

**'Norvell Township Ethics Policy'
&
'Norvell Township Purchasing Policy &
Procedures' Violations Complaint
Against Supervisor Bill Sutherland**

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 Supervisor William (Bill) Sutherland. The following documentation will describe the policy violations committed by Supervisor Sutherland.

Norvell Township Ethics Policy Violation Complaint and Purchasing Policy and Procedures Complaint filed against Supervisor William (Bill) Sutherland 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.

Supervisor Sutherland 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.

(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.

Supervisor Sutherland Violation #3

In his column, 'From the supervisor's desk', published in the Brooklyn Exponent on September 6, 2022, Supervisor Sutherland provided misinformation to the public at large, specifically regarding a Township's financial responsibility as it relates to Primary Road repair.

(See Exhibit B, From the supervisor's desk, The Exponent Newspaper, September 6, 2022, Page 5A)

This misinformation was pointed out to Supervisor Sutherland on various occasions. Supervisor Sutherland made no effort to correct the public record regarding his misunderstanding of the facts as they pertain to primary road repair. People make mistakes, but when a mistake is pointed out and no action is taken to correct a mistake for the public record, that mistake becomes a lie. Not correcting this error was blatantly dishonest and unethical. Stating falsehoods in a local newspaper violated the NTEP, thus desecrating the public trust, public confidence and integrity of Norvell Township government.

VIOLATION #3: 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.

Supervisor Sutherland Violation #4

Supervisor Sutherland uses his township title in his reoccurring series, 'From the supervisor's desk', published in the Brooklyn Exponent. Supervisor Sutherland did not provide a disclaimer that the opinions expressed were solely his own, and not that of the Norvell Township Board. He used his official title in this article without a disclaimer and thus created an impression that the entire Board supported the falsehoods within. As a result, Supervisor Sutherland created a mischaracterization of the full Board's understanding of this issue, which was wrong. If Supervisor Sutherland is going to use his official elected title when writing and submitting unsolicited opinions to media outlets, he should let the Board review his article for approval before submission.

VIOLATION: Standards of Ethical Conduct, Section II, B. (NTEP Excerpt)

B. A public officer, contractor, employee or volunteer shall not represent his or her personal opinion as that of the township.

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 .

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

From the supervisor's desk

Addressing the worst roads

Recently, Norvell Township consulted with the Jackson County Department of Transportation (JCDOT) to develop a plan where we could address the worst sections of roads in the Township to get the "biggest bang for the buck" utilizing "skip paving." They presented us with a plan based on usage of the road, complaints as well as physical inspection.



I spoke with our Jackson County Commissioner, Phil Duckham, prior to the board acting on this issue and he endorsed this plan saying that by preserving the integrity of the roads, we can reduce costs down the line.

At the August 17, 2022, Board of Trustees Meeting, the Norvell Township Board voted to allocate \$49,000 of the approximately \$314,000 of ARPA (American Rescue Plan Act) funds that the township received for repairs to primary roads in Norvell Township per the plan presented by JCDOT. JCDOT is doing the work for just the cost of the HMA (Hot Mix Asphalt) instead of the usual 70/30 split (70 percent township/30 percent county) that we would be charged. The timing of the repairs is uncertain due to us getting our

request to them so late in the year.

The thought with this action is to see what we can accomplish with these funds. Come back next year, re-evaluate, and see if there are other areas we need to target.

(Sharon Valley was not addressed in this plan. Jackson County is trying to secure funding for the work on that road. If they are unsuccessful, we can take action on it at a later date.)

To be clear, we do not have the funds to repair all the roads in Norvell Township. Out of the \$5.6 million dollars that the township collected in taxes in 2021, only \$113,000 went into the township's general fund. That equates to 2 percent of collected revenue.

However, we felt that we should try to address the worst roads that have the highest traffic volumes and that will benefit the township as a whole.

I believe that this action demonstrates that the Norvell Township Board of Trustees is listening to you and doing our best to address your concerns with the resources available.

Bill Sutherland
Supervisor, Norvell Township

Source: Brooklyn Exponent, September 6, 2022, Page 5A.