

DISTRICT POLICY MANUAL



178 N. GRAHAM RD – SAGINAW, MI – 48609

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District History and Law

The Saginaw Conservation District is a local unit of state government, established in the late 1930's through the 1950's, organized by the people within the District boundaries (Saginaw County) under provisions of the Soil Conservation District Law, Act 297 of Public Act of 1937, as amended. As such, the Saginaw Conservation District is a locally controlled resource management agency created by concerned landowners and administered by a publicly elected board of directors. In 1994, The Conservation District Law was made part of the Compiled Environmental Code. It is now part 93 of Act 451 of 1994, as amended.

According to Part 93 of Public Act 451 of 1994, a conservation district constitutes "a governmental subdivision of this state and a public body corporate and politic, exercising public powers." The powers of a conservation district and its board include: conduct surveys, investigations, and research relating to the conservation of farmland and natural resources; to conduct demonstrational projects related to soil erosion; to carry out preventative measures related to soil erosion; to obtain options upon and acquire property; to make available machinery, equipment and materials to landowners for the conservation of farmland and natural resources and the prevention and control of soil erosion; to take over and administer any farmland and natural resource conservation project located within its boundaries.

Michigan's Conservation Districts are responsible for providing technical assistance, information, and education for the public to properly manage and use their natural resources. Each district assesses the conservation programs of the District, coordinates with federal and state agencies, prepares long range plans and annual plans to address specific conservation needs of the Districts. In doing so, Districts seek to secure the necessary funding, perform needed work, evaluate the success of each project, and work to convince resource users to protect the resource, maintain its productivity, and protect or improve its profitability.

Philosophy

Michigan's Conservation Districts are "unique" subdivisions of the State, which utilize state, federal and private sector resources to solve today's conservation problems. The guiding philosophy of all Conservation Districts is that local people should make decisions on conservation issues at the local level, with technical assistance provided by government.

Created to serve as stewards of natural resources, Michigan's Conservation Districts take an ecosystem approach to conservation and protection. Their vision is to help all citizens of their District to have livable communities in harmony with the environment. They have a special role in urban and non-urban areas where land use change is taking place.

Programs carried out by Conservation Districts are as diverse as the landscape in Michigan. In southern Michigan, many of the programs deal with conservation needs of the farm community, while in northern Michigan; there is more emphasis on forestry, wildlife, water quality, and recreation. Conservation Districts continue to expand into diverse areas of natural resource management, rising to meet the environmental challenges of their local communities.

Mission

The mission of the Saginaw Conservation District is to promote conservation, stewardship, and sustainability of the natural resources in Saginaw County through assistance to and the education of landowners, farmers, and wildlife enthusiasts.

How to Use This Handbook

The authority to establish policy for the governance of the Saginaw Conservation District Board of Directors rests solely with the Board. Staff members may be asked to research what other District offices and/or organizations have as a policy on a given subject. Staff members may also make recommendations on policy, but only the Board of Directors has the authority to adopt policy.

Purpose of this manual

- Inform everyone of Board intent, goals, and aspirations.
- Prevent confusion among Board members, staff and the public.
- Promote consistency of Board action.
- Eliminate the need for instant (crisis) policy making.
- Reduce criticism of the Board and management.
- Improve public relations.
- Clarify Board member and staff roles.
- Give management a clear direction from the Board.

District Operating Policies

Adopting Policy

All policy decisions will be made by majority vote of the Board and only at Board meetings. Before adopting any policy, all Board members will receive a copy of the proposed policy in advance of the meeting at which the vote is to be taken. The Saginaw Conservation District shall utilize the "Michigan's Conservation Districts Operations Handbook" as guiding police for circumstances not specifically stated in this Manual.

Source of Policies

Committees of the Board, individual Board members or the District Administrator may recommend policies to the Board. All proposed policies will be researched to ensure that they are legal, and do not contradict already established policy of the District. If approved by the Board, policies should be written, coded, and dated at time of approval and included in all copies of the Board policy manual.

In consideration of adoption all Board policies should have "yes" answers to the following questions:

- Necessary for good operation of the CD?
- Consistent with the mission statement?
- Within the scope of Board authority?
- Consistent with local, state, and federal law?
- Compatible with other policies of this Board?
- Practical and enforceable?
- Broad enough to cover the subject completely?

Policy Accountability

The District Administrator will be accountable to the Board for carrying out these policies, ensuring that all policies are effectively explained to the employees and making every reasonable effort to see that they are understood, accepted and complied with.

Distribution of Policy Manual

A copy of the District Policy Manual will at all times be available in the Conservation District office for review and inspection by employees and Board members. Each Board member will be given a revised policy manual.

Amendment or Suspension of Policy

The Board or a committee of the Board, or District Administrator, for accuracy and appropriateness will review all policies annually, and recommendations will be made to the Board for amendment, addition or elimination. Except as otherwise provided by law, any policy of the Board may be suspended, repealed, amended, or waived by a majority vote of the Board, provided that at least two full weeks advance notice has been of the intention to consider revocation, repeal, waiver, or amendment.

Board of Directors

Board Conferences, Conventions, and Workshops

The Conservation District Board recognizes the value of membership and attendance at conferences and meetings at the local, County, State, and National level. Attendance at local, County, State, and/or National workshops and conferences is encouraged. Each Board member is expected to report back to the Board after attending a conference or meeting at District expense.

Travel and personal expenses of spouse, children, or other guest traveling with a Board member shall be the responsibility of the Board member or the individual. Expenses for convention functions attended, by board members will be borne by the District within budgetary limits.

Board Member Ethics

As members of the District Board, Board members will strive to improve conservation practices of all communities and to that end they will:

1. Attend all regularly scheduled Board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;
2. Recognize that they should endeavor to make policy decisions only after full discussion at publicly held Board meetings;
3. Render all decisions based on the available facts and independent judgment, and refuse to surrender that judgment to individuals or special interest groups;
4. Encourage free expression of opinion by all Board members, and seek systematic communications between the Board, staff, and all elements of the community;
5. Work with the other Board members to establish effective Board policies and to delegate appropriate authority to the District Administrator for the daily administration of the District;
6. Communicate to other Board members and the District Administrator expressions of public reaction to Board policies and district programs;
7. Inform themselves about current issues by individual study and through participation in programs providing needed information, such as those sponsored by the State and the Michigan Association of Conservation Districts (MACD);
8. Support the employment of those persons best qualified to serve as District staff, and insist on a regular and impartial evaluation of all staff;
9. Avoid being placed in a position of conflict of interest, and refrain from using their Board positions for personal partisan gain;
10. Take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law;
11. Remember always that their first and greatest concern must be for the wise use and protection of the District's natural resources.

Bonding

The Board recognizes that prudent trusteeship of the resources of this District, and State law, dictate that employees responsible for the safekeeping of District monies be bonded. The District shall be indemnified against loss of money by bonding of employees holding the position and, in the amounts, determined by the Board and in accordance with state law. All other employees handling money shall be covered under a blanket bond to an amount determined by the Board. The Board shall bear the cost of bonding each employee required to be bonded by this policy.

Conflict of Interest

The maintenance of unusually high standards of honesty, integrity, impartiality, and professional conduct by District employees and Board members is essential to ensure the proper performance of District business as well as to earn and keep public confidence in the Conservation District. To accomplish this, the Board has adopted the following guidelines to assure that conflicts of interest do

not occur. These are not intended to be all-inclusive, or to substitute for good judgment on the part of all employees and Board Members.

1. No employee or Board member shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the district.
2. No employee or Board member shall use his/her position to benefit either himself/herself or any other individual or agency apart from the total interest of the Conservation District.
3. No employee or Board member shall engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they have with any client in the course of their employment with the District. This includes, but is in no way limited to the following:
 - The provision of any private services for a fee.
 - The use, sale, or improper divulging of any privileged information about a client gained in the course of their District duties or through his/her access to District records.
 - The referral of any client for services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fee, or other remuneration for such referrals.
 - The requirement of clients to purchase any private goods or services provided by an employee or any business or professional practitioner with whom any employee has a financial relationship, as a condition of receiving any approvals or recommendations.

Should exceptions to this policy be necessary in order to provide mandatory services to clients of the District, all such exceptions will be disclosed to the Board before entering into any private relationship.

Financial Policies

Internal Monetary Control

All receipts will be in duplicate with Saginaw Conservation District imprinted on each copy and receipts will be numbered sequentially.

Receipts will be distributed in the following manner:

- Original copy – payer
- Duplicate copy – kept in receipt book

An official receipt must be issued for all revenues. All receipt books must be accounted for numerically. Each receipt must indicate what form of payment was used – cash, check, or charge. When a check is received, it must immediately be stamped “FOR DEPOSIT ONLY”. Each receipt must identify the amount paid. Each receipt must indicate the name of the payer, the amount paid, the purpose of payment, and the initials/signature of the District employee receiving the money. All copies of voided or canceled receipts must be retained in the receipt book and properly marked VOID. All receipt books not in use will be kept in a safe location in the office and audited annually. Whenever possible, collections must be reconciled by an individual not involved in the receipt process. Whenever possible, someone other than the person who writes receipts or posts the accounting records must be responsible to verify that collections received in the mail are properly receipted.

Deposits: Each deposit must be accompanied by a deposit advice form. Each receipt must be posted to the proper revenue and bank account and the duplicate copy of the receipt must be attached to the deposit advice. The deposit advice form will list the checks, by name/number and amount. Deposit advice documents must be kept in the monthly financial folder and must be maintained in order by date of deposit. After each deposit is made, the bank deposit slip must be attached to the deposit advice form. The Treasurer monitors these financial records. All moneys, whether cash or check, must be deposited into the appropriate account. No moneys received (whether cash or check) are to be held for more than two weeks.

All District bank accounts must include the name of the district, the name of the account, and the name of the Board Chairman. All District bank accounts must have an ending date of the last day of each month. The District will accept only checks written to the District for no more than the amount due. The Board and/or District Administrator will control the use of the District's tax ID number. All signature cards shall be kept current as promptly as possible. Dual signatures are required for all checking accounts; both signers must be Board members, or one Board member and the District Administrator (with approval by the Board). The small business checking account may have a single signature to facilitate use for immediate project / general operation expenses. Signature stamps will not be used on checks. All Accounts, bank and small business checking, will be reconciled monthly. Whenever possible, this reconciliation will be done by someone not involved with the receipt process. A reconciliation sheet should be prepared for each month. Treasurer and either the preparer or another board member shall sign each monthly statement after reviewing the reconciliation.

All disbursements will require an invoice that must be signed by the District Administrator or Board Member. Vouchers may be issued prior to approval by Board. Payments may be disbursed without Board approval if pre-approved and within the approved District budget. The Board will review a list of expenses within the budget annually. These will include payroll, payments approved in accordance with the District's annual Appropriations Act, approved project/program budgets, and accounts that would incur interest expenses. All other payments must be approved by the Board prior to disbursement. Adequate security must be provided over unused checks. Checks must not be signed prior to being completely filled out. Numerically controlled, pre-numbered checks must be used. Original bills/invoices, not copies, must be used for documentation and kept in the District office.

- All capital assets will be valued at cost. Donations are recorded at their fair value at the time of receipt. Each inventory item will have a subsidiary record on file and be entered in the general ledger. At any time, the total of the individual costs must equal the amount recorded in the general ledger. This inventory and its value will be reviewed annually. An annual inventory must be made to ensure that all recorded items are on hand, and that all items on hand have been properly recorded.

Monthly reports will be completed regardless of whether a board meeting is held. Financial reports should reflect activity for the entire calendar month prior to the date of the monthly meeting. Monthly Financial Reports for the Board will include the following:

- Bank account balances and reconciliations
- Balance Sheet and Profit and Loss Statement
- List of bills / invoices to be paid

The District Board and District Administrator will formulate a budget in August for the coming fiscal year. A public hearing will be held in September after a public notice is submitted to local newspapers. The Board will adopt the budgets for the various funds by activity/department in September. Individual line items in this budget cannot be exceeded without prior approval of the Board. When approving a line item excess in the budget, the Board will designate the source of the excess funds. At the last Board meeting of the fiscal year and the first meeting of the next fiscal year, the board will be presented with a report of the fiscal year to date revenues and expenditures compared to the budgeted amounts in the various funds of the district. The Board will also be presented with a working budget (actual expenses vs. budgeted expenses) during each quarter; or more frequently at the Board's request. Whenever it appears that the actual and probable revenues in any fund will be less than the estimated revenues upon which appropriations from such fund were based, and when it appears that expenditures will exceed an appropriation, the Board will take action to reduce expenditures or increase revenues or both.

Donations and Contributions

The Conservation District desires to provide financial support/donations to worthwhile activities and organizations in the community which meet all the following criteria:

1. The organization or activity should provide a defined and worthwhile service to the community and should be of benefit to the District.
2. The organization or activity should be supported by other firms in the community.
3. The organization or activity should not be controversial, practice any form of discrimination and should be available for participation from all segments of the community.

All requests for contributions are to be referred to the District for evaluation and policy consistency. The District Administrator and Board will be responsible for reviewing, evaluating, and approving or recommending approval or disapproval of each request for financial support/donation.

Investment of Surplus Funds

The authority of the Board to manage and control the Conservation District funds is derived from Act 20 PA 1943, as amended. It is the policy of the District 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 District and, to provide compliance with all state statutes governing the investment of public funds. The investment policy applies to all financial assets of the District. These assets are accounted for in the various funds of the District and include the general fund, special revenue funds, debt service funds, capital project funds, enterprise funds, internal service funds, trust and agency funds, and any new fund established by District. This Investment Policy does not cover the following funds: Retirement/Pension funds, PEBSO, or any other Deferred Compensation Fund, which may be created by the District.

Funds of the District shall be invested in accordance with Michigan Public Act No. 20 of the Public Acts of 1943, as amended by Act No. 196 of 1997, these policies and any written administrative guidelines. The primary objectives, in priority order, of the Conservation District's investment activities shall be:

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

Management responsibility for the investment program of the District is hereby delegated to the District Treasurer and District Chair, and who shall be appointed by the Board. The District Administrator, under the direction and instruction of the District Treasurer or Chair shall utilize internal accounting control to help manage, research, and operate the District investments. The District Administrator, District Chair, or District Treasurer (hereafter known as Investment Delegates) may carry out investment activities with prior approval by the District Board of Directors for any give transaction. No person may engage in an investment transaction except as provided under the terms of this policy and by the procedures described below:

1. All funds must be deposited within the District general fund within ten (10) working days for safekeeping unless otherwise directed by the Board.
2. Investment Delegates shall research investment opportunities and present to the Board within 60 days of receipt of funds.
3. All funds shall be invested in authorized investments, as described below, with approval of by the Board. All investments made must contain the signature of at least two (2) of the Investment Delegates in order to be valid and recorded in the minutes of the next District board meeting immediately following the date of the investment. The Board reserves the right to maintain funds in the District general fund for an indeterminate period of time or to utilize for activities directly related to normal District business.

4. All investment accounting shall be maintained by the District Administrator or another authorized accountant functioning on behalf of District. Full records and copies presented to the Board at least two (2) times a year. All accounts shall remain current and open to any member of the Board for review at any time.
5. The "Delegation of Authority to Make Investments" shall rely on the continuing effect of this resolution until it is specifically amended or rescinded by a future resolution of the Board.

The District shall invest surplus funds in financial institutions qualified under PA 20, 1943, as amended, and is limited to the following:

Money Market Accounts; US Treasury Bills; US Treasury Notes; US Treasury Bonds; US Treasury STRIPS; TINTS - Treasury Interest Securities; PRINS or STRIPs -Treasury Principals

Securities; CUBES - Coupons Under Book Entry System; US Government Obligations; CDs - Certificate of Deposit; Savings Deposit Receipt; Savings Account; Commercial Paper; Bankers' Acceptance; Investment Pools (Community Foundations, under PA 136, 1921 as amended.)

(*Note: STRIPS, TINTS, PRINS, STRIPs and CUBES are all variations of Zero Coupon Treasury Bonds and are direct obligations to the US Treasury.)

The following types of investments do not comply with the requirements of PA 20 of 1943 as amended: CATS, COURGs, ETRs, TBRs, TIGRs, TRs, ZCTOs, CMOs, or CDs in million-dollar multiples. (*Note: All of the above except CDs are products manufactured by various brokerage firms that are zero coupon bonds, collateralized by US Government bonds. They are not a direct obligation of the government and are therefore not appropriate investments according to PA 20 of 1943 as amended.)

The District Board of Directors shall approve, as needed, a list of financial institutions, which are qualified for investment purposes. All financial institutions that desire to become qualified for investment transactions must supply certification of having read, understood and agreed to comply with the District's Investment Policy.

All security transactions entered into by the District shall be on a cash (or delivery vs. payment) basis. A third-party custodian designated by the Treasurer and evidenced by safekeeping receipts may hold securities. An external auditor shall confirm investments annually.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived. The Treasurer shall produce an investment activity report for the annual meeting of the Board. An external auditor shall confirm investments annually.

Should the Saginaw Conservation District accumulate a balance greater than \$50,000 in the District's general checking account the District will transfer excess funds to one of the designated investments for surplus funds. The District reserves the right to keep an excess of \$50,000 in the general checking account to ensure adequate liquidity of funds for known upcoming expenses.

Fund Balance

(in Accordance with GASB Statement No. 54)

The following policy has been adopted in order to address the implications of Governmental Accounting Standards Board ("GASB") Statement No. 54, Fund Balance Reporting and Governmental Fund Definitions. The policy is created in consideration of unanticipated events that could adversely affect the financial condition of the District and jeopardize the continuation of necessary public services. This policy will ensure adequate fund balances and reserves in order to:

- Provide sufficient cash flow for daily financial needs,
- Secure and maintain investment grade bond ratings,
- Offset significant economic downturns or revenue shortfalls, and

- Provide funds for unforeseen expenditures related to emergencies.

The following definitions will be used in reporting activity in District funds and may or may not report all fund types in any given reporting period, based on actual circumstances and activity.

General fund: Used to account for all financial resources not accounted for and reported in another fund.

Special revenue funds: Used to account and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specific purposes other than debt service or capital projects.

Debt service funds: Used to account for all financial resources restricted, committed or assigned to expenditure for principal and interest.

Capital projects funds: Used to account for all financial resources restricted, committed or assigned to expenditure for the acquisition or construction of capital assets.

Permanent funds: Used to account for resources restricted to the extent that only earnings, and not principal, may be used for purposes that support the government's purposes.

Fund balance will be reported in District funds under the following categories using the definitions provided by GASB Statement No. 54:

Nonspendable fund balance: Includes amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained in-tact. Nonspendable amounts will be determined before all other classifications and consist of the following items (as applicable in any given fiscal year). The District will:

- Maintain a fund balance equal to the balance of any long-term outstanding balances due from others (including other funds of the District).
- Maintain a fund balance equal to the value of inventory balances and prepaid items.
- Maintain a fund balance equal to the principal of any permanent funds that are legally or contractually required to be maintained in-tact.
- Maintain a fund balance equal to the balance of any land or other nonfinancial assets held for sale.

Restricted fund balance: Includes amounts that can be spent only for the specific purposes stipulated by the constitution, external resource providers, or through enabling legislation.

Committed fund balance: Includes amounts that will only be used for specific purposes pursuant to a formal action of the Board of Directors. A majority vote is required to approve a commitment and a majority vote is required to remove a commitment.

Assigned fund balance: Includes amounts intended to be used by the District for specific purposes but do not meet the criteria to be classified as restricted or committed. In District funds other than the general fund, assigned fund balance represents the remaining amount that is not restricted or committed.

The District Board of Directors delegates to the District Administrator the authority to assign amounts to be used for specific purposes. Such assignments cannot exceed the available (spendable, unrestricted, uncommitted) fund balance in any particular fund.

Unassigned fund balance: Includes the residual classification for the District's general fund and includes all spendable amounts not contained in the other classifications. In other funds, the unassigned classification should be used only to report a deficit balance from overspending for specific purposes for which amounts had been restricted, committed, or assigned.

The following guidelines address the classification and use of fund balance in governmental funds:

Classifying fund balance amounts: Fund balance classifications depict the nature of the net resources that are reported in a District fund. An individual fund may include nonspendable resources and amounts that are restricted, committed, or assigned, or any combination of those classifications. The general fund may also include an unassigned amount.

Prioritization of fund balance use: When an expenditure is incurred for purposes for which both restricted and unrestricted (committed, assigned, or unassigned) amounts are available, it shall be the policy of the District to consider restricted amounts to have been reduced first. When an expenditure is incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used, it shall be the policy of the District that committed amounts would be reduced first, followed by assigned amounts and then unassigned amounts.

Upon adoption of this policy the District Board of Directors authorizes the District Administrator to establish any standards and procedures which may be necessary for its implementation.

Indemnification

The Board may hold harmless, indemnify, pay, settle, or comprise a judgment against a Board member to the extent allowed under law.

Independent Auditor

The District shall have an independent "GAAS" audit every year ending in an odd number (i.e. 2005, 2007) and undergo an independent review for every year ending in an even number (i.e. 2006, 2008). The District shall supply MDA with audit or review prior to the end of the following fiscal year. The independent audit shall:

1. Examine the balance sheet of the District at the close of its fiscal year and the related statements of transactions in the various funds for the fiscal year then ended;
2. Conduct such examination in accordance with generally accepted auditing standards, and to include such tests of the accounting records and such other auditing procedures as are necessary in the circumstances;
3. Render an opinion of the financial statements prepared at the close of the fiscal year;
4. Make recommendations to the Board concerning its accounting records, procedures, and related activities as may appear necessary or desirable;
5. Perform such other related services as may be required by law or requested by the Board.

The district will also supply the following end-of-fiscal-year documents to MDA.

- Balance sheet
- Income statement showing budget and actual
- Profit and loss statement showing both budget (if the District had one) and actual.
- Actual expenses for District activity areas (programs) as defined in the Uniform Accounting Procedures Manual. This should also show both budget and actual.
- Liability and bonding insurance verification.
- Signature of Board Treasurer certifying the accuracy of the self-audit.

Sales Tax

The District is exempt from paying all local and State sales taxes or Federal excise taxes. The District Administrator will provide the necessary exemption documents to any vendor upon request.

Tree Sale

All orders require full payment at the time of order unless arrangements are approved and made by the District Administrator, in which a minimum deposit of 50% is required and the balance due at pick-up. Orders may be cancelled up to the order deadline and receive any payments made to that order back in-full. Orders cancelled after this date will forfeit 25% of the full order cost. Orders must be picked up on the designated date unless special arrangements are made. Orders not picked up by this date are not guaranteed for survival and the right to reimbursement / return is forfeited. All

orders not picked up after one week of the designated date will forfeit all pre-payments/deposits. One week following tree-sale pick up, all remaining trees may be used for District projects or donated to local non-profit (church, school, non-profit agency, state / local park).

A copy of the Certificate of Inspection from MDA will be prominently displayed at all locations for tree pick-up and sales.

Check Payment Policy

The District will accept all business and personal checks with appropriate information (name, address, phone number, date of issue, signature/stamp). Checks that are returned due to insufficient funds will be charged a \$25 servicing fee. All purchases/invoices associated with a returned check are subject to additional finance charges as applicable.

Credit Card

The District may hold a business Debit Card through current bank. Two cards shall be utilized under the control and responsibility of one of the Board Members and the District Administrator. The cards may only be used for District business transactions that have been approved within the budget. A purchase limit of \$300 is established, with approval of the Chair or Treasurer for purchases over this amount. All purchases made by use of the card will be shown on the monthly financial statements in the same manner as checks. Every individual issued a card must immediately surrender the card upon termination of employment/Board term. Misuse of the card shall be subject to disciplinary actions as deemed appropriate by the Board; up to and including repayment of charges.

Insurance

The Board shall purchase with District funds the type and amount of insurance necessary to protect the District from major financial losses. Insurance purchased shall include, but need not be limited to, the following:

- a. Negligent acts or omissions, which cause personal injury or wrongful death.
- b. Fire and extended coverage on District office contents.
- c. Comprehensive bodily injury, property damage on automobiles, and trucks.
- d. Special coverage for equipment not ordinarily covered under a standard policy.
- e. Employee insurance coverage as specified in the employee work agreements or by Board action.
- f. Worker's compensation coverage.
- g. Legal liability for Board members and employees.
- h. Directors and Officers Insurance coverage.

Insurance for a given coverage shall be obtained at the lowest possible cost, assuming that service and company reliability are satisfactory. The District Administrator shall administer the insurance.

Legal Counsel

The Board may employ an attorney, or utilize the services of MACD's legal counsel, to represent the District or Board in actions brought for or against the District and to render other legal services for the welfare of the District.

Loaning of District-Owned Equipment

The Board believes that District owned equipment is a valuable resource, which may be loaned or rented for community use under certain conditions only, provided that such use does not infringe on the original and necessary purpose of the equipment or interfere with the mission of the District. The Board may lend specific items of equipment upon request of the user and approval granted by the District Administrator. The user of District owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use and shall be responsible for its safe return. All equipment and materials will be loaned out on an as-available basis. Directors and District employees will have highest priority. All borrowers will be required to sign out materials from the lending resources and sign a consent agreement.

Release of the District's Mailing Lists

The District will not provide its mailing list to any entity or individual without the consent of the Board. Requests for release of the mailing list must be made in writing.

If the Board consents to the release mailing lists, such entities may be released to:

- Any County or neighboring governmental unit or agency on the same terms that that unit of government would provide its mailing list to the District. If the governmental unit has no policy regarding the distribution of its mailing lists, the District will provide its mailing list for a fee which covers the cost of staff time and materials necessary to put the data in the format desired by the governmental unit.
- Any 501(c)3 organization or not-for-profit citizens' group that is involved with the District in a formal joint venture or cooperative undertaking, free of cost.

Upon transfer of the data from the District to the requesting organization, the requesting organization will sign an agreement which states that the data provided by the District will be limited to use by the organization and will not be transferred in any form to any other person, agency, organization or business. The District reserves the right to decline sharing its data base with any governmental unit, agency or organization, if, in the opinion of the District Administrator, the intended use is no longer compatible and/or does not further the District's mission.

Public Meetings Act & District Meeting Policy

Annual Meeting

The District Board shall organize an Annual Meeting following each fiscal year with the date to be determined by the Board; under Public Act 107. The meeting must be held prior to the end of next fiscal year (i.e. Annual meeting for 2018 held February 2019).

Organizational Meeting

The Board shall hold an organizational meeting each year there is an election. The organizational meeting shall be the monthly Board Meeting immediately after the Annual Meeting and Elections. At the organizational meeting the District shall:

1. Elect Officers of the Board of Directors
2. Designate depositories for District funds;
3. Designate those persons authorized to sign checks, contracts, and agreements;
4. Designate a day, place, and time for regular meetings which shall be held at least once every month.

Oath

Each elected Board member shall file an acceptance of office as well as an affidavit of eligibility and shall take an oath of office. The oath of office must be administered by and signed by a notary of the public.

Each elected or appointed Board member shall read and sign the "Saginaw Conservation District Board Member Commitment to Serve" statement. The statement will be filed with the Board Members election/appointment term documents.

Election Process

Members of the Board shall be elected annually at the District's designated Annual Meeting or open house following the close of the designated fiscal year in a manner that is consistent with State law.

The Board may also appoint Associate Board Members to facilitate the development and involvement of these individuals in the Board. Associate Board Members are not legally elected members and as such may not vote or serve in any official act or function of an elected Board Member.

Inactivation of a Board Member

The Saginaw Conservation District Board is an elected position with certain responsibilities. Due to the nature of the Board it is imperative that every effort be made by its members to attend all meetings. Those members of the Board that miss more than 3 (three) meetings in a row or miss a total of 4 (four) meetings throughout the fiscal year, may be assumed to be inactive. An inactive Board Member may be asked to resign from the Board or his/her position may be considered vacated and the Board will inform MDA of such with a request to replace the Board Member by an appointment of another individual.

Filling a Board Vacancy by Appointment

The Board shall use the following procedure to appoint a person to fill a vacancy on the Board:

1. The Board shall seek qualified and interested candidates from the community through the news media, word of mouth, and contacts with appropriate organizations.
2. All applicants are to submit a notice of their interest, in writing, to the Board.
3. The Board shall interview all interested candidates to ascertain their qualifications.
4. Appointment by the Board to fill a vacancy shall be by majority vote of the full Board.

Board Member Terms

The term of each Board member shall commence on the first scheduled Board meeting the Board member is elected or appointed. Each member shall serve a four (4) year term and shall continue until a successor is elected and qualified, a vacancy occurs, or until the individual resigns.

Officers

The Board shall elect a Chair and Vice-Chair as well as a Secretary and Treasurer. The Secretary and Treasurer position may be filled by a single Board member. Election of officers shall be by majority vote of the full Board. Where no such majority exists on the first vote, a second vote shall be cast for the two (2) candidates who received the greatest number of votes. Except for those appointed to fill a vacancy, officers shall serve for the extent of their elections term. An officer may be removed for cause by a majority vote of the full Board. The Board shall fill a vacancy in any office within thirty (30) days of the occurrence of the vacancy.

Presiding Officer

The Chair shall preside at all meetings of the Board. In the Chair's absence, disability, or disqualification, the Vice-Chair shall preside; if neither person is available, then the Secretary shall preside.

Regular / Monthly Board Meeting

The Board shall hold a meeting once each month on a date and at a time and place determined annually by a resolution of the Board. Within ten (10) days after the organizational Board Meeting, the Board shall post the schedule at the District office, and in other locations considered appropriate by the Board, a notice listing the date, time, and place of each regularly scheduled meeting of the Board. The notice shall contain the name and address of the District and its telephone number. The notice shall also contain the following statement: "Upon request to the District Administrator, the District shall make reasonable accommodation for a person with disabilities to be able to participate in this meeting."

The District shall send by first-class mail to a requesting party a copy of any notice required to be posted by law. The Board will annually determine a fee of not more than the estimated reasonable cost for printing and postage of each notice and may require a written request and payment of the yearly fee from all requesting individuals, organizations, firms, or corporations. The news media shall be entitled to receive, at their request, copies of such notices free of charge.

Any meeting of the Board may be recessed to another time and place that is available to the general public. Any meeting which is recessed for more than thirty-six (36) hours shall be reconvened only

after notice stating the date, time, and place of the recessed meeting, as well as the name, address, and telephone number of the District has been posted on or near the front door of the District office and such other place(s) as the Board may determine for at least eighteen (18) hours prior to the time the meeting is to be reconvened.

Consent Agenda

The Conservation District Board may use a consent agenda to keep routine matters within a reasonable time frame and may include routine business items such as minutes of prior meeting, financial reports, bills for payment, and staff reports.

Special Meetings

Notice of any special meetings must state the date, time, and place of such special meeting, and the business to be transacted. District staff will post the notice of any special meeting at least eighteen (18) hours before said special meeting at the Board office and such other places as the Board may determine. District staff will provide a copy of said notice to each Board member. Special meetings of the Board may be called by the Chair or by any two (2) members of the Board provided there is compliance with the notice provision of this policy. Emergency Meetings are not allowed, as notice must be given per the Open Meetings Act.

Open Meeting

The Saginaw Conservation District will abide by all rules and regulations as set forth in the Michigan Open Meetings Act (PA 267, 1976). The District Administrator will keep minutes of each meeting showing the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose or purposes for which a closed session is called. These minutes must be approved by the Board and endorsed by the Secretary at the next meeting. The minutes shall include all votes taken at the meeting. Proposed minutes shall be available for public inspection following the approval at proceeding meeting. The official minutes shall be kept indefinitely and kept in the Conservation District office.

Public Expression of Board Members

The Chair shall function as the official spokesperson for the Board. All other Board members may make public statements on District matters to local media, local officials, and/or State officials. If a position has not been sanctioned by a majority of its members, Board members will, when writing or speaking on District matters to the media, legislators, and other officials, make it clear that their views do not necessarily reflect the views of the Board or of their colleagues on the Board.

Public Participation at Board Meetings

The Board recognizes the value of public comment on conservation issues and the importance of allowing members of the public to express themselves on District matters and is required to comply with the Open Meetings Act. Any person or group wishing to place an item on the agenda shall register their intent with the District Administrator no later than seven (7) days prior to the meeting and include the name and address of the participant; group affiliation, if and when appropriate; and topic to be addressed. Such requests shall be subject to the approval of the Board Chair.

To permit fair and orderly public expression, the Board shall provide a period for public participation at every meeting and publish rules to govern such participation in Board meetings. The presiding officer for the Board shall administer the rules of conduct.

- a. Public participation shall be permitted as indicated on the order of business.
- b. The presiding officer must recognize participation. Participants will preface their comments by stating their name and address; and association if applicable.
- c. Each statement made by a participant shall be limited to an appropriate time as determined by the number of participants wishing to address the Board and the allotted time frame for public comment.

- d. No participant may speak more than once on the same topic unless all others who wish to speak on that topic have been heard.
- e. Participants shall direct all comments to the Board and not to staff or other participants.
- f. All statements shall be directed to the presiding officer; no person may address or question Board members individually.

The presiding officer may:

- Interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;
- Request any individual to leave the meeting when that person does not observe reasonable decorum;
- Request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
- Call a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action.

Electronic Mail (e-mail)

To avoid violating the Open Meetings Act, the Board will use e-mail in the conduct of District business solely for the purposes of communicating:

- Messages between Board members or between a Board member and employee(s) that does not involve deliberating or rendering a decision on matters pending before the Board;
- Possible agenda items between the District Administrator and Board members;
- Times, dates, and places of regular or special Board meetings;
- A Board meeting agenda or public record information concerning items on the agenda;
- Requests for public record information from a member of the administration, staff, or community pertaining to District operations;
- Responses to questions posed by members of the public, administration, or District staff.

Under no circumstances shall Board members use e-mail to discuss among themselves Board business that is only to be discussed in an open meeting of the Board or could be considered an invasion of privacy if the message were to be monitored by another party. Board members should have no expectation of privacy for any messages sent by e-mail. Messages that have been deleted may still be accessible on the hard drive, if the space has not been occupied by other messages. Messages deleted or otherwise, may be subject to disclosure under the Freedom of Information Act, unless an exemption would apply.

Evaluation/Feedback of Board Members

Biannually, District staff shall provide board evaluations and/or feedback on Board coverage of duties. This shall, as much as possible, be kept anonymously.

Revised Capitalization and Depreciation

The following policy shall govern fixed assets and how those assets are capitalized and depreciated. For the purpose of this document the term "fixed asset" will refer to land, buildings, equipment, and improvements acquired by the Saginaw Conservation District

Items over \$1,000 will be capitalized. Fixed assets that meet or go beyond this threshold will be recorded in the general ledger along with recorded depreciation. Fixed assets that fall under the threshold will be recorded as an expense in that fiscal year in which it was acquired. Additions that are capitalized should include any freight and installation costs. Maintenance expenditures that increase the longevity of the asset by one year or more should be capitalized, otherwise they should be expensed. Donated fixed items should be tracked but are not additions on the face of the balance sheet nor are they depreciated.

Method of Depreciation: Depreciation of capital assets will be recorded in the Conservation District general ledger and will be depreciated on a straight-line basis as follows:

- Small equipment (planter, gas auger, etc.)..... 3 years
- Computers, office equipment..... 3 years
- Office furniture and fixtures 7 years
- Major Equipment (vehicles, tractor, planter, etc.) 7 years
- Leasehold improvements
 - To rental properties Leased years remaining
 - To owned buildings 39 years
- Land Tracked with acquisition date & cost

The District Administrator is responsible for keeping and maintaining a written inventory of the fixed assets held by the District, using a spreadsheet to indicate each item. The donated fixed assets should also be tracked on this spreadsheet, separately from the purchased items.

Shortly after the end of the fiscal year, the District Administrator should work with the outside, independent accountant to assure inventory is accurately aligned with the inventory ledger. This would include taking a physical inventory of fixed assets and adjusting for any additions and dispositions, including scrapped, recycled, donated, stolen, or sold items during the fiscal year. When practicable, assets will be tagged with metal tags or otherwise labeled with appropriate identification. Items will be adequately safeguarded against theft and damage.

Local Buying

The District desires to purchase from local vendors whenever possible. Staff can accomplish this by insuring that local vendors are included in a competitive shopping process, which will precede most purchases. The District Administrator develops and maintains this process, with Board approval. All specifications, bid documents, purchase orders and supporting documents are public records, which will be made available to citizens, vendors or the media, upon request. However, the District does not endorse or in any way permit an employee's name, position, or the District's name to be used and advertised as supporting a product or vendor.

An employee is authorized to make a purchase using personal funds providing all other provisions of this policy are met. From time to time, employees may need to make employer authorized, incidental purchases on behalf of the District, but may not have District funds immediately available to do so. The employee will be reimbursed for the expenditure with prior consent by the District Administrator. Staff will plan for purchases on both a short-term and long-term basis. Staff will minimize small orders and last-minute purchases, and purchase goods and services in larger quantities to maximize discounts. It is the duty employees to secure the best quality for the purpose intended.

No purchase will be authorized which would overdraw a budgetary account. Employees who are contemplating a purchase that will exceed a budgetary account should contact the District Administrator who will ask the Board to consider the necessary budget revision at its next regularly scheduled Board meeting. Purchases for employees by the District are prohibited. District employees are also prohibited from using the District's name or the employee's position to obtain special consideration in personal purchases.

District Vehicle Use

The Board believes that District vehicles are a valuable resource that are dedicated for use on District projects, programs, site reviews, and any other official District business. Use of the vehicle is restricted to the Board of Directors and District staff. Drivers are responsible for operating the company vehicle according to state and federal laws and our District policy. Violation of these laws and rules will result in the removal of driving privileges. A district vehicle shall be used for business purposes if and when a vehicle is available. Vehicles shall be scheduled so that concurrent activities

do not infringe on the most necessary purpose. If an employee chooses to use a personal vehicle when a work vehicle is available, employee shall be reimbursed at a reduced mileage rate to be determined by the Board.

Scope of Use

1. Driver Qualifications—Driver must be at least 21 years old and have a valid driver's license.
2. Assigned Driver--No person other than the employee assigned to the vehicle shall operate the vehicle unless that person is an employee of Saginaw Conservation District, is listed on the approved driver list and has the permission from the District Administrator.
3. Personal Use of District Vehicle—District-owned vehicles are to be used for business use only. Personal use of a District vehicle is prohibited. Vehicles shall be returned to the office each night except under circumstances where it may be more appropriate to keep the vehicle overnight. (i.e. conference, overall accumulation of fewer miles, etc.) District vehicles may be driven home and used as transportation to and from work, meetings or trainings only if approved by the District Administrator or Board of Directors.
4. Possession, transportation or consumption of alcohol or illegal drugs by anyone in the vehicle is not allowed. Additionally, no smoking is allowed in the vehicle.
5. Driver and all passengers must wear available seat belts.
6. Employees who drive a vehicle are responsible for all fines and parking violation expenses incurred during their use of the vehicle.
7. The driver must make sure the vehicle remains locked and equipment is reasonably stored and secured as to prevent theft.
8. Employee must notify management within one business day of any moving violation and/or accident with the District vehicle, or in the case of a license suspension.
9. Maintenance and upkeep—Drivers are responsible for ensuring the vehicle is well maintained and as clean and orderly as job conditions permit. The employee is responsible for reporting any damage, faulty equipment or other needed repairs to his/her supervisor. The employee is also responsible for making sure the equipment is safe to operate on the road and replace burned out bulbs and fuses for lights, turn signals, headlights and horn immediately. Individuals using a District vehicle will be expected to clean and remove all materials following use and check oil and fluid levels if using for an extended period of time. The District Administrator will be responsible for taking the vehicle to approved service stations to have scheduled fluid changes, brake jobs, tire changes and other repairs completed.
10. Mileage Forms—Drivers must maintain a vehicle mileage form located in the binder and turn in the form at the end of each month.
11. Fuel—Designated personnel shall use the District credit card to fill the vehicle with fuel and turn in receipts to District Administrator. In cases when the employee is unable to use the District credit card, employee will be reimbursed for gas, assuming the employee has used it for business-related purposes.
12. District vehicles must have the following standard items:
 - a. Current insurance verification and registration
 - b. Operator's Manual
 - c. Fire extinguisher
 - d. Roadside safety triangles
 - e. First aid kit
 - f. Basic tool kit
 - g. Usable spare tire, jack and lug wrench
 - h. Binder with the following forms and information:
 - i. Mileage forms
 - ii. Repair/Maintenance records
 - iii. Emergency phone numbers
 - iv. Fuelman card and envelope for receipts

Bribery

Bribery in any form represents malfeasance in office and means that public funds are being mismanaged, and that the employee or Board Member is subject to immediate disciplinary action.

Natural Resource Site Assessments

The Saginaw Conservation District shall work to provide technical support to private and public landowners for agricultural and natural resource conservation, preservation, and restoration. These services shall be provided through a site review by District employees.

The District Administrator, with Board approval, shall establish appropriate fees for site reviews and associated activities. District Administrator in coordination with employees shall establish site review application process, evaluation guidelines, reporting criteria, plan development, and management criteria for natural resource categories.

District Personnel Policies

Introduction

The Saginaw Conservation District will annually review its policies, procedures and benefits and makes revisions, modifications and changes thereto based on the need for and desirability of such changes. Thus, any policy procedure or benefit outlined in this Manual may be modified, increased or decreased at any time. If you have any questions, the District Administrator will be glad to help you.

This document is intended to help you become better acquainted with the District, its policies and rules as well as your benefits and privileges. This handbook should be used to make you familiar with the information contained within this booklet. Questions are sure to arise during the course of your employment and this handbook should help answer them. If not, we will be glad to help you with any questions or concerns that may arise. Keep this book for future reference. From time to time changes may be necessary, so you will be given revised pages to replace or add to your handbook.

This document is a guide to Saginaw Conservation District's current employment policies. It is for information only and is not an employment contract nor does it guarantee employment for any determined amount of time. You have been "Employed at Will" unless otherwise noted.

Statement of Policy

A tremendous part of the success of the Saginaw Conservation District is dependent upon its most important asset - it's staff. It is the District's objective to provide a relationship of mutual trust and respect, which will allow employees to attain personal satisfaction from their work and contribute to the District's successful growth. The maintenance of unusually high standards of honesty, integrity, impartiality, and conduct by the District is essential to assure the maintenance of confidence by citizens in Saginaw County. The confidence of citizens in Saginaw County is influenced not only by the manner in which employees serve the public, but also in the way they conduct themselves in the eyes of the public. The avoidance of misconduct and conflicts of interest on the part of the District employees through informed judgment is indispensable to the maintenance of these standards. In accordance with these concepts, this personnel policy sets forth the rules and regulations for employees of the District, prescribing standards of conduct and responsibilities and governing the reporting of employment and financial interests.

The District will make every effort to treat each employee fairly and with integrity. Nonetheless, employees sometime leave because of family considerations, changing career goals, or some other reason, which is personal in nature. Likewise, the District retains the right to enlarge, reduce, make changes in or terminate from the staff. Employment with the District is therefore considered "at will", permitting either party to end the employment relationship at their discretion without cause.

It will be the policy of the Saginaw Conservation District:

- To select and hire the best qualified men and women without regard to race, creed, color, age, sex, national origin, religion, or handicap.
- To provide wages, salaries, and employee benefits that are competitive with those provided for similar positions in the local area. To regularly review area wages, salaries, and benefits to insure our programs are competitive.
- To provide job security by improving the District's position in government to minimize adverse effects on our employees while maintaining the stability of the District.
- To provide safe working conditions by maintaining an orderly operation, developing and adhering to policies and practices that insure the safety and health of our employees.
- To encourage an individual's self-development by providing educational programs, training and other opportunities for skill development and advancement.
- To recognize length of service as a factor in cases of promotion, layoff and recall, other qualifications being equal.
- To be fair in the administration of our policies and practices.
- To keep you informed by providing a full program of communications of developments within the District, which are of interest to you.
- To encourage open discussion of all ideas, suggestions, problems and matters of concern among employees and supervisors. Differences of opinion, complaints and problems will occur.

Hiring Policies & Procedures

Equal Opportunity Employment

The Saginaw Conservation District provides equal employment opportunities to all employees and applicants for employment and prohibits discrimination and harassment of any type without regard to race, color, religion, age, sex, national origin, disability status, genetics, protected veteran status, sexual orientation, gender identity or expression, or any other characteristic protected by federal, state or local laws. (Society for Human Resource Management, June 2018)

This policy applies to all terms and conditions of employment, including recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

Physical or mental limitations will be considered only as they relate to the potential employee's ability to perform the job requirements.

Recruitment

The Saginaw Conservation District recognizes its responsibilities for attracting and employing the most qualified and capable persons for carrying out the work of the Conservation District. It is further recognized that to attract and retain such persons, the District must maintain a competitive posture with regard to compensation of its employees, including fringe benefits, and must maintain operating policies and procedures which treat every employee with fair and equal consideration.

Employment and promotional opportunities shall be advertised in such a manner that the public is assured open opportunity to apply and to be properly considered for District employment, and so that present District employees may be knowledgeable of possible chances for advancement.

Nepotism

Hiring immediate family members of District Directors, employees, or United States Department of Agriculture Natural Resources Conservation Service (NRCS) personnel assisting the District will be avoided to the extent possible. "Immediate family" shall mean: children, spouse, siblings, siblings of spouse, parents, parents of spouse, grandparents and grandparents of spouse. The Saginaw Conservation District Board of Directors may grant exception in the case of a temporary position.

Selection

The qualifications of potential employees shall be compared to the written requirements for the position.

Hiring and Rehiring

Job applicants and former employees who are being considered for hire or rehire must complete the following before employment can commence; please note rehires have the same status as new hires, no credit is given for previous employment:

1. Be interviewed and recommended for employment.
2. Completion of all applicable data and benefit records.
3. Be instructed in all work rules, safety rules and other rules applicable to the job and operation.
4. An offer of employment may be contingent upon the results of a medical examination and drug test. Medical examination and drug test must occur within 15 days prior to offer of employment.

Notice of all Board approved permanent positions, which are vacated or newly created, will be posted by the District in the office for a minimum of one week.

Employee Referrals

The District accepts and encourages referral of qualified applicants for employment by present District employees. All applicants are considered based on their qualifications for the job and in accordance with our policy on non-discrimination and equal employment opportunity.

Employee Classification

1. Regular Full Time – Employees who work in a position authorized by the District Board and work from week to week throughout the year for an average of at least 30 up to 40 hours per week. Regular full-time employees shall be eligible for fringe benefits as detailed in this policy.
2. Regular Part Time – Employees who work for the District on a continuous, regular basis less than 30 hour per week in a position authorized by the District Board. Part-time employees shall be eligible, on a pro-rated basis for vacation and holiday pay.
3. Grant Employee – Employees who are hired pursuant to State, Federal, or local grants programs, and whose continued employment is subject to continued funding of that grant (s). Grant employees shall be eligible for the same benefits as regular full-time employees, provided the grant provides for reimbursement of these fringe benefits.
4. Temporary Full Time – Employees who work for the District as short-term replacements (less than 180 days) for full-time or part-time employees or who are hired on an irregular basis for special employment periods, with District approval. Temporary employees shall serve no probationary period and are not eligible for any fringe benefits except on a case by case basis.
5. Seasonal - Employees who work or may work from year to year but do not work each week throughout the year and were hired to do seasonal work. Seasonal employees shall serve no probationary period and are not be eligible for any fringe benefits except on a case by case basis.

Probationary Periods

New employees are regarded as probationary until they have completed sixty (60) days of continuous service. This period is intended to allow the employee time to learn the job and become familiar with the Conservation District. It is an opportunity for the employee to experience the job, to become adjusted to required standards and expectations and to decide if he/she would like to continue the employment. It is also an opportunity for the District Administrator to evaluate the employee on job skills, cooperativeness, attitude, dependability and other factors, which make a good and valuable employee. This period is used to assure that the employee is a good “match” for the job (i.e. capable and willing to perform up to standards and expectations). A written evaluation and conference will be conducted at 60 days.

An employee may resign without notice at any time during or at the end of the probationary period. The employee may be terminated without notice at any time during or at the end of the probationary period for misconduct, failure to meet the standards and expectations required for the position, or when it is apparent that the employee lacks the skills, ability or motivation necessary for successful job performance.

Promotions and Transfers

The District follows, as far as possible, a policy of promotion from within and seeks to select the best-qualified individual to fill positions. To be considered for promotion, employees must have demonstrated sustained acceptable performance on the present job, attendance, and ability to perform specific job requirements of the new position. Probationary employees and employees with unsatisfactory performance history will not be eligible. Employees are not limited to a specific number of applications but are encouraged to apply only for those jobs in which they are genuinely interested and qualified. Employees who transfer to a position must serve a two-month qualifying period in the new position.

Rehire

If a regular full-time or regular part-time employee who has been laid off is re-hired within one year, the employee will be entitled to prorated reinstatement of previously accrued paid time off, within the same fiscal year, and credit for prior years of service in calculation of paid time off earning rates, if applicable.

Conditions of Employment

Hours of Work

All regular full-time employees are expected to work at least 30 up to 40 hours per week except for authorized absences. Normal working hours will be determined by the District Administrator, with individual personnel schedules to be determined jointly by the employee and the District Administrator. Lunch break consists of one-half hour (unpaid) per day. All regular part-time employees and intermittent employees shall be expected to work the hours set by the District Administrator.

Wage Scale Increases

Wage Scale increases will coincide with the beginning of each fiscal year and will be based on recommendation of District Administrator with approval by the Board. Employees must serve a minimum of 3 months prior to first increase, in which case the employee would be eligible at the beginning of the next fiscal year.

Employees may request a wage increase at any point during the calendar year. Upon request the District Administrator will schedule an evaluation and, based on this criterion, may recommend an increase in wages to the Board. The District Administrator will make requests for wage increases, on behalf of oneself, directly to the Board.

Pay scale increases for grant employees are based on grant specifications.

Attendance

Absence is defined as any unscheduled time lost from work regardless of reason, including sickness and tardiness. The term "unscheduled" excludes leave scheduled in advance, leave of absence, bereavement, jury duty, worker's compensation time, and an absence that has been approved in advance. If for an unavoidable reason, the employee cannot report to work on time or finds it necessary to be absent on a particular day, the employee must immediately notify the District Administrator prior to the beginning of the assigned shift or as soon as possible thereafter. Periods of tardiness and days of absence will be deducted from the time earned during a pay period, unless the employee requests and obtains approval to treat any absence as a day off with pay for vacation, holiday, or leave without pay under the provisions of this policy. Daily notification requirements may be waived in the case of hospitalization or extended illness.

Because it may often be difficult to notify the District Administrator of lateness caused by unforeseen circumstances (e.g. a flat tire), call-ins for lateness due to emergencies will be required only if the employee expects to be late for one-half hour or more. Upon arriving late, the District Administrator should be notified, and an explanation given. An unscheduled absence of more than ½ the workday

will be counted as an occurrence. An employee having excessive absences, tardiness, continually leaves work early, or otherwise violates the District's attendance policy may be discharged.

Absenteeism may include, but is not limited to the following:

- Any unreported absence
- Report of absence for an unacceptable reason
- Patterns of absence preceding or following a weekend or scheduled day off
- Incidents of absence that exceed five or more within the preceding twelve-month period. An incident constitutes an individual period of absence. Return to work ends an individual period of absence and becomes another instance.

An employee who is absent from work for three consecutive shifts without notifying and securing approval from the District Administrator will be considered to have resigned voluntarily.

Time Sheets

Federal and state laws require the District to keep accurate records of the hours you work. Your time card is the only record of the hours you have worked. Your time card should be maintained daily to insure proper payroll processing. Submit your card to the District Administrator at the close of each pay period. Supervisors are responsible for verifying accuracy and validity of the time records of their employees. The employee and District Administrator shall sign time sheets. Intentional failure to report accurate hourly time information on time sheets is grounds for immediate dismissal. Timesheets are due the first work day immediately following the end of the pay period.

Pay Day

Employees are paid on a bi-weekly basis. All employees will be expected to complete biweekly time sheets prior to each pay period over his or her own signature. Only deductions required by State and Federal laws and those you authorize yourself will be deducted from your pay and are listed on your paycheck stub. Paychecks are not available for early distribution, payroll advances, or as loans. The District Administrator is responsible for distribution of paychecks on the Friday following the end of the pay period and after receiving appropriate Board signatures.

For your protection, no check will be given to anyone except the employee whose name appears on the check. An exception to this will be made where an employee has given a written or verbal authorization to the District Administrator that has been verified by them.

Garnishments

By law, the District is required to honor certain legal garnishments of your wages or salaries. Repeated garnishments for separate debts may be considered cause for disciplinary action, up to and including termination.

Retirement Benefits (for reference)

Full time employees may be eligible to receive retirement benefits as funding is available. Benefits will be 5% of current wages. Payments will be made directly to a retirement account chosen by the employee. Four equal payments will be made, one at the end of each quarter of the fiscal year. Part time and temporary/seasonal employees are not eligible for retirement benefits.

Health Benefits (for reference)

Full time employees may be eligible to receive health benefit compensation as funding is available. Benefits will be 5% of current wages. This payment can be made directly to the employee's insurance company or HSA, or if the employee is covered under a spouse's health insurance policy, this amount can be added to their retirement benefits. Four equal payments will be made, one at the end of each quarter of the fiscal year. Part time and temporary/seasonal employees are not eligible for retirement benefits.

Travel, Lodging, and Meals

The Conservation District's business needs from time to time require employees to travel and incur costs in the performance of their jobs. It is our objective that travel expenditures be made only when justified by expected benefits that contribute to the District's profitability or mission. The District may cover meals, lodging, and travel in such cases. No employee should incur expenses and expect reimbursement unless authorized by the District Administrator or the Board of Directors. The District Administrator must authorize other travel and expenses in advance. This will provide an opportunity for the expected benefits of the expenditure to be weighed against the estimated cost.

Employees shall receive reimbursement for approved travel, at the current IRS/Government mileage rate, for use of a personal vehicle while on District business. The rate per mile is subject to change as determined by the Board. A mileage record along with the purpose of the vehicle use will be required on the monthly employee expense sheet. Traveling to and from work or to and from a Board meeting, no mileage will be paid. Travel expenses to special meetings outside of normal work hours must be pre-approved by the District Administrator or the Board. Employees are expected to furnish or make arrangements for their own transportation to and from their place of work.

During travel events, employees shall receive reimbursement for approved meals for receipt amounts only and should try to limit expenses (suggested meal expenses: breakfast - \$10, lunch - \$12, dinner - \$20). Per day meals, not to exceed \$45 per day. Reimbursement is not allowed for meals covered by event costs.

Reimbursement for overnight events shall be on a per diem basis. This is consistent with federal Office of Personnel Management rates reimbursement policies and may change from year to year. Per diem policy shall be a reimbursement of \$55 per day.

All detailed expenditures for reimbursement shall be turned in on District Expense Sheet at the end of the Month, with copies of receipts and/or map print outs for travel and will be paid out the following payroll week upon two Board members approval.

Employee Withholding Allowance Certificate

Each employee must file with the District Administrator, an Employee's Withholding Allowance Certificate (Federal Form W-4). Payroll checks will not be released to any employee not having Forms W-4 properly filed and recorded. A revised W-4 form may be submitted at any time to report changes in the number of allowances; however, an employee is required to file, with the District Administrator, a revised W-4 Form within 10 days if any of the following has taken place:

- The employee is divorced, legally separated, or the employee's spouse begins claiming his or her own withholding exemption; or
- The employee no longer provides at least one-half the support of a dependent for whom he/she was previously entitled; or
- The employee should reasonably believe that a dependent previously claimed as an allowance will earn income of \$2,350.00 or more; or
- There is a reduction in the number of withholding allowances for estimated itemized deductions.
- In the event of the death of a spouse or dependent, a revised Form W-4 must be filed with the District Administrator by December 31.

Time of Service

Service time will start on the date the employee is employed. Service time for probationary employees who become regular full time or regular part time will date from the original start date. Service time shall terminate when an employee: voluntarily resigns, is discharged, is laid off and not recalled for 120 calendar days, is terminated, or in any reduction in force.

USDA Computer Network

All Saginaw Conservation District employees who will be using computers on the USDA network must have a security clearance background investigation completed or they will be barred from connecting to the USDA network.

All Saginaw Conservation District employees who will be using computers on the USDA network must complete annual computer training in security awareness, privacy, and rules of behavior or they will be barred from connecting to the USDA network.

District Leave Policies

Paid leave may be used in the form of vacation, holidays, sickness (self or household member), funeral leave, or other work absence. All absences from a scheduled workday must be covered by leave, if leave is available. Absences due to work related injury may be covered by paid leave at your discretion. Unscheduled absences are subject to the Conservation District's attendance policy. Leave taken for vacation purposes must be pre-scheduled. Requests for leave must be made at least two weeks prior to proposed leave. Requests may be denied according to seniority, order that it was received (if two or more personnel request same date of leave, the individual that made request first would receive priority), or other inconvenience to District activities due to an absence of personnel.

Leave days may be donated to a fellow employee in need because of a catastrophic health condition but must be approved by the Board.

Holidays

The Conservation District observes the following paid holidays throughout the year:

- New Year's Day
- Martin Luther King, Jr. Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veteran's Day
- Thanksgiving Day
- Christmas Day

These holidays coincide with Federal or State employee's holidays plus any additional days added at the discretion of the Board. Regular full-time employees are entitled to take these holidays with regular 8-hour pay if dates occur during a normal work day. Regular part-time employees are entitled to take these holidays on a pro-rated basis. All other employees are entitled to take the holidays, but they shall not be paid. All new employees must work 60 days (probationary period) before they are eligible for holiday pay.

Holiday/Administrative Leave

In order for there to be consistency within the joint staffing of the office by USDA-NRCS and Conservation District personnel, Saginaw Conservation District employees will follow the federal holiday schedule (above) and including any full day release or early dismissal granted by The President of The United States, The Secretary of Agriculture, or State Conservationist.

Vacation Time (Paid Time Off)

It is a benefit to both the employee and the District for the employee to take occasional time off work for renewal and to attend personal matters. Therefore, it is the policy of the District to grant vacation time to all regular full time and grant employees. Vacation time can be used for such needs as vacation, personal or family illness, doctor appointments, school, volunteerism and other activities of the employee's choice. Regular part-time employees will receive vacation at a prorated rate. Temporary and seasonal employees do not earn vacation time. All use of leave is at the consent of the District Administrator and/or Board of Directors.

Vacation Earning Rates

Employees will earn vacation time based on the following chart length of service.

<u>Service Time:</u>	<u>Vacation Issued:</u>	<u>Prorated Hours:</u>
60 days	156 hours	6 hrs /80 hrs
3 years	208 hours	8 hrs /80 hrs
10 years	234 hours	9 hrs /80 hrs
15 years	260 hours	10 hrs /80 hrs

Employee anniversary dates will be recorded for the purpose of determining an increase in Vacation leave (paid time off) per year. New regular full-time employees receive annual leave following their probationary period (60 days) unless otherwise approved by the District Board at the time of hire. Vacation pay will be computed at the employee's current hourly rate. Employees needing to take time off during their probationary period may take leave without pay in increments of whole days or less, with District Administrator's approval. After three months (60-days) of continuous employment, accrued vacation time may be taken with District Administrator's approval. Regular part-time employees will receive vacation leave on a pro-rated basis. Vacation leave may be used throughout the year without limits, but no hours may be carried over from one fiscal year to the next.

Carryover/Payout of Vacation Time

No hours of accrued vacation time may be carried over from one fiscal year to the next (Oct 1 – Sept 30). Employees with any unused vacation hours upon the last regular business day of September will forfeit that vacation time.

Except for termination for unsatisfactory performance, misconduct, or grant ending accrued vacation time will be computed and paid at the hourly rate up to a maximum of 40 hours. Payment for accumulated leave will not be paid to an employee if the 60-day probationary period is not satisfactorily met.

Funeral/Bereavement Leave

An employee who wishes to take time off due to death of an immediate family member should notify the District Administrator immediately. An employee is permitted to use funeral leave when a death occurs in his or her immediate family.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. An employee may, with the approval of the District Administrator, use any available vacation for the additional time off as necessary.

Bereavement pay is calculated based on the base pay rate at the time of the absence and it will not include any special forms of compensation, such as overtime pay.

- Employees are allowed up to five (5) consecutive days off from regularly scheduled duty with regular pay in the event of the death of the employee's spouse, child father, father-in-law, mother, mother-in-law, son-in-law, daughter-in-law, brother, sister, stepfather, stepmother, stepson, or stepdaughter.
- Employees are allowed up to one (1) day off from regular scheduled duty with regular pay in the event of death of the employee's brother-in-law, sister-in-law, aunt, uncle, grandparent, grandchild, or spouse's grandparent.
- Time off for bereavement for others not listed is at the discretion of the District Board.

For purposes of the bereavement policy "domestic partner" is interchangeable with "spouse". The District may require proof of relationship to the deceased.

Court Leave (Jury Duty)

Employees selected for jury duty or as a witness on regular scheduled workdays shall serve with no loss of pay. The employee shall be compensated only for the difference between the employee's

regular pay and the pay received for jury duty, which shall be reported on their time sheet. Employees serving jury duty or as a witness are expected to be at work for all regularly scheduled hours when not serving as a juror. Employees shall notify the District Administrator as soon as possible upon receiving a jury summons or subpoena as a witness.

Maternity/Paternity Leave

An employee must have worked a minimum period of one year prior to childbirth before being eligible for maternity/paternity leave benefits. Full-time and part-time employees will be eligible for maternity/paternity leave benefits; temporary and seasonal employees will not receive maternity leave benefits. Full-time employees will be allowed to accumulate paid time off benefits for the first 6-weeks following childbirth. Vacation leave may be used for maternity leave. Maternity leave shall commence in the event of childbirth, or when the employee is no longer able to work, and shall not exceed 12 weeks after childbirth.

Family and Medical Leave Act (FMLA)

The District shall adhere to all rules and regulations of the Family Medical Leave Act. Employees must use up any available paid time off first during the 12-week medical leave. Eligible employees (father/mother) may be allowed up to 12 weeks leave for childbirth or adoption, care of a seriously ill parent, child or spouse or their own serious illness. All employees who have been employed by such a Conservation District for at least one year and who have worked at least 1,250 hours are eligible. Remaining leave will be without pay. Employees will be re-instated at the job position and pay scale concurrent to when the leave started. For grant employees, this benefit will be contingent upon the continued existence of the position funded by the grant. Employees are required to give 30 days' notice for foreseeable leave due to medical treatment, childbirth or adoption.

Military Leave

The following guidelines will be used to assure compliance with the Vietnam Era Veterans Assistance Act of 1974. The Conservation District will grant appropriate military leaves of absence to full-time or part-time employees for the following types of military duties:

- Full-time active duty
- Active duty in Reserves or National Guard
- Weekend drills or summer training duty

Employees are not required to use vacation time for their military training; however, they will not be paid for this additional time off.

Unpaid Leave of Absence

A leave of absence may be granted to any regular full-time or regular part-time employee upon request to the Board in cases of illness, injury, disability, pregnancy, serious illness in the employee's family, or for other reasons acceptable to the Saginaw Conservation District Board. A leave of absence shall be without pay and shall not exceed twenty (20) work days. Except for service-connected disability, the employee shall have exhausted available sick leave prior to being granted leave of absence when such leave is due to medically verified disability. Paid Time Off, annual leave, sick leave and holiday leave benefits will not be earned during unpaid leave of absence.

A request for leave of absence must be in writing and be approved by the Board of Directors. It should state the employee's intent to return to work and an approximate date of return. No leave of absence shall be used for reasons other than those stated in the employees' leave application; further, an employee may not use a leave of absence to seek or perform work with another employer without the prior written consent of the Saginaw Conservation District.

On return, every effort will be made to place the employee in the same position or one of like status and pay. If such is not available, the employee will be eligible for normal termination benefits.

Absences Due to Work-Incurred Injury or Illness

Absences occurring on day of accident or for first medical attention will be excused from work without loss of pay, vacation or sick leave for the period of time required to obtain necessary medical attention. The remainder of the day will be excused without loss of pay, vacation, or sick leave if the attending physician recommends that the employee not return to duty. Necessary travel time is considered as time required to obtain medical attention. If a full-time employee is unable to return to work the employee will be granted physician recommended leave for a maximum period up to one year.

An employee will be excused from work without loss of pay, vacation, or sick leave for the purpose of attending their Worker's Compensation Conference or Hearing. Sick leave will be paid in an amount equal to the portion of the employee's total compensation which is not paid by worker's compensation benefits; however, in no case can the combination of sick and worker's compensation benefits exceed the employee's base pay.

Authorized Office Closures

In the event the NRCS State Office, the Saginaw FSA County Executive Director, or NRCS District Conservationist authorizes closing of the office due to the holiday season, inclement weather, or any other reason, only those employees scheduled for work will be credited for administrative leave. Full-time employees will receive the full authorized amount, part-time employees will be pro-rated, temporary/seasonal employees are entitled to leave but shall not be paid.

Inclement Weather

In the event of inclement weather, employees who are unable to work regularly scheduled hours must account for their time off by taking vacation time or leave without pay. In the event the offices are closed because of inclement weather, regular full-time, regular part-time employees, and grant employees will be given their hourly rate. All employees who are scheduled to work on days when the office is closed due to inclement weather will receive their regular pay for that day.

When travel is considered dangerous due to weather conditions, the employee will be paid as usual. The building Farm Service Agency (FSA) and Natural Resource Conservation Service (NRCS) authorities also reserve the right to delay the start of the work day due to inclement weather. However, one of the following conditions must be met:

1. The USDA office and/or county buildings were closed for the day
2. The roads were impassible due to snow and/or vehicles abandoned.
3. Directives from the County Road Commission to not travel due to dangerous conditions.
4. Closing the office early will also be allowed due to any of the above reasons.

Government Shutdown

In the event of a federal government shutdown, the Saginaw Conservation District will vacate the USDA Service Center according to Natural Resource Conservation Service (NRCS) and Farm Service Agency (FSA) leadership. Conservation District Employees reserve the right to work remotely as directed by the Board of Directors or District Administrator either from home offices or in available office space in a public or private office building. Employees who are unable to work regularly scheduled hours may have to account for their time off by taking vacation time or leave without pay. Should NRCS close the office/building for an indeterminate amount of time the District Board may assign staff to another location or provide authorization for staff to work from home in order to fulfill project/program obligations.

Supervision, Evaluations & Discipline

Office Supervision

It is understood that all District employees will be under the general day-to-day supervision of the District Administrator. The District Administrator will be under the general supervision of the Board Chair. Initiative will be required on the employees' part to schedule program activities to accomplish the goals set forth. The District Administrator has the authority to hire-fire employees with guidance from the Board. Supervisory responsibility for a District employee by NRCS or any other Agency representative is not acceptable or legal.

Performance Evaluations

The Saginaw Conservation District Administrator will conduct a performance evaluation on new employees at the end of each month for the first 3-months of employment. The board will conduct such evaluation for the District Administrator. Annual performance evaluations will be conducted on all employees to assess the employee's performance to determine whether the employee fully satisfies requirements of the position held. Evaluation will consist of a goal/expectation setting in the months of October/November, mid-year review in months of April/May, and final evaluation in months of September/October.

Evaluations will be based on performance standards set for each duty that is developed for the position or determined by the concurrent grant. These standards will be stated in terms of both quantity and quality and will be mutually agreed upon in advance by the employee and the District Administrator.

The District Administrator will conduct performance evaluations and keep the Board advised of the results. An informal discussion with the Administrator may take place prior to the evaluation if requested by either the employee or Administrator. In the case of evaluating the District Administrator, the Board of Directors will carry out the performance evaluation.

Every employee will have the right to an appeal process to resolve grievances, concerns, complaints, or decisions reached during an evaluation.

Work Rules and Disciplinary Action

Employees are expected to observe "common sense" rules of honesty, good conduct, general job interest, safe practices, and to adhere to generally accepted customs of good taste in our relations with each other. In our organization, as in any group with a common purpose, rules are necessary. Occasionally, the District may find it necessary to take disciplinary action against an employee for violating a District rule or regulation. The type of disciplinary action taken, be it in the form of a verbal/written warning or immediate termination, is dependent upon the severity and frequency of the infraction. Implementing disciplinary action does not waive the right to discharge any employee "at will" but is to encourage positive development and behavior.

The types of disciplinary action are:

1. Verbal Warning – A verbal warning is given by the District Administrator in cases where violations are minor in nature, or for an offense normally requiring a written warning being called to an employee's attention the first time. It is a discussion between the District Administrator and employee and should be used to prevent minor problems from growing into major ones. Mentioning of future discipline should be avoided. No record shall be entered into the employee's file; however, a notice of warning will be kept on record during employment. The District Administrator should discuss the problem with the employee and explain why the conduct or performance is unacceptable and why it is important.
2. Written Warning – A written warning is a formal warning given after the repetition of an infraction a verbal warning has been given or for an offense constituting misconduct of a serious

enough nature to use this step for the first offense. It should include a caution to the employee that a repetition of the offense or the continuation of an unsatisfactory condition will result in further disciplinary action, up to and including discharge. Formal counseling need not be preceded by informal counseling. A copy of the formal warning/memorandum will be included in the employee's personnel file. At the employee's request, it may be removed after one year.

3. Discipline – Discipline is intended to be of a positive and developmental nature rather than a punishing procedure. The District Administrator or the Board of Directors will determine discipline and/or discharge with consultation by both parties. Discipline up to and including dismissal will be considered for any of the following reasons. The following list is not to be considered an exhaustive list and other reasons as determined by the Board could result in discipline.
 - Falsifying time cards, personnel records, or any other District records.
 - Unauthorized or inappropriate release of information.
 - Insubordination or refusal to perform assigned duties relating to office or grant work.
 - Theft from fellow employees, District, producers, or associates of the company.
 - Deliberately damaging or attempting to damage District product, property or equipment or that of a contractor, producer, or a fellow employee.
 - Gross negligence of safety practices, which results or could result in serious injury to one's self, fellow workers, or to District property.
 - Failure to properly report accidents and/or injury.
 - Reporting to work or working in an intoxicated or drugged condition or possessing or drinking any alcoholic beverages, intoxicants of any kind or illegal drugs on premises (premises to include District parking areas or in the District vehicle).
 - Unauthorized or reckless operation of District equipment; vehicles, machinery, or tools.
 - Physical or verbal abuse of visitors or other employees.
4. Termination – An employee may be discharged at will (at any time), or upon demonstration that the individual failed to respond to discipline, or when the violation is serious enough to warrant immediate dismissal. It is encouraged to use the least severe discipline necessary to correct the situation. If employee feels that they were terminated unfairly the employee should follow Grievance Procedure Policy.

Grievance Procedure

District employees have a responsibility to serve the public with courtesy, integrity and efficiency. The District and its Board of Directors have a responsibility to protect employees from arbitrary and unfair treatment and to provide a means whereby grievances, appeals from adverse actions, and complaints of discrimination can be presented, heard, and adjudicated on their merits. The District recognizes the right of employees to express their grievances and to seek a solution concerning disagreements arising from working relationships, working conditions, employment practices or differences of interpretation of policy, which might arise between the District and its employees. Board Chair shall act as employee contact and Board liaison for issues related to District Administrator.

Every attempt should be made to resolve complaints and grievances at the lowest possible level on an informal basis. Employees may pursue the following avenues to resolve the complaint or grievance.

- Inform District Administrator of complaint or grievance to discuss and resolve issue. If complaint or grievance is regarding District Administrator, the Board Chair can be informed.
- By conference between the employee, Administrator, and the District Board as appropriate, if unresolved in this manner, proceed to next step.
- The employee shall reduce the grievance to writing within five (5) working days of the grievance and deliver it to the District Administrator. A conference will be held with the

employee, District Administrator, and the Board within ten (10) working days of the receipt of the written grievance.

- Grievances must be taken up promptly and no grievance will be considered or discussed which is presented 15 days after such has happened.
- The employee shall be advised as to his/her rights to an open meeting as provided by state law. If the meeting is to be closed, only those directly involved with the conference and others so designated will be present.
- After discussing the issue with the Board, the District Administrator, and the employee, the Board shall make its recommendation for resolving the issues to the District Administrator and employee. The Board's recommendation will be considered final.

Termination of Employment

The end of an employment relationship with the District will fall within one of the following categories:

1. Resignation - A voluntary termination freely made by the employee for any reason. The Conservation District must be given at least a two-week notice.
2. Mutual Agreement - Whereby both parties think it would be mutually beneficial to end the employment relationship. Under these circumstances, the District sets no termination notice period, and a departure date is informally agreed upon within a reasonable time period.
3. Reduction in Force - Resulting from job elimination due to financial considerations, determined by the District. Any employee so affected will be given a three-week notice period, with reasonable unpaid time off during the notice period for job interviews at the discretion of the District Administrator.
4. At-Will Release - A release of an employee due to general dissatisfaction with their work and ability contribute to the District's success.
5. Unsatisfactory Performance - Failure of an employee to meet performance standards, such as failure to complete tasks in a timely competent way, or failure to maintain and necessary/adequate work period.
6. Misconduct - Involving gross employee behavior on the job, such as refusal to do work reasonably expected, wrongful use or taking of District property, failure to comply with the personnel policy, or conviction of a felony.

Except for termination because of unsatisfactory performance or misconduct, all accrued leave will be paid to the individual according to stated policies. Employees resigning their employment with the District are asked to inform the District Administrator as early as possible, but no later than two (2) weeks before his/her last day. This requirement is waived for employees during their initial probationary period. Payment for accumulated leave will not be paid to an employee if the probationary period is not fulfilled satisfactorily.

Before an employee leaves the District, a termination interview will be scheduled with the Administrator, Board Chairman, and the employee. Its purpose will be as follows:

1. Review employment record and reasons for leaving
2. Review employee benefits on termination
3. Return Conservation District property, e.g. keys, name tags, ID tags, etc.
4. Delivery of final paycheck

Final payments [including payroll, vacation leave (PTO) balance, grant wages balance] shall be withheld until District Administrator can confirm all District property has been returned and all appropriate files, materials, and associated equipment have been left in suitable condition. Items associated with a position, whether funded through the Michigan Department of Agriculture or other funding agency, are considered the property of the District and not the person or position. Removing items or deleting files, such as landowner or project files, are not the responsibility or

right of a District employee. Deleted files and items removed or left in unsuitable condition shall constitute malicious intent and all final payments will be withheld until adequately compensated. Determining compensation may be achieved through monetary retention, mediation, and/or legal action.

Job Abandonment

An employee absent three (3) consecutive scheduled working days without prior approval of, or personal communication with, the District Administrator is considered to have abandoned (voluntarily terminated without notice) his/her position - unless the employee can later demonstrate circumstances beyond his/her control, that made it impossible for him/her to contact the District Administrator.

Employer Responsibilities

Social Security/Medicare

By law the District is responsible to pay 50% of the Social Security and Medicare for each employee and the other 50% is withheld from your paycheck. Contributions to these programs will show up on your paycheck stub under the heading "FICA" and "Medicare".

Workers Compensation Insurance

By law the District is responsible to carry workers compensation insurance on each employee. Workers compensation insurance covers the employee in the event of an injury, illness, or death to the employee while carrying out his or her duties for the District. It provides three basic types of benefits:

- Medical-Hospital care benefits are exactly what they sound like: payments to offset the cost of medical treatment or hospital stays.
- Disability benefits are paid at a specified rate for a stated number of weeks for a partial or total disability. The amount of the weekly benefit is based on average pay, and is the same for partial or total disability, but the total disability benefit is payable for a longer period of time.
- Death benefits include a specified lump-sum amount for funeral expenses, plus weekly payments (based on employee earnings) to the estate.

For short-term absences due to worker's compensation accidents, i.e. less than 7 days, employees may use their sick pay to cover the absence since payment is not forthcoming from worker's compensation unless an employee exceeds the 7-day limit. The regular rule about sick pay applies with one exception. Vacation can be paid for the first day out, to hourly paid employees, and then sick pay would be used.

Withholding Taxes

By law the District is responsible to deduct and for the payment of, any and all withholding taxes to the appropriate governmental agency on behalf of the employee.

Unemployment Insurance

By law the District is responsible to pay the appropriate governmental agency the taxable rate of the gross wages for all employees. If you should become unemployed through no fault of your own or are out of work, you may be covered with cash benefits. The laws of the Employment Security Commission in your state determine the amount of money you receive.

Bonding

The District will provide bonding insurance for those employees who handle District funds.

General Policies

Dress Code and Personal Grooming

Office attire will consist of neat, casual wear with the goal of providing a professional appearance of District personnel. Personal grooming, hygiene and clothing reflect your attitude toward yourself and indicate to the public the expectation of level of service of the Conservation District. It is imperative all clothing be neat, clean, and appropriate for the duties of the individual. Field attire will consist of shirts, long pants, and hard-soled shoes that are consistent with carrying out fieldwork, yet neat in appearance. Shorts may only be worn if activity will entail working in the water and is appropriate for the activity.

Health & Safety

Safety

The Conservation District is committed to protecting the health and safety of every employee but maintaining a safe and healthy working environment requires every employee to comply with all established safety rules. Employees are responsible for assisting the District in establishing and maintaining a safe working environment. Employees are also expected to report any condition that may be unsafe or unhealthy to the District Administrator.

Precautions shall be observed at all times on the job. District employees are required to wear appropriate personal protective equipment for the type of work being performed. The District will furnish hard hats and specialized protective equipment or clothing if required. The District shall be guided by the health and safety standards set forth by the applicable state and federal regulations.

Medical Conditions

If you have a medical condition, such as a severe allergy that could require immediate medical attention, you are encouraged to share this information with the District Administrator, so they can assist you in obtaining urgent medical care if needed. The District Administrator will hold this information in strict confidence.

Injury on The Job

Certain hazards exist by the nature of our business and employees must use good judgment and common sense in dealing with them. Should you be injured on the job, you must report the incident to the District Administrator as soon as possible so that you will receive prompt medical attention. Failure to promptly report an on the job injury could result in your loss of worker's compensation insurance benefits. Employees do not need to contact a supervisor in emergencies.

The Conservation District shall maintain a first aid kit kept in a prominent location in the front office. In case of an injury requiring immediate medical attention, assistance will be given to transport employees to a local medical care provider or hospital emergency room as appropriate. Should the situation result in a worker's compensation claim, the District Administrator will consult with the District's insurer and instruct the employee on how to proceed.

Field Work Safety

Employees are encouraged to take the following precautions to ensure their safety in the field:

- a) Plan with the District Administrator or other staff member your general location and when you plan to return, update changes to the plan as needed, this may be done through online calendar.
- b) Provide the District Administrator with emergency contact information.
- c) Use all appropriate personal protective equipment required for conducting the specific activity. This may require Reviewing MIOSHA standards for safety in the workplace.
- d) Hunting Season – during the months of October through December wear clothing that follows hunter safety guidelines whenever you go into the field. The District will provide this if needed. Field work necessary to be done the first two days of firearm deer season needs to be

under the permission of the District Administrator and/or directly accompanied by the landowner.

- e) Trust your instincts – if there is anything in a landowner’s behavior that causes you concern, do not go into the field or into their home without another staff member.

Open Door & Ethics

Employees are assured freedom from retaliation or discrimination for discussing problems, offering suggestions, asking questions or seeking the review of higher-level supervisor.

This policy emphasizes the special trust and cooperation that must exist between employees and administrators. Problems are best solved when both parties feel free to discuss issues in an open and informal manner. For this reason, the District Administrator will not discuss work-related employee matters with, or in the presence of, other employees or non-District personnel; with exception of discussion with Board to address grievance, harassment, or other policy issue. Board Chair shall act as employee contact and Board liaison for issues related to District Administrator.

Harassment

It is the goal of the District to provide a work environment free of tensions involving matters, which do not relate to the District’s operation. The District strongly disapproves of any form of ethnic, religious or sexual harassment involving any of its employees in the employment relationship. Actions or remarks involving ethnic or religious animosity or conduct of sexual nature will not be tolerated.

Employees without fear of reprisal, have the responsibility to bring any form of harassment to the District Administrator or Board’s attention. The District will investigate complaints concerning harassment promptly and in a confidential manner and the results reviewed with the persons involved. Disciplinary action, up to and including discharge, will be taken against any employee engaging in any form of harassment.

Sexual Harassment

The District is committed to providing a work environment where women and men can work together comfortably and productively, free from sexual harassment. Such behavior is illegal under both State and Federal law and will not be tolerated. This policy applies to all phases of employment including: recruiting, testing, hiring, upgrading, promotion or demotion, transfer, layoff, termination rates of pay, benefits and selection for training, travel, or District social events.

Prohibited sexual harassment includes: unsolicited and unwelcome contact that has sexual overtones including, written contact, verbal contact, physical contact, and visual contact. Offering benefits, such as promotions, favorable performance evaluations, favorable assigned duties or shifts, recommendations for or reclassifications in exchange for sexual favors is forbidden. Sexual harassment does not refer to occasional compliments or other conduct or actions that arise out of a personal or social relationship that are socially acceptable and not intended to have a discriminatory effect on employment.

Any employee bringing a sexual harassment complaint or assisting in investigating such a complaint will not be adversely affected in terms of employment or discriminated against or discharged because of the complaint. Complaints of such retaliation will be promptly investigated and punished. The District is responsible for taking action to effectively deal with all acts of sexual harassment occurring in the workplace or as part of the employment relationship, regardless of the manner in which it becomes aware of the conduct. This includes the acts of supervisory or management personnel, non-management employees and third-parties. If complaint involves the District Administrator, report directly to any Board member. If complaint does not involve the District Administrator, report to District Administrator.

Upon receiving an accusation of sexual harassment against an employee of the District, the District will investigate and, if substantiated, will initiate the appropriate disciplinary procedures. There is a five-year limitation period from the date of occurrence for filing a charge that may lead to discipline.

An individual who makes an accusation of sexual harassment will be informed at the close of the investigation, whether or not disciplinary procedures will be initiated; and any disciplinary procedures, or the discipline imposed, if any.

Use of Drugs, Tobacco, Alcohol

The District expects and requires all employees performing on behalf of, or in, the facility to report to work in, and maintain at all times while at work, an unimpaired and alert physical and mental condition. In order to provide all employees with a safe, healthy and secure work place, the District has adopted the following policy regarding drug and alcohol use and abuse.

It is the policy of the Conservation District to prohibit the use, sale, dispensing or possession of illegal drugs, narcotics and alcoholic beverages on or in company property or during working hours regardless of whether on District property or not. This prohibition also covers all legal or prescription drugs that may impair an employee's ability to perform his/her job. An employee shall not report to work under the influence of any drugs or alcoholic beverages. The use of an illegal drug or controlled substance or the possession of same on or off duty is cause for termination. The sale, trade or delivery of illegal drugs or controlled substances by an employee to another person is cause for termination and for referral to law enforcement authorities. The "occasional," "recreational," or "off-duty" use of illegal drugs will not be excused.

Smoking is prohibited anywhere in the District Office. Smoking is allowed on the premises outside of the office only if the District Office (building and property) is owned by the District. Employees found smoking in unauthorized areas will be subject to discipline, up to and including discharge.

Supplemental Employment

Supplemental employment that could be considered conflict of interest is discouraged. The employee shall provide these circumstances to the Board for review. If approved, such supplemental employment shall not interfere with the employee's District responsibilities either directly or indirectly.

Gifts

Employees shall not accept gifts for themselves, excessive entertainment, or other favors from vendors attempting to or providing service or products to the District. This does not preclude the acceptance of gifts for group use of a nominal amount (\$20.00 value) offered in the spirit of the season or in respect of friendship for group distribution or consumption.

Confidential Information

While performing duties at the District, employees may have access to information which is confidential. No employee is permitted to reveal or discuss anywhere, or at any time, any information which may be confidential.

Solicitation

Solicitation and distribution of literature, catalogs, merchandise, etc. by employees is prohibited during scheduled work time and or in work areas. Similar activity is completely prohibited by non-employees in the building or on the grounds, as per policies of the USDA-NRCS.

Searches of District Property

The District Administrator reserves the right to search all areas of the District office, including desks, files, containers, storage room and items, outside grounds, lockers, district vehicles parked in the parking lot, computers and their contents. All information on District computers is considered District

property. The District Administrator may not search an employee's body, clothes, purse, wallet, vehicle, or private file (files either electronic or hard copy must be marked as "personal" or "private").

Doing District Work at Home

District employees may be allowed to do work from home, when appropriate or for unusual circumstances. This requires prearrangement with District Administrator or the Board of Directors.

Telephones/faxes/e-mails/internet

The sole purpose of the District's office equipment is to conduct District business. Personal use of office equipment is not allowed without the consent of the District Administrator; and each employee must utilize good judgment in keeping personal interruptions to a minimum. Personal use of equipment should be made at break and meal times and limited as this time is intended for work related discussion as well as relaxation. Long distance calls may not be charged to District phones without written permission from the District Administrator.

Visitors and Guests

Visitors will not be allowed at the District Office except for District sponsored tours or with permission from the District Administrator. All employees are accountable for the actions and safety of their personal visitors; and any disruption or problems such visitors may cause to individual work activities or other staff. It is the sole responsibility of the employee to see that his/her guests follow all rules including the rules of this Policy Manual. Non-adherence to any portion of this policy will result in disciplinary action up to and including termination of employment.

Personal Information

It is very important for you that the District has your correct personal information at all times. Report any changes immediately to the District Administrator. This is important to you for several reasons such as reaching you or your family in case of any emergency or mailing important personal messages to you (i.e. W-2 tax form) at the beginning of the year so you may file your income tax return. All employee information will be regarded as confidential, and careful consideration will be given to ensuring this confidentiality unless law requires disclosure. Information in your personnel file is not to be released without written authorization from the employee. This basic information should include:

- Name:
- Address:
- Phone:
- Social Security #:
- Family member to call in case of emergency; Name & Phone:
- Local person to call in case of emergency; Name & Phone:
- Allergies:

District FOIA Policy

Statement of Principles

It is the policy of the Saginaw Conservation District that all persons, except those incarcerated, consistent with the Michigan Freedom of Information Act (FOIA), are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees. The people shall be informed so that they fully participate in the democratic process.

The District's policy with respect to FOIA requests is to comply with State law in all respects and to respond to FOIA requests in a consistent, fair, and even-handed manner regardless of who makes such

a request. The District acknowledges that it has a legal obligation to disclose all nonexempt public records in its possession pursuant to a FOIA request. The District acknowledges that sometimes it is necessary to invoke the exemptions identified under FOIA in order to ensure the effective operation of government and to protect the privacy of individuals. Livingston District will protect the public's interest in disclosure, while balancing the requirement to withhold or redact portions of certain records. The District's policy is to disclose public records consistent with and in compliance with State law. The District Board of Directors has established the following written procedures and guidelines to implement the FOIA and will create a written public summary of the specific procedures and guidelines relevant to the general public regarding how to submit written requests to the public body and explaining how to understand a public body's written responses, deposit requirements, fee calculations, and avenues for challenge and appeal. The written public summary will be written in a manner so as to be easily understood by the general public.

General Policies

The District Board of Directors, designates the District Administrator as the FOIA Coordinator. They are authorized to designate other district staff to act on her behalf to accept and process written requests for the District's public records and approve denials. If a request for a public record is received by fax or email, the request is deemed to have been received on the following business day. If a request is sent by email and delivered to a District's spam or junk-mail folder, the request is not deemed received until one day after the FOIA Coordinator first becomes aware of the request. The FOIA Coordinator shall note in the FOIA log both the date the request was delivered to the spam or junk-mail folder and the date the FOIA Coordinator became aware of the request.

The FOIA Coordinator shall work with Information Technology staff to develop administrative rules for handling spam and junk-mail so as to protect District systems from computer attacks which may be imbedded in an electronic FOIA request.

The FOIA Coordinator may, in their discretion, implement administrative rules, consistent with State law and these FOIA Procedures and Guidelines to administer the acceptance and processing of FOIA requests. The District is not obligated to create a new public record or make a compilation or summary of information which does not already exist. Neither the FOIA Coordinator nor other District staff are obligated to provide answers to questions contained in requests for public records or regarding the content of the records themselves. The FOIA Coordinator shall keep a copy of all written requests for public records received by the District on file for a period of at least one year. The District will make this FOIA Procedures and Guidelines document and the Written Public Summary of FOIA Procedures and Guidelines publicly available without charge. If it does not, the District cannot require deposits or charge fees otherwise permitted under the FOIA until it is in compliance. A copy of this FOIA Procedures and Guidelines document and the District's Written Public Summary of FOIA Procedures and Guidelines must be publicly available by providing free copies both in the District's response to a written request and upo District's Written Public Summary of FOIA Procedures and Guidelines will be maintained as hard copies at the District Offices.

Requesting a Public Record

No specific form to submit a request for a public record is required. However, the FOIA Coordinator may make available a FOIA Request Form for use by the public. Requests to inspect obtain copies of public records prepared, owned, used, possessed or retained by the District may be submitted on the District's FOIA Request Form, in any other form of writing (letter, fax, email, etc.). A request must sufficiently describe a public record so as to enable District personnel to identify and find the requested public record. Written requests for public records may be submitted in person or by mail to any District office. Requests may also be submitted electronically by fax and email. Upon their receipt, requests for public records shall be promptly forwarded to the FOIA Coordinator for processing. A person may request that public records be provided on non-paper physical media, emailed or other

otherwise provided to him or her in digital form in lieu of paper copies. The District will comply with the request only if it possesses the necessary technological capability to provide records in the requested non-paper physical media format. A person may subscribe to future issues of public records that are created, issued or disseminated by the District on a regular basis. A subscription is valid for up to 6 months and may be renewed by the subscriber. A person serving a sentence of imprisonment in a local, state or federal correctional facility is not entitled to submit a request for a public record. The FOIA Coordinator will deny all such requests.

Processing a Request

Unless otherwise agreed to in writing by the person making the request, the District will issue a response within 5 business days of receipt of a FOIA request. If a request is received by fax, email or other electronic transmission, the request is deemed to have been received on the following business day.

The District will respond to a request in one of the following ways: a request by visitors at District offices. This FOIA Procedures and Guidelines document and the

- Grant the request.
- Issue a written notice denying the request.
- Grant the request in part and issue a written notice denying in part the request.
- Issue a notice indicating that due to the nature of the request the District needs an additional 10 business days to respond for a total of no more than 15 business days. Only one such extension is permitted.

When a request is granted:

If the request is granted, or granted in part, the FOIA Coordinator will require that payment be made in full for the allowable fees associated with responding to the request before the public record is made available. The FOIA Coordinator shall provide a detailed itemization of the allowable costs incurred to process the request to the person making the request. A copy of these FOIA Procedures and Guidelines and the Written Public Summary of FOIA Procedures and guidelines will be provided to the requestor free of charge with the response to a written request for public records. If the cost of processing a FOIA request is \$50 or less, the requester will be notified of the amount due and where the documents can be obtained. If the cost of processing a FOIA request is expected to exceed \$50 based on a good-faith calculation, or if the requestor has not paid in full for a previously granted request, the District will require a good-faith deposit pursuant to Section 4 of this policy before processing the request.

In making the request for a good-faith deposit the FOIA Coordinator shall provide the requestor with a detailed itemization of the allowable costs estimated to be incurred by the District to process the request and also provide a best effort estimate of a time frame it will take the District to provide the records to the requestor. The best efforts estimate shall be nonbinding on the District but will be made in good faith and will strive to be reasonably accurate, given the nature of the request in the particular instance, so as to provide the requested records in a manner based on the public policy expressed by Section I of the FOIA.

When a request is denied or denied in part:

If the request is denied or denied in part, the FOIA Coordinator will issue a Notice of Denial which shall provide in the applicable circumstance:

- An explanation as to why a requested public record is exempt from disclosure; or
- A certificate that the requested record does not exist under the name or description provided by, or another name reasonably known by the District; or
- An explanation or description of the public record or information within a public record that is separated or deleted from the public record; and

- An explanation of the person's right to submit an appeal of the denial to either the District Board of Directors, or seek judicial review in the Saginaw County Circuit Court; and
- An explanation of the right to receive attorneys' fees, costs, and disbursements as well actual or compensatory damages, and punitive damages of \$1,000, should they prevail in Circuit Court.
- The Notice of Denial shall be signed by the FOIA Coordinator. If a request does not sufficiently describe a public record, the FOIA Coordinator may, in lieu of issuing a Notice of Denial indicating that the request is deficient, seek clarification or amendment of the request by the person making the request. Any clarification or amendment will be considered a new request subject to the timelines described in this Section.

Requests to inspect public records:

The District shall provide reasonable facilities and opportunities for persons to examine and inspect public records during normal business hours. The FOIA Coordinator is authorized to promulgate rules regulating the manner in which records may be viewed so as to protect District records from loss, alteration, mutilation or destruction and to prevent excessive interference with normal District operations.

Requests for certified copies:

The FOIA Coordinator shall, upon written request, furnish a certified copy of a public record at no additional cost to the person requesting the public record.

Fee Deposits

If the fee estimate is expected to exceed \$50.00 based on a good-faith calculation, the requestor will be asked to provide a deposit not exceeding one-half of the total estimated fee. If a request for public records is from a person who has not paid the District in full for copies of public records made in fulfillment of a previously granted written request, the FOIA Coordinator will require a deposit of 100% of the estimated processing fee before beginning to search for a public record for any subsequent written request by that person when all of the following conditions exist:

- The final fee for the prior written request is not more than 105% of the estimated fee;
- The public records made available contained the information sought in the prior written request and remain in the District's possession;
- The public records were made available to the individual, subject to payment, within the time frame estimated by the District to provide the records;
- Sixty (60) days have passed since the FOIA Coordinator notified the individual in writing that the public records were available for pickup or mailing;
- The individual is unable to show proof of prior payment to the District; and The FOIA Coordinator has calculated a detailed itemization that is the basis for the current written request's increased estimated fee deposit.
- The FOIA Coordinator will not require an increased estimated fee deposit if any of the following apply:
 - The person making the request is able to show proof of prior payment in full to the District;
 - The District is subsequently paid in full for the applicable prior written request; or
 - Three hundred sixty-five (365) days have passed since the person made the request for which full payment was not remitted to the District.

Calculation of Fees

A fee may be charged for the labor cost of copying/duplication. A fee will not be charged for the labor cost of search, examination, review and the deletion and separation of exempt from nonexempt information unless failure to charge a fee would result in unreasonably high costs to the District because of the nature of the request in the particular instance, and the District specifically identifies

the nature of the unreasonably high costs. Costs for the search, examination review, and deletion and separation of exempt from non-exempt information are "unreasonably high" when they are excessive and beyond the normal or usual amount for those services compared to the costs of the District's usual FOIA requests, not compared to the District's operating budget. The following factors shall be used to determine an unreasonably high cost to the District:

- Volume of the public record requested
- Amount of time spent to search for, examine, review and separate exempt from non-exempt information in the record requested.
- The available staffing to respond to the request.
- Any other similar factors identified by the FOIA Coordinator in responding to the particular request. The Michigan FOIA statute permits the District to charge for the following costs associated with processing a request:
 - Labor costs associated with copying or duplication, which includes making paper copies, making digital copies, or transferring digital public records to non-paper physical media or through the Internet.
 - Labor costs associated with searching for, locating and examining a requested public record, when failure to charge a fee will result in unreasonably high costs to the District.
 - Labor costs associated with a review of a record to separate and delete information exempt from disclosure, when failure to charge a fee will result in unreasonably high costs to the District. The cost of copying or duplication, not including labor, of paper copies of public records. This may include the cost for copies of records already on the District's website if you ask for the District to make copies.
 - The cost of computer discs, computer tapes or other digital or similar media when the requester asks for records in non-paper physical media. This may include the cost for copies of records already on the District's website if you ask for the District to make copies.
 - The cost to mail or send a public record to a requestor. Labor costs will be calculated based on the following requirements:
 - All labor costs will be estimated and charged in 15-minute increments, with all partial time increments rounded down. If the time involved is less than 15 minutes, there will be no charge. Labor costs will be charged at the hourly wage of the lowest-paid District employee capable of doing the work in the specific fee category, regardless of who actually performs work.
 - Labor costs will also include a charge to cover or partially cover the cost of fringe benefits.
 - The District may add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits, but in no case may it exceed the actual cost of fringe benefits. Overtime wages will not be included in labor costs unless agreed to by the requestor; overtime costs will not be used to calculate the fringe benefit cost.
 - Contracted labor costs will be charged at the hourly rate of \$48.90 (6 times the state minimum hourly wage). The cost to provide records on non-paper physical media when so requested will be based on the following requirements:
 - Computer disks, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.
 - This cost will only be assessed if the District has the technological capability necessary to provide the public record in the requested non-paper physical media format.
 - The District will procure any non-paper media and will not accept media from the requestor in order to ensure integrity of the District's technology infrastructure. The cost to provide paper copies of records will be based on the following requirements:
 - Paper copies of public records made on standard letter (8 ½" x 11") or legal (8 ½" x 14") sized paper will not exceed \$.10 per sheet of paper. Copies for non-standard sized sheets of paper will reflect the actual cost of reproduction.

- The District will provide records using double-sided printing, if it is cost-saving and available.

The cost to mail records to a requestor will be based on the following requirements:

- The actual cost to mail public records using a reasonably economical and justified means.
- The District may charge for the least expensive form of postal delivery confirmation.
- No cost will be made for expedited shipping or insurance unless specified by the requestor.
- If the FOIA Coordinator does not respond to a written request in a timely manner, the District must:
 - Reduce the labor costs by 5% for each day the District exceeds the time permitted under FOIA up to a 50% maximum reduction, if any of the following applies:
 - The District's late response was willful and intentional,
 - The written request conveyed a request for information within the first 250 words of the body of a letter facsimile, email or email attachment, or
 - The written request included the words, characters, or abbreviations for "freedom of information," "information," "FOIA," "copy" or a recognizable misspelling of such, or legal code reference to MCL 15. 231, et seq. or 1976 Public Act 442 on the front of an envelope or in the subject line of an email, letter or facsimile cover page.
- Fully note the charge reduction in the Detailed Itemization of Costs Form.

Waiver of Fees

The cost of the search for and copying of a public record may be waived or reduced if in the sole judgment of the FOIA Coordinator a waiver or reduced fee is in the public interest because it can be considered as primarily benefitting the general public. The District Board of Directors may identify specific records or types of records it deems should be made available for no charge or at a reduced cost.

Discounted Fees

Indigence

The FOIA Coordinator will discount the first \$20.00 of the processing fee for a request if the person requesting a public record submits an affidavit stating that they are:

- Indigent and receiving specific public assistance, or
- If not receiving public assistance, stating facts demonstrating an inability to pay because of indigence. An individual is not eligible to receive the waiver if:
- The requestor has previously received discounted copies of public records from the District twice during the calendar year; or
- The requestor requests information in connection with other persons who are offering or providing payment to make the request. An affidavit is sworn statement. The FOIA Coordinator may make a Fee Waiver Affidavit Form available for use by the public.

Nonprofit organization advocating for developmentally disabled or mentally ill individuals

The FOIA Coordinator will discount the first \$20.00 of the processing fee for a request from:

- A nonprofit organization formally designated by the state to carry out activities under subtitle C of the federal developmental disabilities assistance and bill of rights act of 2000, Public Law 106-402, and the protection and advocacy for individuals with mental illness act, Public Law 99- 319, or their successors, if the request meets all of the following requirements:
 - Is made directly on behalf of the organization or its clients.
 - Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the mental health code, 1974 PA 258, MCL 330.1931.

- Is accompanied by documentation of its designation by the state, if requested by the public body.

Appeal of a Denial of a Public Record

When a requestor believes that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, he or she may appeal to the District Board of Directors, by filing an appeal of the denial with the office of the District Board of Directors. The appeal must be in writing, specifically state the word "appeal" and identify the reason or reasons the requestor is seeking a reversal of the denial. The District FOIA Appeal Form (To Appeal a Denial of Records), may be used. The District Board of Directors is not considered to have received a written appeal until the first regularly scheduled District Board of Directors meeting following submission of the written appeal. Within 10 business days of receiving the appeal the District Board of Directors will respond in writing by:

- Reversing the disclosure denial;
- Upholding the disclosure denial; or
- Reverse the disclosure denial in part and uphold the disclosure denial in part; or
- Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the District Board of Directors shall respond to the written appeal. The District Board of Directors shall not issue more than 1 notice of extension for a particular written appeal. If the District Board of Directors fails to respond to a written appeal, or if the District Board of Directors upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action in Circuit Court. Whether or not a requestor submitted an appeal of a denial to the District Board, he or she may file a civil action in Livingston Saginaw District Circuit Court within 180 days after the District's final determination to deny the request. If a court that determines a public record is not exempt from disclosure, it shall order the District to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Failure to comply with an order of the court may be punished as contempt of court. If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in such an action, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or District prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. If the court determines that the District has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the District to pay a civil fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

Appeal of an Excessive FOIA Processing Fee

"Fee" means the total fee, or any component of the total fee calculated under section 4 of the FOIA, including any deposit. If a requestor believes that the fee charged by the District to process a FOIA request exceeds the amount permitted by state law or under this policy, he or she must first appeal to the District Board of Directors. by submitting a written appeal for a fee reduction to the office of the District Board of Directors. The appeal must be in writing, specifically state the word "appeal" and identify how the required fee exceeds the amount permitted. The District FOIA Appeal Form (To Appeal an Excess Fee) may be used. The District Board of Directors is not considered to have received a written appeal until the first regularly scheduled District Board of Directors meeting following

submission of the written appeal. Within 10 business days after receiving the appeal, the District Board of Directors will respond in writing by:

- Waiving the fee;
- Reducing the fee and issuing a written determination indicating the specific basis that supports
- the remaining fee;
- Upholding the fee and issuing a written determination indicating the specific basis that supports the required fee; or
- Issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the District Board of Directors will respond to the written appeal. The District Board of Directors shall not issue more than 1 notice of extension for a particular written appeal. Where the District Board of Directors reduces or upholds the fee, the determination must include a certification from the District Board of Directors that the statements in the determination are accurate and that the reduced fee amount complies with its publicly available procedures and guidelines and Section 4 of the FOIA. Within 45 days after receiving notice of the District Board's determination of an appeal, the requesting person may commence a civil action in Livingston District Circuit Court for a fee reduction. If a civil action is commenced against the District for an excess fee, the District is not obligated to complete the processing of the written request for the public record at issue until the court resolves the fee dispute. An action shall not be filed in circuit court unless one of the following applies:
 - The District does not provide for appeals of fees,
 - The District Board of Directors failed to respond to a written appeal as required, or
 - The District Board of Directors issued a determination to a written appeal.

If a court determines that the District required a fee that exceeds the amount permitted under its publicly available procedures and guidelines or Section 4 of the FOIA, the court shall reduce the fee to a permissible amount. Failure to comply with an order of the court may be punished as contempt of court. If the requesting person prevails in court by receiving a reduction of 50% or more of the total fee, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages. If the court determines that the District has arbitrarily and capriciously violated the FOIA by charging an excessive fee, the court shall order the District to pay a civil fine of \$500.00, which shall be deposited in the general fund of the state treasury. The court may also award, in addition to any actual or compensatory damages, punitive damages in the amount of \$500.00 to the person seeking the fee reduction. The fine and any damages shall not be assessed against an individual but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

Conflict with Prior FOIA Policies and Procedures; Effective Date

To the extent that these FOIA Procedures and Guidelines conflict with previous FOIA policies promulgated by District Board of Directors or the District Administration these FOIA Procedures and Guidelines are controlling. To the extent that any administrative rule promulgated by the FOIA Coordinator subsequent to the adoption of this resolution is found to be in conflict with any previous policy promulgated by the District Board of Directors or the District Administration, the administrative rule promulgated by the FOIA Coordinator is controlling. To the extent that any provision of these FOIA Procedures and Guidelines or any administrative rule promulgated by the FOIA Coordinator pertaining to the release of public records is found to be in conflict with any State statute, the applicable statute shall control. The FOIA Coordinator is authorized to modify this policy and all previous policies adopted by the District Board of Directors or the District Administration, and to adopt such administrative rules as he or she may deem necessary, to facilitate the legal review and

processing of requests for public records made pursuant to Michigan's FOIA statute, provided that such modifications and rules are consistent with State law. The FOIA Coordinator shall inform the District Board of Directors of any change these Policies and Guidelines. These FOIA Policies and Guidelines become effective July 1, 2015.

**FOIA Request Form
Saginaw Conservation District**

Name:		Date:	
Address:			
Email:		Phone:	
Information Requested:			
Please circle one: photocopies or electronic files			
For Conservation District Staff Use Only			
Request Date:	Received by:	Estimated Cost:	
Deposit: \$	Payment Method:	Receipt #:	
Date Information Provided:		Format Provided:	
Labor			
# of Hours:	Hourly Rate:	Total Labor:	
Photocopies			
# of Copies:	Cost per Copy:	Total Copies:	
Mileage			
# of Miles:	Cost per Mile:	Total Mileage:	
Other			
		Postage:	
		Subtotal:	
		Less Deposit:	
		Balance Due:	

Summary and Final Word

This Manual has been compiled to inform you of company practices, policies, and benefits. Please read each section to the Manual carefully. Use the policies and principles within as a guide in the performance of your duties.

Policy Adoption and Administration

The Saginaw Conservation District Board is responsible for approval, implementation, and subsequent amendment of this policy. The District personnel shall review these policies and procedures annually and recommend to the Board any amendments to them and recommend actions.

These policies were adopted on: December 19, 2018

Board Chairman:

Rachel Chambers

Vice-Chairman:

I. L. E. P.

Secretary/Treasurer:

Marcia Ekada

Director:

David D. S. S.

Director:

Ed C. Meisel III