

**'Norvell Township Ethics Policy'
&
'Norvell Township Purchasing Policy &
Procedures' Violations Complaint
Against Clerk Jeff Oswalt**

Submitted by

Matt Dame

02/14/2024

'Norvell Township Ethics Policy' (NTEP) and 'Norvell Township Purchasing Policy & Procedures' (NTPPP) Violations Complaint

Since there are no official forms available to the public for filing a 'Norvell Township Ethics Policy Violation Complaint' (EPVC) of an elected official or employee of Norvell Township, or for filing a 'Purchasing Policy and Procedures Complaint', I declare this document as my official 'Norvell Township Ethics Policy Violation Complaint' (EPVC) and 'Purchasing Policy and Procedures Complaint' (PPPC) against Clerk Jeff Oswalt. The following documentation will describe the policy violations committed by Clerk Oswalt.

Norvell Township Ethics Policy Violation Complaint and Purchasing Policy and Procedures Complaint filed against Clerk Jeff Oswalt submitted by Matt Dame, on February 14, 2024.

Signed: _____
Matt Dame

The INTRODUCTION and PURPOSE of the NTEP states:

Township of Norvell
County of Jackson, State of Michigan
Norvell Township Ethics Policy

INTRODUCTION: Public Office is a public trust. Any democracy requires public confidence in the integrity of the government. Persons in public service must recognize that a moral commitment to do the right thing is necessary. Characteristics like honesty, loyalty, fairness, promise keeping, accountability, respect for others and integrity do not depend on one's situation. Such characteristics are expected by and of the Township Board of Trustees, employees and appointees at all times.

PURPOSE: The purpose of this Code of Ethics is to provide practical guidelines for ethical decision-making and to encourage ethical behavior from township representatives responsible to the citizens of Norvell Township. The Norvell Township Code of Ethics serves to emphasize the public has recourse through local ordinances, municipal, State and Federal laws for unethical actions of all township representatives whether they are appointed, elected, employed full or part-time. The decisions and actions of all township representatives (appointed, elected, full, or part-time) should be in the best interest of the township and be free from the influence of outside or conflicting interests. This policy is to encourage representatives to act in the best interest of Norvell Township and the citizens of Norvell Township and to avoid the appearance of impropriety.

Clerk Oswalt Violation #1 & #2

Supervisor Sutherland failed to get Board approval to seek legal counsel for the invoiced actions, namely 'removal of an elected official' and the 'removal of a planning commissioner'. Supervisor Sutherland failed to follow the 'Purchasing Policy and Procedures' when incurring legal fees in the sum of \$1,472.00 regarding the 'removal of an elected official' and the 'removal of a planning commissioner', again, without board consent to pursue or pay for this action. This conduct constitutes overall malfeasance by the supervisor.

Malfeasance, because the Supervisor Sutherland knew he was conducting this action without Board consent, and without following the 'Norvell Township Purchasing Policy and Procedures', and without notifying the entire Board of all the information received by legal counsel.

Supervisor Sutherland's conduct is a violation of the people's trust and a violation of the Supervisor's fiducial responsibility. Additionally, the legal response distributed by Supervisor Sutherland to former Trustee Dame, only after Trustee Dame requested it, consisted of information that could easily be found within minutes through a simple Google search citing the Planning and Enabling Act, and MCL. This legal opinion should have been distributed to the entire board upon receipt. The money spent on this pursuit was a huge waste of township taxpayer resources. If Supervisor Sutherland wanted to find out how to remove former Trustee Dame from elected office, or remove a planning commissioner, he could have consulted the Michigan Township Association's legal consultants at no additional charge first and/or paid for his own legal counsel out of his own pocket.

Clerk Oswalt was aware of Supervisor Sutherland's policy and procedural violations and did nothing to alert the entire Board. The handwritten notes on the Foster Swift invoice are Clerk Oswalt's notes. Hiding the indiscretions of the Supervisor from the Board equates to complicity, thus shared guilt.

(See Exhibit A, Foster Swift Invoice Dated March 23, 2023)

VIOLATION #1: Norvell Township Purchasing Policy and Procedures, Section 3 Procurement Procedures, Item b. Purchases from \$501.00 to \$5,000.00: Must be approved by the township board prior to purchase.

VIOLATION #2: Willful neglect and disregard for the spirit and intent of the Norvell Township Ethics Policy as described in the Introduction and Purpose of the Norvell Township Ethics Policy, thus violating the public trust in their local government.

REQUEST

I request to be informed of what the process for 'Due Process' is in this matter AND the disciplinary outcome for the violations perpetrated by Supervisor Sutherland as outlined in this complaint. Please email any and all updates regarding this matter to Matt Dame at Info@AbsoluteComm.com .

FOSTER SWIFT

FOSTER SWIFT COLLINS & SMITH PC || ATTORNEYS

313 S. Washington Square Lansing MI 48933
 P: 517.371.8100 F: 517.371.8200
 Tax ID #38-1904703

Page 3

BILLING ATTORNEY LAURA J. GENOVICH
 INVOICE # 854644
 CLIENT # 86975

MARCH 23, 2023

DATE	TKPR	DESCRIPTION OF SERVICES	HOURS	AMOUNT
02/21/23	SJG	REVISE MEMORANDUM RE: REMOVAL FROM OFFICE.	2.10	483.00
02/22/23	LJG	REVIEW DRAFT MEMO RE: MEMBER REMOVAL; CORRESPONDENCE WITH S. GABIS	0.30	69.00
02/22/23	SJG	REVISE MEMORANDUM RE: REMOVAL FROM OFFICE.	1.10	253.00
02/23/23	SJG	FINALIZE MEMORANDUM RE: REMOVAL OF PC MEMBER FROM OFFICE.	2.50	575.00
02/28/23	LJG	REVISIONS TO MEMO ON REMOVAL OF PC MEMBER	0.40	92.00
TOTAL PROFESSIONAL SERVICES			19.80	4,554.00

TIMEKEEPER SUMMARY

TIMEKEEPER	HOURS	RATE	AMOUNT
SJG SARAH J. GABIS	11.00	\$230.00	2,530.00
LJG LAURA J. GENOVICH	5.80	\$230.00	1,334.00
JLH JULIE L. HAMLET	0.80	\$230.00	184.00
MMJ MINDI M. JOHNSON	0.40	\$230.00	92.00
AMS ANNE M. SEURYNCK	1.80	\$230.00	414.00
TOTAL	19.80		4,554.00

CURRENT MATTER TOTAL 4,554.00