. Each party shall give the other notice of any change in address.

13. **General Provisions.**

- a. This document represents the entire and integrated Agreement between the Village and Derith A. Smith and supersedes all prior negotiations, agreements or representations, either written or oral.
- b. This Agreement may be amended only by written instrument signed by both the Village and Derith A. Smith.
- c. If any provisions or any portion thereof contained in this Agreement is held to be unconstitutional, invalid, or unenforceable by a Court of competent jurisdiction, the remainder of this Agreement, or portion(s) thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

IN WITNESS WHEREOF the Parties have executed this Agreement as of the date first above written.

VILLAGE OF EMPIRE



Sam Barr
Village President

CLERK



Derith A. Smith