



CLERKS' OFFICE

# MICHIGAN ASSOCIATION OF MUNICIPAL CLERKS

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# STANDING RULES

Codified: 6/22/2015

Recodified 09/09/2025



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# SR – 1: Board Meetings

## **Information in Advance of Meetings**

Items to be “voted on” (such as resolutions or items of recommendation) by the MAMC Board shall be submitted to the Board members at least one week in advance of the meeting in which the voting action is to take place.

## **Electronic Board Meetings**

The MAMC Board of Directors may meet electronically once a month on a regularly scheduled day to review and approve routine business. Directors requesting approval or review of material at regularly scheduled electronic meetings, shall furnish related materials to the President no later than one week prior to the scheduled meeting.

A member of the Board may participate in a meeting virtually or by phone provided everyone participating in the meeting can hear one another. Such participation in a meeting constitutes presence at the meeting.

# SR – 2: Board Administration

## **Board Member Name Badges**

All MAMC Board Members shall receive name badges including the Board Member's name and Board position. Name badges will be ordered by the Director of Membership at a cost not to exceed an amount approved by the Board.

## **President's Recognition of Service Gift Plaque**

It shall be the responsibility of the 1st Vice-President to purchase a gift for the President for an amount approved by the Board. The presentation of the recognition plaque, provided by the Director of Ways and Means, and gift shall be made to the President at the annual MAMC Conference during the President's Banquet.

## **President's Attendance at MML and MTA**

The President of MAMC, or their designee, is expected to attend all appropriate meetings of the Michigan Municipal League Annual Conference and the Michigan Township Association Education Conference in order that MAMC have proper representation with the MML and MTA. MAMC has the responsibility to cover the costs incurred for the President or designee to attend these meetings, such as transportation/mileage, lodging, meals, etc.

## **President's Attendance at IIMC Conference and Regional Meeting**

The President of MAMC is expected to attend the Annual International Institute of Municipal Clerks Conference. MAMC will pay for the registration, transportation to the conference and five (5) nights lodging. Transportation will be the most economically feasible method. The lodging will be at the Conference Host Hotel, when possible. Mileage shall be reimbursed at the IRS rate. Other expenses, including meals not included in the registration and incidentals will be reimbursed upon submission to the Treasurer and approved by the Board when presented with the proper receipts.

The President of the MAMC, or their designee, is expected to attend the International Institute of Municipal Clerks Region V Annual Meeting. MAMC will pay for the registration fee, transportation to the meeting, by the most economically feasible method, and two (2) night's standard-room lodging. Other expenses including meals not included in the registration and incidentals will be reimbursed upon submission to the Treasurer and approved by the Board when presented with the proper receipts.

## **Flowers**

In the event of the death of a current MAMC Board Member, a past president of MAMC, or a member of their immediate family (spouse, parent, or child) a memorial or floral arrangement may be sent on behalf of the MAMC, upon approval of the President.

In the event of serious illness or hospitalization of a current MAMC Board Member, the President is authorized to send a floral arrangement or equivalent to that Board Member.

## **Committee Member Recognition of Service Certificates**

All Committee members are required to meet the following in order to receive Recognition of Service Certificate:

- Selection to a committee is an annual commitment. An application shall be submitted annually after each Annual Conference to the MAMC Board to be considered for a new term. The chairperson from each committee will make the annual designation.
- Attendance shall be required for certification. Failure to attend a minimum of 50% of the meetings may cause forfeiture of the Recognition of Service Certificate. Attendance shall be recorded and shall be circulated at each meeting to verify attendance.

**LEGISLATIVE** - If selected for the Legislative Committee, attendance at the CEO meeting in the audience is expected. Much of the legislative discussion begins with the BOE and Legislative speakers at CEO.

**CEO** – Six members shall be selected as voting members. Substitute committee members shall be requested to step into the voting role when necessary to allow for a quorum. Voting and substitute committee members are eligible to receive certificates if attendance criteria is met.

Voting members are required to provide advance notice of their absence and should reach out to a substitute committee member as soon as possible to confirm they can act as a proxy at the meeting.

The chairperson from each committee will make the annual appointments to provide a list to the Director-Ways and Means containing the names of all committee members certified (Voting/Substitute) in time to prepare the Member Recognition of Service Certificates for distribution.

## **Review of Communications**

All publications, notices, newsletters, brochures, surveys, press releases, and positions distributed by mail or e-mail to the membership, Legislators or the public at large shall be reviewed by the Board, with time to review, for comments in writing prior to official release or distribution.

# SR – 3: Organization Administration

## **MAMC Exchange Pins – IIMC Conference**

MAMC exchange pin selection shall be a presidential decision with Board consensus for funding in an amount approved by the Board of Directors. These pins will be given out at IIMC Conferences by members of the association attending the conference.

## **Quill Award Nominations**

The MAMC President may submit an annual nomination from the State of Michigan for the IIMC “QUILL AWARD”. The President shall have the consensus of the Board members prior to submission of the name to the IIMC.

## **Nomination of Michigan Candidate IIMC Region V Director**

When appropriate in the region cycle, MAMC shall submit a name in nomination to IIMC for a Region V Director. (Michigan rotates with the other five (5) states in Region V directorship position.) A candidate’s name must be submitted to the IIMC by January 5th of the appropriate year.

It shall be the responsibility of the MAMC Board to make the Association Membership aware that a nomination for an IIMC Region V Director, is required of Michigan, the criteria for the position and the method for which a person may file their intention as a candidate.

Candidates interested in serving as the IIMC Region V Director shall file their intention of candidacy with the MAMC Board. The MAMC Board, or a designated sub-committee, shall review all applications for the Region V Director position.

If only one person submits their name for this position and all qualifications are met, this person shall be the official candidate and shall be presented to the IIMC for the next Region V Director position.

If more than one person shall file their intention as a candidate, an election ballot shall be prepared. The ballot shall contain the name of the candidates and a brief description of their qualifications. The ballot must have complete instructions and time deadlines for completing and returning.

The MAMC Board, or the designated sub-committee, shall count the returned, voted ballots. The candidate with the majority of votes shall be the person named as the official candidate from Michigan for the Region V Director and presented to the IIMC by January 5th of the following year.

In case of a tie vote, the two candidates would be required to meet with the Board of Directors or their designee and follow the provisions of Michigan Election Law 168.852.

## **Records Retention**

The retention schedule establishes the minimum amount of time that the following records must be kept to satisfy administrative, legal, fiscal and historical needs.

Records may be retained in a paper or digital format. The digital format of choice must ensure the continued accessibility and usability of those records that are digitized.

This schedule will be in effect as of September 1, 2019.

#### ADMINISTRATIVE

Meeting Agendas	Permanent
Official Proceedings	Permanent
Oaths of Office	Permanent
Clerk of the Year Annual Report*	1 Year
<i>*Including voting results and/or ballots</i>	
Ballots electing MAMC Board Members**	Event
<i>**Destroy at the conclusion of the annual meeting</i>	

#### LEGAL

Contracts, Agreements	Expiration +6
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#### FISCAL

Budget Planning Records	Current +5
Annual Budget	Fiscal Year +5
Accounts Receivable General Ledger	Fiscal Year +7
Cash Receipts Ledger	Fiscal Year +7
Banking Records	Fiscal Year +7
Refunds	Fiscal Year +7
Invoices	Fiscal Year +7
Investment Records	Fiscal Year +7
Payment Records	Fiscal Year +7
Audit	Permanent

#### HISTORICAL

Board member roster	Permanent
Clerk of the Year recipients	Permanent
Scholarship recipients	Permanent

### **Release of Membership Information**

It shall be the policy of the MAMC Board that no personal or business information generated from the membership application process will be given out by this organization or member of the Board of Directors

### **Honorary and Life Membership**

**Honorary Membership**, as defined in the MAMC By-Laws, is reserved for Clerks or other dignitaries or individuals that are no longer associated or employed in the clerk's profession.

To be awarded an honorary membership in MAMC, the individual may either request an honorary designation or be recommended for this membership. Each honorary membership is submitted to the board for consideration and a simple majority vote of the MAMC Board will be required. The honorary membership designation will be considered annually by the MAMC Board in December. If the individual returns to the clerk's profession, then Active membership must resume.

**Life Membership**, as defined in the MAMC By-Laws, is reserved only for clerks who are past presidents of the MAMC. Life membership shall be bestowed upon past Presidents after completing their term as President, and the Membership Director shall prepare a Certificate of Appreciation to the outgoing President

for presentation at the annual conference.

Honorary and Life members are exempt from annual dues and are required to pay membership fees for seminars, conferences or other member fees associated with programs offered by the MAMC. Past Presidents become a life member automatically at no charge and are voting members until retirement.

Any person requesting an Honorary or Life Membership shall present a signed application to the Membership Director for presentation to the Board of Directors. A written letter of request shall also be provided outlining employment, position held, and MAMC membership history.

### **Use of MAMC Logo**

To ensure uniformity in the organization through the coordinated use of a symbol or logo, the MAMC logo shall be the basis for all communication tools used in the organization.

The current MAMC logos have been registered as Service Marks in the State of Michigan and cannot be used without the express permission of the MAMC President or First Vice-President.



# SR – 4: Finance

## **Reimbursement Site Inspection/Board Meeting**

MAMC shall be responsible for the payment and/or reimbursement of appropriate expenses incurred by MAMC Board Members when attending the site inspection of the conference facilities for MAMC.

## **Committee Meeting Meals**

MAMC will pay for a working meal for Board of Directors or a standing committee. Appropriate receipts must be submitted to the Treasurer, with approval to be granted by the Board.

## **Credit Card Policy and Procedures**

The MAMC Treasurer shall be responsible for the issuance, accounting, monitoring and retrieval and generally for overseeing compliance with the Michigan Association of Municipal Clerk's credit card.

Credit cards can only be used by a MAMC Board Member for the purchase of goods or services for the Association. The credit card cannot be used for personal uses, cash advances or other merchant category exclusions (i.e. tobacco products or liquor).

The vendor or merchant must be notified that the credit card transaction should be tax exempt for goods or services purchased in the State of Michigan.

Any Board Member using the credit card must submit documentation detailing the goods or services purchased, cost, date of purchase and the reason for the purchase. Receipts and slips must be turned into the Treasurer.

Any Board Member receiving a credit card shall be strictly responsible for the protection and custody of the credit card and shall immediately notify the Treasurer and/or the credit card company if the card is lost or stolen.

The MAMC Treasurer shall review each credit card billing and all documentation prior to submitting to the Board Members for approval and payment. The balance due on any credit card account shall always be paid in full by the due date of the invoice.

Any member who is no longer a MAMC Board Member or who violates these policies and procedures must immediately surrender all credit cards and could be subject to criminal and/or civil action.

# SR – 5: Events

## Registration

MAMC Annual Conference, Institute, Master Academy, Clerking 101, Member Education Day and Master Class registration information will be found in conference brochures or event notices and placed on the MAMC website. Registration is open to all municipal and county Clerks and Deputy Clerks in Michigan. Individuals who are not a Clerk or a Deputy Clerk require a letter of endorsement from the Clerk in order to attend any educational events conducted by the Michigan Association of Municipal Clerks, including but not limited to: Annual Conference, Institute, Master Academy, Clerking 101, Member Education Day and Master Class.

## Cancellation

Requests must be emailed, mailed or faxed to the MAMC. Advance registrations canceled by 5:00 PM no later than fourteen (14) days prior to the conference or event date will incur a \$100.00 cancellation fee. Cancellation requests received less than fourteen (14) days prior to the event or no shows will be charged the full registration fee and are not entitled to any refund.

## Extenuating Circumstances

When circumstances beyond the control of the attendee have made it impossible to attend an event a request for a coupon to attend the event in the future can be made. Circumstances may include loss of a family member, illness or injury resulting in a physician's recommendation to be off work. Requests will be considered by the Conference and Education Directors. If the request does not appear to be for extenuating circumstance an additional review will be made by the MAMC President, 1st Vice President, 2nd Vice President and 3rd Vice President for justification for the coupon. The attendee requesting the coupon shall be notified of the decision. Any coupon issued shall be for registration at the same event in the future for which the member was unable to attend.

## Scholarships

The Michigan Association of Municipal Clerks encourages continued education and professional growth for members through the Clerks Institute, Master Academy, Clerking 101 and educational opportunities at annual conferences.

In an effort to promote and avail members of these valuable training opportunities, the MAMC offers both education and annual conference scholarships to assist members whose local governmental unit does not or cannot financially support these educational opportunities and/or conference experience and who has been unable to procure financial assistance through other means.

Following are the guidelines for the education and annual conference scholarships:

- Member of MAMC
- City, Township or Village Clerk or a full time Deputy Clerk of a City, Township or Village performing the duties of the Clerk
- A scholarship may apply for registration for the first, second or third year at MMCI, Master Academy, Clerking 101 or MAMC annual conference registration
- The applicant must provide proof that funds were denied by the municipality
- The MAMC Education Committee will review applications based on need and merit and make a recommendation to the MAMC Board of Directors.

- One (1) lifetime Education Scholarship and one (1) lifetime Conference Scholarship may be awarded per member.

Scholarship applications can be found on the MAMC website.

# SR – 6: Annual Conference

## Site Selection Criteria

The site criteria to be considered is as follows:

- Facility large enough to accommodate at least 1/3 of the membership
- Room rates
- Appropriate space for private dining of the membership present
- Appropriate meeting room space for annual membership meeting
- Barrier Free facility

The conference registration fee shall be established to cover the costs of the planned meals, any planned outing (event) and any charges by the hotel for holding the conference, for speakers, instructors, special guests, etc.

All future conference sites of the MAMC shall be barrier free and handicap accessible and the conference committee must take this criteria into consideration at the time of the site selection process.

A site selection visit for key conference committee members and the Board may be pre- approved. Reimbursement will be made for one night's lodging and two meals on site. No alcohol will be included in the reimbursement.

# SR – 7: General Membership Meetings

## Agenda

At all General Membership meetings of the Association, the minimum order of business shall be as follows:

The Roll Call may be suspended by a majority vote of the members present.

Roll Call

Approval of Minutes

Report of the Executive Committee – President’s Report

Report of the Finance Committee – Audit Report

Report of the Treasurer – Present Annual Financial Statement

Report of the Committees

    Conference Committee Education Committee

    Legislative Committee (includes CEO) Membership Committee

    Way & Means (By-laws, etc. if any) Publications/Website

    Site Selection Committee

    Work of Past President’s Committee, if any

Report of the Nominating Committee and Election of Officers

Unfinished Business

New Business – Approval of dues and late fees for each category of membership (30-day notice to membership required if changed)

Adjournment

## Cancellation

It will be the policy of the MAMC Board not to cancel a General Membership meeting. In the absence of the President or presiding officer; the next highest-ranking director shall act as Chair, convene, and direct the General Membership meeting.

Exceptions will be made in cases of National, State, and Local emergencies which affect the safety and well-being of the members present at such general membership meetings.

# SR – 8: Legislative Committee

## Purpose

The Legislative Committee is responsible for addressing Bills and Proposals affecting the responsibility of Michigan's Municipal Clerks, and shall serve as a recommending body to the Board of Directors.

## Powers

The Committee Chair, or appointed representative, shall work in conjunction with the appointed lobbyist, and Committee Members or the lobbyist may testify on Bills that come before the Legislature based on the determination of MAMC.

The Committee shall develop legislative priorities for MAMC which shall require confirmation by the MAMC Board of Directors. The priority list shall be reviewed and updated as needed and may be amended by addition or deletion or by adoption in entirety.

The Committee will determine positions on bills and proposals which will be subject to review and/or modification by the Board of Directors. Alternate voting methods (including email or phone polling) may be used in taking positions on legislation and other matters needing MAMC positions.

The Committee Chair shall regularly inform the Board of Directors of positions on bills, including notification prior to testifying on behalf of MAMC. The Committee shall regularly provide a list of pending Bills in summary and present positions to the Board, whether in support, opposition, or take no position; which will be subject to review and/or modification by the Board.

The membership of the Legislative Committee shall be comprised of the following:

1. The Chairperson, who is also a voting member of the Council of Election Officials (CEO).
2. The current voting members of the CEO.
3. Additional members of the Committee, who shall also be alternate members of the CEO. Additional membership will be balanced between Township Clerks and City or Village Clerks.

## SR – 9: Council of Election Officials (CEO)

The CEO is comprised of members from the Michigan Association of Municipal Clerks (MAMC) and the Michigan Association of County Clerks (MACC). MAMC’s CEO Committee members shall be comprised of all members from the MAMC Legislative Committee.

Voting membership of the Council of Election Officials (CEO) shall be limited to six members from the MAMC Legislative Committee, with remaining Legislative Committee members being alternates. (CEO Governing Rules indicate, “Membership shall consist of six members and no less than three (3) alternate members from each parent association”.)

MAMC’s current CEO Chair (1st Vice President) and Legislative Chair shall always be two of the six voting members. The remaining four (4) voting members shall be comprised of two (2) city/village representatives and two (2) township representatives. The MAMC CEO Chair shall select and confirm the other four voting members following the MAMC Annual Conference.

# SR – 10: Board Elections

## Nominating Committee

The nominating committee shall convene, operate and function as required in the By-laws, Article IV, Section 9.

The Committee shall advertise the need for directors to the membership in the first quarter newsletter and the deadline for accepting applications will be April 1. All applications shall be reviewed for compliance with written eligibility requirements as stated in the MAMC By-laws.

The slate qualified ballot of officers shall be determined no later than the annual Election Meeting, held in conjunction with the annual Conference, and listed in the conference brochure.

Nominations for Directors meeting eligibility requirements will be accepted from the floor.

The Nominating Committee shall make every effort to recommend candidates for office that are representative of geographical areas not already covered by the Board and they are to consider the following criteria:

- Years of experience as a municipal clerk;
- Demonstrated greater-than-average performance in the position;
- Active in county, state and national associations;
- Demonstrated interest in improving their professional and personal skills, and in the advancement of the profession;
- A record of contributing to the improvement of their community and the respect of community leaders.
- Nominee must be a member of the Michigan Association of Municipal Clerks (MAMC).

## Board Elections

Elections shall be the responsibility of the Past President's Committee as stated in the MAMC By- Laws.

Elections shall take place at the Annual Conference, will be by ballot and a majority vote shall elect. Accommodations shall be made for preliminary distribution of proxy ballots for member communities not able to attend the Conference. Elections shall be by proxy ballots in accordance with the Michigan Nonprofit Corporation Act.

Each member clerk may make a request for a proxy ballot by submitting a request to the Chair of the Past Presidents committee by a specified deadline.

The ballot shall be returned to the Chair of the Past President's committee by the noted deadline. All ballots will be processed and counted at the Annual Conference.

A poll list of members eligible to vote will be maintained and the list shall indicate the members who have requested and received a proxy ballot. This list shall be used at the conference to ensure that only one vote is cast per member.

The election of MAMC Board of Officers is held at the annual business meeting.

1. Check qualifications of candidates submitting applications for consideration. All directors must hold duly elected or appointed City, Village, Township or County Clerk or Deputy Clerk positions and must

maintain active membership in MAMC. A Clerk and Deputy Clerk employed by the same community may not hold office on the Board at the same time. Candidates for Third VP must have been an active member of the MAMC for three years and must have served as a Director for two years prior to being sworn in as Third VP.

2. All candidates who meet qualifications are placed on a ballot. Room is left on the ballot for nominations from the floor. (numbered ballots)
3. By-Laws, Section 9, Nominating Committee states: "Additional nominations may be made from the floor."
4. At the Annual Business meeting the Nominating Committee Chair calls for the nominations from the floor for each office being elected.
5. By-Laws, Article IV, Section 11, Election of Directors states: "Elections shall be by ballot except where there is only one candidate per position to be filled, then elections shall be by voice vote. A plurality vote shall elect.

If there is only one candidate for an office the Nominating Committee Chair would call for a motion from the floor to elect that office by acclamation. A voice vote will be taken. Other Offices where a ballot is necessary would be voted at a set time during the business meeting or the meeting would be adjourned for the set voting time and reconvened at a later time. Following the voting process, a resolution with the election results by office on the ballot is made. There would be additional language in the resolution stating, "further that the ballots and the other written materials used for the election shall be destroyed." The idea being to announce those elected, not the vote totals.

If the nominations from the floor occur, the nominee would be asked to fill out the application form. The nominee's qualifications would be checked verified by any member of the nominating committee and then qualified for the placement on the ballot, either in written form or verbally.

6. Distribution of ballots shall be from a list of member municipalities and those attending the Annual Meeting. This list would be distributed to the Nominating Committee. As voting Clerk's or their designee request a ballot, their municipality and the name of the Clerk's designee who is voting would be confirmed and checked off the list.
7. Voting Recommendations: Paper ballots or current voting devices as approved by the State Bureau of Elections may be used for voting.

Ballots will be counted by hand if paper. A results tape from the voting device will be produced tabulating the vote totals. If so desired, the Nominating Committee may count the ballots more than once to affirm an accurate count.

# SR – 11: Clerk of the Year (COTY)

## Timetable

The timetable provides the most efficient administration of the Clerk of the Year program. The timetable may be revised to take into consideration the date of the annual meeting, holiday and/or election schedules, and publication notices, etc., and must be approved by the MAMC Board.

## Categories

There are four Clerk of the Year categories that are awarded each year. The categories are City Clerk, Township Clerk, Village Clerk, and Deputy Clerk.

## Candidate

A Clerk of the Year candidate must remain in the clerk profession in their municipality until time of nomination.

## Nomination Form

The “Seeking Nomination” form is to be posted to the MAMC website, mailed, emailed and/or faxed upon request. Nominations can be made by anyone, member or not. Nominees must be members of the MAMC during the entire process from nomination to receipt of award.

## Nominating Committee

The nominating committee for the City, Township, Village, and Deputy Clerk categories are comprised of the last three Clerk of the Year recipients in each category and the most senior Clerk of the Year serves as Chair.

The Chair is responsible for coordinating the evaluation process with their committee. The committee is to review the official nomination entry form and the questionnaire of each applicant. They are to select no more than five candidates for placement on the ballot and prepare a biography for each. The biographies of the candidates shall be e-mailed or faxed to the Clerk of Year Chairperson who will forward them to the COTY Director.

## Ballot

Voting instructions and the biography of each candidate will be placed on the MAMC website. Each MAMC member will be e-mailed, by secured means, the Clerk of the Year Ballot, voting instructions with deadline date/time, and a link to the biographies of the candidates. Each MAMC member is permitted one vote.

## Tabulation

Ballots as received electronically and by the deadline date/time shall be counted by the COTY Director.

## **Results**

When the ballots have been tabulated, the COTY Director shall notify the MAMC Board of the final results per the approved timeline. The COTY Director will contact each of the elected Clerks of the Year and follows up with a letter of congratulations that is copied to all candidates on the ballot, informing them of the outcome of the Clerk of the Year election.

## **COTY Award**

Plaques may be purchased from a local advertising specialty vendor. The wording of the plaque is provided, and a description of what they look like shall be maintained by the committee to be shared with future committee members.

The COTY recipients will also receive the MAMC Clerk of the Year pin, and a Certificate signed by the MAMC President at the ceremony. Each COTY recipient is permitted to invite up to three guests compliments of MAMC to the award dinner. Additional guests will be expected to pay the conference dinner fee. The conference committee must be notified of the number of extra dinner guests attending.

## **Presentations**

The past year's COTY recipients, the current MAMC President and/or other dignitaries (Secretary of State) may be invited to take part in the presentation of COTY Awards. The COTY Director shall work with the Conference Committee to determine the appropriate date/time for the presentation; preferably before dinner, to make sure a large crowd is present.

## **Prior Winners**

A copy of the historical record of the Clerks of the Year shall be maintained, updated and replaced on the website, annually. Previous COTY honorees are not eligible for re-nomination or nomination in a different municipality and/or position.

## **SR – 12: Past President’s Committee**

The immediate past president of the MAMC must be an active Clerk or Deputy Clerk and shall be the Chair of the Past President’s Committee and Nominating Committee. This person shall also chair any special committees as may be assigned by the MAMC President, upon confirmation of the Board.

The Past Presidents’ Committee shall consist of all past MAMC presidents who remain active as a Clerk or Deputy Clerk in the State of Michigan.

# SR – 13: Communications

## Newsletter Publications

The Coordinator/Editor of the newsletter is the Chair of Publications Committee.

The editor is responsible for articles, content, format, and publishing of the official newsletter of the MAMC.

The Newsletter is to be published on a quarterly basis with flexibility of the four publication dates for winter, spring, summer and fall, to distribute pertinent information MAMC may want to communicate to members. All Board members are requested to submit articles for each edition of the newsletter.

There is no limitation on the number of pages per newsletter and the volume will depend on the amount of information submitted.

The newsletter will be made available on the MAMC website and a notice will be delivered electronically that the newsletter is available on the MAMC website.

The 4th quarter issue shall be considered a “Membership Newsletter” and a physical copy will be mailed to all member and non-member municipal Clerks/Deputy Clerks. The focus of this Newsletter shall be on the benefits of membership of the MAMC.

The Association Newsletter may sell business card size and style advertising space at a cost of \$200.00 annually. Larger custom advertising may be allowed on a per request basis and the cost of the advertising will be determined at the time the “ad” is produced.

## Job Postings on Webpage

Municipal job postings available in Clerk’s offices may be placed on the MAMC webpage and should be submitted to the Internal Communications Director for placement on website.

## Member Engagement

The website and social media presence for MAMC is established to facilitate and encourage the free flow of information necessary to maintain an informed and engaged membership of the Michigan Association of Municipal Clerks. The website and social media is governed by the Code of Conduct listed below. Access to MAMC social media shall be reserved for members of the organization in good standing.

## Code of Conduct

The following conditions set forth the manner in which members are authorized to access and use the website and social media created by the MAMC:

### Term of Use:

1. Use for commercial purposes or personal business, or use outside of the professional title or employment position held in the community for which you represent or gain, is prohibited.
2. Use in connection with election campaigns, contests, chain mail, junk email or “spam” is prohibited.
3. When posting, be respectful, professional, and courteous. Defamatory, abusive, discriminatory, intimidating, profane and/or offensive language is prohibited.
4. The use to falsely impersonate an individual, group, organization or entity is prohibited.
5. The MAMC does not support or reference the information on MAMC social media as accurate.
6. All information shared must comply with all federal and State of Michigan statutes.

7. This policy may be modified without notice when it is deemed necessary and reasonable.

All members who are using the MAMC website or social media are expected to comply with the policy as outlined in the Standing Rule and the MAMC Ethics Policy. If there is a conflict between the policy and the use, the policy shall prevail.

The use of the website and social media is a privilege of membership and not a right. Any MAMC Board Member or administrator may remove a user's post or access to the website or social media with or without notice if such were deemed to be a violation of the user's policy or is deemed detrimental to the mission or reputation of the MAMC.

# SR – 14: Investment Policy

## Purpose

It is the policy of the Michigan Association of Municipal Clerks (MAMC) to invest its funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow needs of the Michigan Association of Municipal Clerks and comply with all State statutes governing the investment of funds.

## Scope

This investment policy applies to all financial assets of the Michigan Association of Municipal Clerks. These assets are accounted for in the various funds of the association and any new fund established by the Michigan Association of Municipal Clerks.

## Objectives

The primary objectives, in priority order, for MAMC investment activities shall be:

### 1. Safety

Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to insure the preservation of capital in the overall portfolio.

### 2. Diversification

The investments will be diversified by security type and institution in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

### 3. Liquidity

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.

### 4. Return on Investment

The investment portfolio shall be designed with the objective of obtaining a rate of return throughout the budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio.

## Delegation of Authority to Make Investments

Authority to manage the investment program is derived to the following: MAMC Treasurer as approved by MAMC Board of Directors. Management responsibility for the investment program is hereby delegated to the MAMC Treasurer, who shall establish written procedures and internal controls for the operation of the investment program consistent with this investment policy. Procedures should include references to: Safekeeping, delivery vs. payment, investment accounting, repurchase agreements, wire transfer agreements, collateral/depository agreements and banking service contracts. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Treasurer. The Treasurer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities or subordinate officials.

## List of Authorized Investments

If mutual funds are authorized, a statement indicating whether the authorization is limited to securities whose intention is to maintain a net asset value of \$1.00 per share or also include securities whose net asset value per share may fluctuate on a periodic basis.

The Michigan Association of Municipal Clerks Treasurer is limited to investments authorized by the MAMC Board of Directors and may invest in the following:

1. Savings Account
2. Certificate of Deposit (CD)
3. Treasury Notes
4. US Treasury Bills
5. On-line Banking for any bank that carries a Bauer Financial 5-star rating
6. Bonds

## **Safekeeping and Custody**

All security transactions, including collateral for repurchase agreements and financial institution deposits, entered into by the Michigan Association of Municipal Clerks shall be on a cash (or delivery vs. payment) basis. Securities may be held by a third-party custodian designated by the treasurer and evidenced by safekeeping receipts as determined by the treasurer.

# SR – 15: MiPMC

The Michigan Professional Municipal Clerk (MiPMC) certification shall be administered by the Director of Membership/MiPMC.

Applications that meet initial certification criteria shall be issued certificates by the Director, or an MAMC contracted assistant. MiPMC certification does not expire and does not require a recertification.

Applications for advanced levels containing miscellaneous coursework require review and approval of the Director of Membership/MiPMC. The following procedures shall be observed:

1. Level 2 Certification: 20 additional points from your last certification and/or level achievement.
2. Level 3 Certification (and beyond): 50 additional points from your last certification and/or level achievement. There is no limit to the amount of advanced levels a clerk may achieve.
3. Qualifying criteria to obtain certification are established according to the Education and Certification Guidelines.
4. Upon final award of the MiPMC designation, the Director, or contracted assistant, on a monthly basis, shall mail a congratulatory letter(s) bearing the MAMC President's signature and press releases as requested by the applicants. Certificates and plaques will be mailed to MiPMC's.
5. A database of awarded MiPMC recipients shall be maintained to include the applicant's name, mailing address, employment community, original certification date, and dates of each advanced level achievement.
6. Any additional course work will require approval by the Director of Membership/MiPMC.

# SR – 16: Code of Ethics and Conduct

## **Purpose**

The Code of Ethics and Conduct ensures a uniform adherence to the Association's long-standing policies related to legal, moral and professional standards of conduct as it directly relates to his/her professional role as a public official and an active member of this Association. This code also informs the public at large as to how the Association approaches matters involving ethics. The principles set forth in this code will govern the conduct of all members of the Michigan Association of Municipal Clerks.

## **Standards of Behavior**

All MAMC members must affirm their commitment and willingness to abide by the Code of Ethics and Conduct.

## **Fiduciary Responsibility**

A member will exercise prudence and integrity in the management of funds in his/her custody and in all financial transactions for which he/she is responsible and will maintain the safety of monies placed in his/her public trust.

## **Responsibility as Public Officials**

A member will adhere to concepts of effective and efficient local government service being provided by elected and appointed Clerks, Deputy Clerks, and Election Administrators. A member will conduct himself/herself at all times in a manner, which serves the public interest and enhances the stature of the profession. A member will uphold the letter and spirit of the law and report violations of the law to the appropriate authorities.

## **Professional Development**

A member will observe professional technical standards and continually strive to acquire knowledge and improve levels of competence in the statutory duties of the Clerk. A member shall encourage colleagues to improve their competence and set an example for those seeking to enter the field of Public Service.

## **Professional Integrity – Information**

A member will respect and protect privileged information. A member will conduct government openly so the public may make informed judgements and hold public officials accountable. A member will be sensitive and responsive to inquiries from the public and the media.

## **Professional Relationships**

A member will maintain the highest ideals of honor, integrity, and objectivity in all professional relationships.

## **Interactions with Others**

Unwelcome or unwanted conduct or behavior that objectively causes a negative impact, which can include, but is not limited to, comments or behaviors to or from an individual or group that disparage, demean,

threaten, intimidate, humiliate, abuse authority, sabotage work, or show disrespect for another.

Any form of discrimination or harassment that violates policy will not be tolerated. This policy forbids any unwelcome conduct that is based on an individual's age, race, religion, sex, national origin, ancestry, marital status, sexual orientation, gender identity, veteran status, physical or mental disability, legally protected medical condition or association with anyone who has, or is perceived to have, any protected characteristic, or any other basis protected by state, federal or local law.

### **Conflict of Interest**

A member will not seek any favor or accept any personal gains, which would influence, or appear to influence, the objectivity or conduct of official duties.

### **Member Misconduct**

The Code of Ethics and Conduct Rules of Procedure will be initiated if a *Request to Investigate an Alleged Violation of Improper Conduct* form is received and/or an active member is convicted by a court of law or censured by their employer for violations relating to the provisions of this Code of Ethics and Conduct.

This process may result in restricted membership rights including, but not limited to, losing voting privileges, the right to serve on committees, or participate in membership services; revocation of MiPMC and CMC or MMC designations, and grievous violations may result in expulsion from MAMC without the refund of dues.

### **Ethical Standards Committee**

An Ethical Standards Committee (ESC) is an Ad Hoc Committee that the Board appoints upon receiving a complaint against a member who has allegedly violated the Code of Ethics and Conduct. The ESC will consist of the Immediate Past President, who will serve as the ESC Chair, the current President, and three additional board members they deem appropriate. The committee's primary function is to investigate and file a report with a recommendation to the MAMC Board of Directors. Only MAMC members can submit complaints against another MAMC member for a violation of the Code of Ethics and Conduct.

### **Investigation and Report**

The Ethical Standards Committee is mandated to conduct investigations, including accepting verbal or written statements from other MAMC members, witnesses, or individuals with personal knowledge of the situation and to hold teleconferences with these individuals. The Ethical Standards Committee summarizes the findings to the Board of Directors and recommends whether or not any censure to be applied against the person(s) in the alleged complaint. Given the need to protect members' right to their good name and reputation, complaints that are determined to be frivolous or without factual basis may also incur censure.

### **Action**

Only the Board of Directors has the authority to apply sanctions for violations of the Code of Ethics and Conduct.

*By accepting membership in the Michigan Association of Municipal Clerks, each member agrees to be bound and governed by this Code of Ethics and Conduct.*

# MAMC CODE OF ETHICS AND CONDUCT

## SUMMARY OF RULES OF PROCEDURE

### Initiation of Procedures

- Request to Investigate an Alleged Violation of Improper Conduct form (“Request to Investigate”). President or 1st Vice President (Section IV.A)
- MAMC Board ascertains if Request to Investigate is sufficient to initiate proceedings. (Section IV.B.2)
- If sufficient, the MAMC Board appoints Ethical Standards Committee (ESC), as per SR-16 and forwards copies to Respondent. Respondent has 30 days to respond. (Section IV.B.3)

### Investigations

ESC (once appointed) commences investigation and fact-finding process including interviews, reviews of submission, and examination of relevant published material. Relevant evidence is made available to the Respondent for review. (Section V.C.)

### Proposed Findings

- ESC prepares written report of proposed findings and forwards a copy to Respondent; Respondent has 15 days to submit written response and/or request a hearing. (Section VI.A.3)
- Respondent requests hearing in writing and within 10 days is notified of hearing date which in no sooner than 15 days after. (Section VIII)

### Proposed Sanctions

- ESC prepares written report of proposed sanctions and forwards a copy to Respondent; Respondent has 15 days to submit written response and/or request a hearing. (Section VI.A.6)
- Respondent requests hearing in writing and within 10 days is notified of hearing date which is no sooner than 15 days after. (Section VIII)

### Types of Sanctions

The following sanctions may be imposed singly or in combination:

1. Censure
2. Loss of Privilege
3. Expulsion
4. Membership Bar
5. Revocation of MiPMC
6. Notice to MAMC membership
7. Notice to International Institute of Municipal Clerks

### Final Decisions

- MAMC Board of Directors receives the ESC’s recommended findings of facts and sanctions and makes decision to:
  - Dismiss the case.
  - Adopt the findings and sanction(s) as recommended by the ESC.
  - Revise and adopt the findings and sanctions(s).
- Copy of decision sent to Respondent, Complainant, and the ESC.

## MAMC CODE OF ETHICS AND CONDUCT RULES OF PROCEDURE

### I. General

- A. These rules govern the procedures for enforcing the Michigan Association of Municipal Clerks (“MAMC”) Standing Rule 16 – Code of Ethics and Conduct as adopted by the MAMC Board of Directors (referred to hereinafter as the “Code”).
- B. All members of MAMC agree to abide by the Code.
- C. The purpose of these rules is to provide a process for investigating and determining whether a member has violated the Code, and to afford each individual member who is the subject of an investigation (the “Respondent”) a full and fair opportunity to be heard throughout the process.
- D. It is the intention of the MAMC Board that these rules be carried out carefully, but expeditiously in order to minimize the time during which a member may be subject to possible disciplinary action. Accordingly, time limits stated in these rules are binding, subject to extensions, which may be granted by the MAMC Board of Directors, for reasonable cause upon request.
- E. No person may participate in any proceedings on a complaint brought under these rules if that person is or may be a witness or Complainant in that case, or if his or her participation would otherwise create, or appear to create, a conflict of interest. The President as confirmed by the MAMC Board of Directors may select a replacement for any person who is unable to participate in the case for this reason.

### II. Jurisdiction

- A. All members of MAMC in active service to a Legislative Governmental Body (herein after referred to as a “local government”) are subject to the Code and are subject to sanctions for any violations thereof which occur during their membership. A member may be subject to sanctions for a violation, which continues while he or she is a member even though the conduct in question originated prior to admission to membership. Sanctions may be imposed for improper conduct, which occurred while in service to a local government, and a member of MAMC even after the relationship with the local government is terminated so long as membership status is retained.
- B. If a complaint is made against a person who was a member at the time the alleged violation occurred, but who is not a member at the time the complaint is made, the complaint will be processed under these procedures only if the former member agrees in writing. In no event shall a person be readmitted to membership if there is an outstanding and unresolved complaint against him or her for conduct while formerly a member.
- C. The MAMC Board shall retain jurisdiction over an investigation of a Respondent who, before the conclusion of the investigation, resigns from MAMC or otherwise allows his or her membership in MAMC to lapse.

### III. Responsibilities

- A. The MAMC Board of Directors is responsible for making the final decision on matters pertaining to the enforcement of the Code, including, but not limited to, sanctions for the violation thereof. No current or former member may be publicly censured, expelled, or barred from membership without the approval of the MAMC Board of Directors.
- B. An ad hoc Ethical Standards Committee (ESC) is the committee of MAMC responsible for assisting the MAMC Board of Directors in implementing these rules and has the specific duties set forth hereinafter.
- C. The ESC shall act as a body and no member of the ESC shall take individual action unless assigned a specific task by a majority of the ESC.

#### IV. Initiation of Procedures

- A. Allegations of unethical conduct shall be submitted in writing on the approved Request to Investigate an Alleged Violation of Improper Conduct form (“Request to Investigate”) to the President or 1<sup>st</sup> Vice President who shall immediately provide a copy to members of the MAMC Board. The Board will make an initial determination as to whether an ad hoc ESC committee will be appointed to investigate and report on the allegations of improper or unethical behavior of a member. Appointments of an ESC are outlined in provisions of SR-47 of the MAMC Standing Rules.
- B. Upon receiving a Request to Investigate, the MAMC Board will make an initial assessment to ascertain whether the complaint is sufficiently clear and complete to initiate proceedings, and, if so, whether it alleges conduct that may be a violation of the Code. If the MAMC Board concludes that the Request to Investigate is not sufficiently clear or complete to initiate proceedings, the MAMC Board shall seek further clarification from the Complainant or other source before appointing an ad hoc ESC or taking any further action.
  - 1. If the MAMC Board during its initial assessment of the complaint and after seeking clarification from the Complainant cannot determine whether the conduct alleged, if proven, may constitute a violation of the Code, no further action shall be taken with respect to the Request to Investigate. Further, if the MAMC Board during its initial assessment feels that the complaint is either frivolous or vexatious no further action will be initiated and an ad hoc ESC will not be appointed.
  - 2. If the MAMC Board determines that the complaint is sufficiently clear and complete to initiate proceedings, and may indicate a violation of the Code, a copy of the Request to Investigate shall be forwarded by certified mail to the Respondent named. The Respondent shall be informed at the time of the provisions of the Code, which he or she is alleged to have violated. The ESC once appointed may also request that the Respondent answer specific questions pertaining to the alleged violation.
  - 3. The Respondent shall be given thirty (30) days within which to respond in writing to the Request to Investigate, to provide any further information or material he or she considers relevant to the allegations, and to answer any specific questions asked by the ESC.
- C. All documentation and matters pertaining to a Request to Investigate shall be treated as confidential.

#### V. Investigations

- A. Upon determination by the MAMC Board that there may be a violation of the Code, an ad hoc ESC shall be appointed as per provisions in SR-16 of the MAMC Standing Rules and the committee shall commence an investigation into the allegations. However, no investigation shall be required if (1) the Respondent admits to the violation in his or her initial response, (2) the Respondent has already entered a guilty plea, or (3) the Respondent has been found guilty and has exhausted all appeals, in a criminal case involving the same conduct.
- B. The investigation shall include a fact-finding process, which affords the Respondent, and/or the Respondent's representative an opportunity to converse with the committee and may, at the ESC's discretion, afford such an opportunity to the Complainant as well.
- C. The fact-finding process shall take all reasonable steps to ascertain the facts relevant to the case, including, but not limited to, interviews with witnesses, review of the Respondent's submission(s), and examination of all published material judged to be relevant and reliable.
- D. Upon completion of the fact-finding process and conclusion of the investigation, the ESC shall prepare a written report of proposed findings of fact. Each finding must be supported by relevant evidence, which has been made available to the Respondent for review.

VI. Proposed Findings and Proposed Sanctions

- A. The ESC shall promptly review the written report of proposed findings of fact and shall ascertain whether they are supported by sufficient relevant evidence.
  - 1. If the evidence is not sufficient, the ESC shall make a recommendation to the MAMC Board that the matter be dismissed and that the Respondent and Complainant be advised accordingly.
  - 2. If the ESC determines that the evidence supports the proposed findings, it shall determine whether they demonstrate that a violation of the Code has occurred. If not, it shall advise the MAMC Board with a recommendation that the case be dismissed. The MAMC Board will make a decision on the recommendation and the Respondent and the Complainant will be advised in due course.
  - 3. If the ESC concludes, based on the fact-finding report, that a violation has occurred, the ESC shall then notify the Respondent of its intent to adopt the proposed findings of fact report unless the Respondent can show that the findings of facts are erroneous. The Respondent shall have fifteen (15) days in which to submit a written response to the ESC and/or to request a hearing before the ESC.
  - 4. In the event the Respondent requests a hearing, the ESC shall conduct a hearing in accordance with Part VIII of these rules. No findings shall be adopted before the hearing is concluded.
  - 5. In the event the Respondent makes no submission, and does not request a hearing, the ESC shall promptly adopt the proposed findings of facts and make its recommendation to the MAMC Board.
  - 6. Upon completion of the actions set forth in Part VI.A.3, the ESC shall prepare a written report of proposed sanctions to be imposed. The ESC shall then notify the

Respondent of its intent to recommend the proposed sanctions unless the Respondent can show that the proposed sanction(s) should not be imposed in light of certain mitigating factors, which the ESC did not previously consider. The Respondent shall have fifteen (15) days in which to submit a written response to the ESC and/or to request a hearing before the ESC.

7. In the event the Respondent makes no submission and does not request a hearing, the ESC shall promptly forward the recommended findings and sanctions to the MAMC Board of Directors.

## VII. Sanctions

- A. Sanctions may be imposed in accordance with these rules upon members who are found to have violated the Code. In determining the sanction to be imposed, the following factors may be considered:

The nature of the violation, prior violations by the same individual, the willfulness of the violation, the level of professional or public responsibility of the individual, and any other factors, which bear upon the seriousness of the violation.

- B. The following sanctions may be imposed singly or in combination at the conclusion of an investigation and/or hearing under these rules:
  1. Censure. A letter to the Respondent and the Complainant indicating that the Respondent has been found to have violated the Code, that MAMC disapproves of such conduct, and that, if it is repeated in the future, it may be cause for more serious sanctions.
  2. Loss of Privilege. A loss of privilege to vote, serve on the MAMC Board of Directors or its committees, or participate in member services for a specific period of time.
  3. Expulsion. A revocation of the Respondent's membership privileges.
  4. Membership Bar. A prohibition against reinstatement of the Respondent's membership in MAMC.
  5. Revocation of the Respondent's MiPMC certification.
  6. Notice to MAMC membership regarding sanction of Respondent.
  7. Notice to the International Institute of Municipal Clerks regarding sanction of Respondent.
- C. A member who has been expelled from membership under these rules may apply for reinstatement to MAMC membership only after a period of at least five (5) years from the date of expulsion, or one year from the date of the last review of a request for reinstatement. The expelled former member must submit a written request to the MAMC Board of Directors for a reinstatement review and include the reasons why he or she believes it should be considered.

## VIII. Hearings

- A. These procedures shall govern all hearings conducted pursuant to these rules.
- B. No ESC member may hear any case if his or her participation in that case would create an actual or apparent conflict of interest.
- C. Within ten (10) days of receiving a request for a hearing, the ESC shall notify the Respondent by certified mail that a hearing has been scheduled. The hearing date shall be at least fifteen (15) days after the date the notice is postmarked. The notice shall also state that the Respondent has the following rights:
  - 1. To appear at the hearing personally at his/her own expense, or by other means at the discretion of the ESC;
  - 2. To be accompanied and represented at the hearing by an attorney or other representative;
  - 3. To review all documentary evidence, if any, against him or her in advance of the hearing;
  - 4. To cross-examine any witness who testifies against him or her at the hearing; and
  - 5. To submit documentary evidence and to present testimony in his or her defense at the hearing.
- D. The ESC shall not be bound by any formal rules of evidence, but may accord appropriate weight to the evidence based on its relevance and reliability.
- E. At any hearing conducted under these rules, the ESC shall first present evidence in support of its recommended decision. Upon conclusion of its presentation, the Respondent shall have the opportunity to present evidence in his or her defense.
- F. Within fifteen (15) working days of the conclusion of the hearing, the ESC shall render a decision in the case. The decision shall be in writing and shall include a statement of the reasons. Only evidence, which was put before the ESC, may be considered as a basis for the decision.

IX. Final Decisions

- A. Within thirty (30) days, but no sooner than five (5) days, of receiving notice from the ESC of its recommended findings of facts and sanctions, the MAMC Board of Directors shall meet to act upon the recommended decision of the ESC.
  - 1. The Respondent shall be given the opportunity to file a written response to the recommended findings of facts and sanctions for consideration by the MAMC Board of Directors in making its final decision.
  - 2. The MAMC Board of Director's decision may be to:
    - a. Dismiss the case; or
    - b. Adopt the findings and sanction(s) recommended by the ESC; or
    - c. Revise, and adopt as revised, the findings and/or sanction(s) recommended by

the ESC. However, the MAMC Board of Directors may not increase the sanction(s) recommended by the ESC unless new evidence, not previously available to the ESC, is disclosed at the hearing, which indicates that the Respondent's violation was more serious. No sanction may be imposed for any violation of which the Respondent had no prior notice.

3. A copy of the written decision of the MAMC Board of Directors shall be sent immediately by certified mail to the Respondent, the Complainant, and the ESC.

# SR – 17: Clerk to Clerk Mentorship Program

## **Purpose**

To offer assistance and guidance to new/newer Municipal Clerks.

## **Procedure**

The Committee shall be comprised of the Membership Director, Secretary and Treasurer.

Mentors will receive two (2) points toward their MiPMC per year per Mentee. The maximum number of Mentees is two (2).

Mentors are to make contact with Mentees at least once per quarter. A log of contact summary will be provided.

Mentors will be required to complete an Annual Summary Report which will outline issues addressed with Mentee, frequency of contact which will be sent to the Mentorship Committee Chair.