

## THE TOWNSHIP BOARD AS POLICYMAKER

The township board is the major policymaking board because it consists of the principal elected officials of the township and because the board has the broadest range of authority to set policies. It is the township board to which the state legislature has given the authority to exercise the legislative or ordinance-making function. The township board acts on personnel rules, the budget, questions of bonding, intergovernmental and commercial contracts, decisions to have its own police department or contract with the county sheriff, and a variety of other matters that make up the formal policy actions. In addition, the township board is the major policymaking body in the township because citizens see it as being such. When citizens want to have something done or keep something from happening, they usually look to the township board as the body to make the decision and state the policy.

Although the township board is the major policy center, it is not the only policy center. Township government has other groups with formal policymaking roles. Some of these bodies can act with final authority in limited areas; others, however, must have their decisions approved by the township board. But even when the township board must review and approve a proposed action, the other policy groups often have a substantial influence in making policy.

Another reason the township board is only the major one of several policymaking bodies has to do with forces outside the township government itself. State government, for example, may require a specific policy action. Or the county road commission or county tax allocation board may issue certain decisions that limit township board actions. And, of course, the residents, either through the annual meeting or by petition, referendum, or threat of recall, may establish or at least affect policy.

### COMPOSITION OF THE TOWNSHIP BOARD

All township boards include three township officers – the supervisor, clerk, and treasurer. In addition, general law townships have either two or four trustees<sup>1</sup> while charter township boards always have four trustees.<sup>2</sup> Together they constitute the township board, the township's legislative body. Each member has one vote and when it comes to voting on a question, each vote is of equal weight.

Whether a general law township has two or four trustees depends upon the population of the township and citizen approval. Only general law townships with an official population of at least 5,000, or more than 3,000 registered voters (at the close of registration preceding the November election), may choose to have four trustees; smaller townships may have only two. Voters decide the question of enlarging the township board by two trustees in a November election or at an annual meeting of the electors.<sup>3</sup> When a township officially reaches the minimum population or voter registration standards for four trustees, the board must put the question of two or four trustees to the voters at the next November general election. If voters do not approve having four trustees, the board may resubmit the question at a later November election or at an annual meeting that is at least 84 days later than the election at which the voters rejected the first proposition. Alternatively, the voters can file a petition to have the question resubmitted (the number of required

signatures is 10 percent of the qualified registered electors). In that case the board must submit the question at the first general November election or annual meeting to be held not less than 84 days following the submission of a petition.<sup>4</sup> Suggested language for the question is as follows:

Shall the Township Board of \_\_\_\_\_, County of \_\_\_\_\_, be expanded from five (5) members to seven (7) members by the election of two (2) additional township trustees, pursuant to P.A. 351 of 1925, as amended?

Should the voters approve increasing the number of township trustees to four, the new trustee positions are ordinarily filled at the next November township election. Should the additional trustees be chosen in a November election that is not the election where township officers are elected, the new trustees serve only a two-year period.<sup>5</sup>

Later in this chapter we will discuss some of the considerations important to the two- or four-trustee question.

### **Terms of Office, Qualifications, and Vacancies**

All township board members are elected to serve four-year terms. They are nominated at the August state primary election and elected in the November general election at which we select the president of the nation. Before 1980, the supervisor, clerk, and treasurer stood for election every two years while trustees served four-year terms. In townships with four trustees, voters elected two every other November. Now, of course, the complete board is up for election at the same time.

### **Political Effects**

We see some political effects from these changes. For one thing, voters, potentially, can elect an entirely new board every four years. Township residents now have no assurance that at least some experienced board members will carry over from one board to the next. Although some observers think that voters should have a chance to elect a new majority in each election, many think the rules should permit at least a few experienced officials to carry from one term to the next. However, that is not the way the law is written.

A second effect is that trustees do not have a “free shot” at other township offices. Trustees must risk having no office at all if they chose, for example, to run for the position of township supervisor. However, the law does permit township officials to run for county commissioner or state representative every other election without risking their township positions.

A third implication has to do with “straight-ticket” voting. Michigan conducts township elections on a partisan basis. Usually candidates for township office are listed under one of the two major political parties, although candidates may stand for election under other party labels or as an independent. “Minor” parties are listed on the ballot if they secured a sufficient number of votes in a prior election or have obtained enough voter signatures to earn a place on the ticket.<sup>6</sup> (A party may be qualified at the state level or only within a county or even a township.) As a practical political matter, however, candidates in most townships want to be listed under

one of the major parties in order to take advantage of straight-ticket voting, the so-called “coattail” effect.

### **Qualifications for Township Office**

The process for electing township officers begins officially when candidates file nominating petitions for the primary election. Any person who is a registered voter in the township may become a candidate. Candidates, then, must be U.S. citizens, at least 18 years old, and residents of the state and the township not later than the 30<sup>th</sup> day before the time of the primary election.<sup>7</sup>

In order to have their names printed on the primary election ballot, candidates for township office must file nominating petitions that are available from the township or county clerk. The petitions must be signed by a number registered voters based on the population schedule shown in the table on the following page.

Prospective candidates must file their petitions with the township clerk no later than P.M. of the twelfth Tuesday preceding the August primary, which is held on either the first or second Tuesday in August.<sup>8</sup>

A further qualification, of course, is winning the primary. Persons who receive more votes than any other candidate running for office under their party label, or who are unopposed in the primary, will have their names on the general election ballot in November. At that time the contest is between the nominees of the parties. In the case of township trustees, primary election winners are the top two or four vote-getters among all the candidates from each political party and, in the general election, the top two or four among those on the ballot. Trustee candidates are not officially paired off in any way to assure geographical distribution of trustees in the township.

Following final certification of the votes, assuming no one has requested a recount, township officers-elect take the oath of office from the township clerk or other official qualified to administer the oath. Persons elected to the office of either clerk or treasurer must also furnish a fidelity bond as an additional qualification.<sup>9</sup> The clerk files the bond with the township supervisor while the treasurer delivers the bond to the clerk who records it and then gives to the supervisor for filing along with the clerk’s bond.<sup>10</sup> The term begins at 12 Noon on November 20.

In the event of a problem, incumbent officers serve until their successors are elected and qualified, although if an elected successor fails to qualify by January 1 following the general township election, the position becomes vacant. Thus, the term of office, which is normally four years, can be extended an additional 41 days.

### **Removal and Vacancy**

Vacancies on the township board or in another elected office can occur for a number of reasons. Members may die or experience a job change that necessitates their taking up residence outside the township. Or, they may resign for personal reasons. And while somewhat rare, voters may recall them or the governor may remove them from office for one or more reasons.