

SUPERVISOR COMMENTS EARLY EDITION SEPTEMBER 3, 2019

Over the last few months, some have expressed concern that the Sims Township Board is trying to somehow tap dance around the requirements of the Enabling Act (MPEA). Nothing could be further from the truth. When we ran for office, we promised transparency and that's what all the residents of Sims are getting from this board.

According to counsel, the law on incompatible offices is so vague and has so many exceptions and variables, that it is difficult to figure out. There are always going to be people that view it differently and that's what was happening and is the reason we sought clarification.

At one point we were given information from MTA that allowed the activity of having a Deputy Ordinance Enforcement Officer township employee – in this case, Mike Fil – also be a member of the Planning Commission. However, MPEA trumps the MTA, so the Sims Board needed something more definitive and understandable within the MPEA itself.

On the advice of our legal counsel - Gary Campbell - it was determined that Mike is, in fact, a Deputy Ordinance Enforcement Officer under MPEA guidelines and as such, the position is spelled out under state law. Since Mike was appointed to this position by the township board, this becomes the exception to the Enabling Act ruling regarding an employee. Mike is not an employee as defined under Michigan law, but an appointed deputy officer of the township under state law. Mike receives a stipend for his duties, much like the other officers in the township. MTA was on a similar trajectory as MPEA originally, but failed to clarify the employee aspect, which is critical to our understanding and caused confusion.

Hopefully this clarifies the matter and we look forward to Mike becoming a valued member of the Sims Planning Commission.

Bob Mackie ...
Sims Township Supervisor
989-646-0200