

# Michigan Township Focus

APRIL/MAY 2017

OFFICIAL PUBLICATION OF THE MICHIGAN TOWNSHIPS ASSOCIATION

## Making the most of **your meetings**



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is direct democracy in action  
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Specific rules for township  
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Love of community, politics  
motivates newly elected  
teen treasurer  
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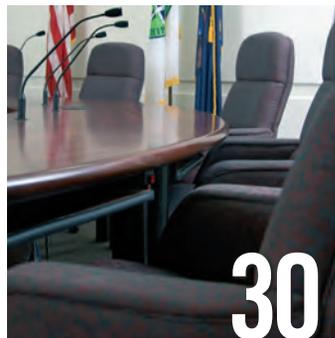
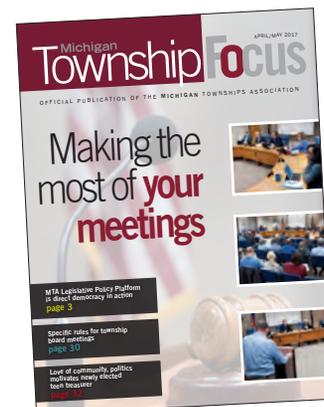


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**Advertising Manager** Ashley Maher  
**Staff Writer** Bethany Mauger  
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# allied service provider index

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# MTA Legislative Policy Platform is direct democracy in action

With the largest membership—by far—of all of the Michigan local government organizations, one might wonder how the Michigan Townships Association solidifies among its 6,500 members the Association's positions on legislative issues.



Fair question. It often seems that the only thing on which people can agree these days is that we are a badly divided country struggling to find agreement on much of anything. With many MTA members who proudly identify with their respective political party, whose legislative priorities can be regional in nature or aligned with their livelihood and other causes, and who even hold disparate views

on the role of government, reaching a member consensus on MTA's legislative priorities and positions might be daunting.

But that hasn't been the case.

Each year, MTA members adopt a policy platform at the Association's Annual Meeting that is intended to capture for the next 12 months a consensus of the membership's values, aspirations and expectations. The adoption of the policy agenda is MTA practicing what it preaches—democratically reaching decisions that are "owned" by an assembly, a community or an electorate having the greatest likelihood of active support, engagement—and ultimately success.

Throughout MTA's history, the policy platform has been adopted—sometimes with a few tweaks—with virtually unanimous approval. Believing fervently that a united membership is a source of organization strength, the MTA Board of Directors crafted the 2017 platform to reflect the principle that MTA's overall legislative agenda should coalesce the membership to action on issues with broad—if not unanimous—agreement.

To that end, the Board believes it is important to avoid entangling MTA in other organizations' causes that are of little or no connection to township government. The Association's best interests would not be served by redirecting MTA resources and political capital to work on issues lacking extensive membership support, or that have little to do with township operations, or do nothing to strengthen township government.

While the Board included in the proposed legislative platform specific objectives that it believes reflect a broad

consensus of the members, some of the narrower proposed policy objectives may prompt dialogue and deliberation reflecting differences in member perspectives and values. Changes to address contemporary challenges often provoke some controversy, especially changes that are seen as contrary to long-established positions and traditions. Debate on important Association matters is healthy, and the views expressed at the Annual Meeting as well as the adopted policy will inform the Board as to agreement and differences in member values and priorities.

The Board also proposes maintaining a long-term aspirational legislative vision. New to the MTA platform this year is a Legislative Vision Statement, containing one-sentence, concisely worded, long-standing goals for each of the six policy areas, intended to ensure MTA continues to be a strategic organization that doesn't lose sight of long-term aspirations. The Vision is consistent with what the Board believes to be MTA's overall values and mission, and which will continue to be pursued as the political climate and changes in state policy priorities allow.

Each of the six platform policy areas—Assessment and Taxation, Elections, Environment and Land Use, Intergovernmental Relations, Township Operations, and Transportation and Infrastructure are comprised of two elements:

- 1) A paragraph of broad principles to guide MTA's engagement on issues related to that policy area, particularly when responding to the vast array of bills introduced by lawmakers at the request of other interest groups.
- 2) Three to six specific bulleted policy objectives, carefully vetted by the Board to be reasonably achievable and measurable for annual progress toward accomplishment, for which the staff will be held accountable.

Once adopted, the Board and staff counts on all members to actively support, through engagement with policy-makers, all of the Association's legislative positions that were derived through a democratic process and that reflect the collective wisdom of the MTA Annual Meeting to strengthen local democracy—which will, in turn, build a stronger and prosperous Michigan.

A handwritten signature in black ink that reads "Larry Merrill". The signature is written in a cursive, flowing style.

## UP IN THE SKY

### Townships' role in fireworks regulation and permits

The Michigan Fireworks Safety Act (Public Act 256 of 2011, MCL 28.451, *et seq.*) legalized the sale and use of consumer fireworks—such as aerials, roman candles, bottle rockets, helicopter/aerial spinners, and other items that leave the ground. The same law also limited some aspects of local fireworks regulations.

#### What can townships regulate?

A township may enact an ordinance incorporating standards for the competency and qualifications of operators for articles pyrotechnic and display fireworks, including time, place and safety aspects of the display of such fireworks, as part of the permit-granting process. National Fire Protection Association fireworks standards should be used. (MCL 28.466) Such an ordinance could be required by the township's insurance carrier as a condition of fireworks liability insurance.



The Federal Safe Explosives Act requires any person who receives explosive materials, including display fireworks, to have a license or permit from the federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). The act mandates inspections of applicants for new display fireworks licenses or permits, as well as inspections of existing licensees or permits. Townships may be contacted by ATF investigators during these inspections to determine compliance with state and local requirements.

A township *cannot* regulate or adopt an ordinance specifically regulating the sale, display for sale, storage, transportation or distribution of fireworks that are regulated by PA 256—consumer fireworks and low-impact fireworks. (MCL 28.457)

A township *may* enact an ordinance regulating—including prohibiting—the ignition, discharge and use of consumer fireworks. As amended by PA 65 of 2013, MCL 28.457 provides that such an ordinance can regulate or prohibit the use of consumer fireworks on the day before, day of or day after a national holiday—including Christmas Day, New Year's Day and the Fourth of July—in the following ways:

- 1) In a township with a population of 50,000 or more or a township located in a county with a population of 750,000 or more, an ordinance may regulate the ignition, discharge or use of consumer fireworks between the hours of 12 midnight and 8 a.m., or between the hours of 1 a.m. and 8 a.m. on New Year's Day.

- 2) In a township with a population of less than 50,000 located in a county with a population of less than 750,000, an ordinance may regulate the ignition, discharge or use of consumer fireworks between the hours of 1 a.m. and 8 a.m.

#### Do townships still issue display permits?

PA 256 refers to fireworks “displays” in two ways. One relates to the display of fireworks for sale—which townships *cannot* regulate. The more commonly understood use of “fireworks display” refers to the ignition, discharge and use of display fireworks or “articles pyrotechnic for proximate display”—such as a Fourth of July display. Townships are still responsible for issuing permits for public or private displays of these two types of fireworks. All such permits must be obtained from the township where the fireworks will be displayed. Any fees charged for these permits are retained by the township.

The fireworks application is now available on the Bureau of Fire Services Web page ([www.michigan.gov/lara](http://www.michigan.gov/lara), and click on “Fire Services,” then “Fireworks”). Permit forms can still be requested from the state Bureau of Fire Services via email at [fireworks@michigan.gov](mailto:fireworks@michigan.gov).

*For more resources, visit MTA's "Fireworks Regulation" Web page at [www.michigantownships.org/members](http://www.michigantownships.org/members).*

## WORKPLACE POSTINGS

### Townships need not purchase required workplace posters

As employers, townships must comply with federal and state regulations that require certain workplace postings to inform employees of their rights under the law. Individual posters meeting federal and state requirements are **free** from the various regulatory agencies responsible for their enforcement, and townships do **NOT** need to purchase required posters.

Any letters or emails predicting fines and penalties if the township does not buy an advertising company's laminated labor posters are **false**. Employers are not required to purchase labor law posters from private vendors to be in compliance with federal and state laws. Townships can download required posters from MTA's “Workplace Posters” Web page. After logging in to the members-only section of [www.michigantownships.org](http://www.michigantownships.org), click on “Index of Topics” under the “Answer Center” tab. Call MTA at (517) 321-6467 with questions.

Federal and state laws do require notices to be posted prominently and conspicuously where they can be readily seen by both employees and applicants for employment. MTA highly recommends updating workplace posters annually.

LOCAL UPDATES FROM ACROSS MICHIGAN

### Township happenings

The Bostwick Lake Park renovation in **Cannon Township** (Kent Co.) was completed last summer. A new deck structure, parking improvements and shoreline restoration were among improvements made to enhance the park and accessibility. In order to protect the shoreline, the Michigan Department of Environmental Quality requires the use of riprap on the shoreline to prevent erosion.

The Land and Water Conservation Fund federal grant program administered by the state Department of Natural Resources awarded **Delta Charter Township** (Eaton Co.) \$150,000 to provide better public outdoor recreation opportunities for residents and visitors at Mount Hope Park. The grant will help with costs for phase II of the project, which includes construction of a picnic shelter, playground and restrooms.

The Lake County Community Foundation was awarded a grant for the installation of an automated, 16 KW propane-powered, stand-by generator at the **Elk Township** (Lake Co.) Hall. The generator will provide power at the hall in case of emergency for the Elk, Sauble or Eden area residents to take shelter.

Email YOUR Township Happenings to [jenn@michigantownships.org](mailto:jenn@michigantownships.org). Add MTA to your newsletter mailing list! Mail to MTA, Attn. Jenn Fiedler, PO Box 80078, Lansing, MI 48908-0078, or email to [jenn@michigantownships.org](mailto:jenn@michigantownships.org).

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Help ensure that today's youth become involved in local government tomorrow! Encourage students in your community to apply for MTA's Robert R. Robinson Memorial Scholarship by May 31, 2017.



The scholarship is a one-time award determined on a competitive basis by the applicant's academic achievement, community involvement and commitment to a career in local government administration.

Applicants must be a junior, senior or graduate student enrolled in a Michigan college or university and pursuing a career in local government administration. The following materials are required to apply: 1) a letter of recommendation from a professor or instructor, 2) a copy of a resolution of support

from a Michigan township board, and 3) a short essay on an important issue facing local government.

Students must submit application materials to: The Robert R. Robinson Memorial Scholarship Fund, c/o Michigan Townships Association, P.O. Box 80078, Lansing, MI 48908-0078.

Ensure students in your area know about the scholarship! Post a link on your township website to [www.michigantownships.org/scholarship.asp](http://www.michigantownships.org/scholarship.asp). Need more information? Call (517) 321-6467.

Contributions to the scholarship fund are also accepted throughout the year. Call the MTA office for details.

## Announcements

**MTA office closed for Annual Conference**—The MTA office will be closed April 10-13, 2017, while MTA staff is at the Annual Educational Conference at the Lansing Center. You may call the MTA office and leave messages for staff at (517) 321-6467. The office will re-open on Friday, April 14.

**April and May Township Focus combined**—*Reminder:* The April and May issues of *Township Focus* are combined into this one expanded issue. The next issue you receive will be in June.

## profile



Advertorial

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## MTA Legal Defense Fund supports cases of statewide impact

When your township makes a voluntary contribution to MTA's Legal Defense Fund (LDF), you assist townships in legal battles that have significant statewide impact. The MTA Legal Defense Fund Committee recently approved LDF support in the following cases:

### **City of Huntington Woods and City of Pleasant Ridge v. City of Oak Park and 45th District Court—**

The primary issue in this case is whether a municipality in a "district of the third class" is responsible for providing financial support of a district court when the district court is located outside that municipality. The trial court ruled in favor of the City of Oak Park and the 45th District Court, and the Court of Appeals affirmed

the decision. In doing so, the Court of Appeals observed that the various statutes, when read together, form a scheme where all municipalities in the third class are responsible for funding the district court.

MTA Legal Counsel believes statute language is clear that in a third class district, a township or city would not be liable for the costs to operate a district court located in a separate municipality except possibly for the costs of district court recorders and reporters as set forth in MCL 600.8621(1). This, however, is contrary to the Court of Appeals decision that found a broad funding requirement.

The Michigan Supreme Court ordered the case into mediation to see if the parties can settle their dispute. MTA, among other organizations, was invited by the court to submit *amicus curiae* briefs, if the case does not settle.

**Trinity Health-Warde Lab v. Pittsfield Charter Township**—MTA participated in this case at the Michigan Court of Appeals level, where the court reversed the Michigan Tax Tribunal and ruled in favor of the township. The plaintiff then filed leave to appeal to the state Supreme Court. The tax tribunal had entered an order granting Trinity Health-Warde Lab LLC's motion for partial summary disposition, entitling Trinity Health-Warde Lab LLC to a property tax exemption as a nonprofit charitable institution. Although Warde Lab decreases costs for its esoteric laboratory testing for its co-tenancy owners, and although Warde Lab is owned by a nonprofit, Trinity Health-Warde Lab itself is not a nonprofit charitable institution. If the Michigan Supreme Court grants leave to appeal, MTA will file a supplemental *amicus* brief.

**Mobilitie FCC Petition**—In this case, which is pending before the Federal Communications Commission (FCC), Mobilitie is approaching local municipalities for Metropolitan

Extension Telecommunications Rights-of-Way Oversight (METRO) Act utility agreements to locate their cellular antennas in public rights-of-way in an attempt to circumvent townships' constitutional right to charge a franchise fee for access to their rights-of-way. Mobilitie filed a petition for a declaratory ruling at the FCC seeking to limit local government control of its property interests in its rights-of-way, presenting a threat to local government authority over its rights-of-way and the fair rental rates they are permitted to charge for use of same by for-profit wireline and wireless providers.

The LDF Committee supported both a Michigan-specific *amicus curiae* brief, as well as funding on behalf of the National Association of Towns and Townships toward the preparation of a brief from national organizations.

## Tell us your story

The Michigan Townships Association knows that every township has a story—and we want to help tell yours.

We want to know what's happening in your township—no project, service, collaboration or experience is too small. Your insights, suggestions and ideas could be featured

in *Township Focus* magazine, as part of our "Township Happenings" column (see page 5). Or they could inspire a longer article or a feature on your township, or be included in cover stories. We may also share with our followers on social media. You could even be asked to share your insights and experiences as part of an MTA workshop or Conference session.

You're proud of your township, and we are, too. Let us help you tell your story. Email your story ideas, happenings in your township, pictures, township newsletters, etc. to *Township Focus* editor Jenn Fiedler at [jenn@michigantownships.org](mailto:jenn@michigantownships.org).

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## Interested in serving on the MTA Board? Caucus elections will be held at 2017 Annual Conference

Some 21 MTA Districts will hold caucus elections on Wednesday, April 12, during the 2017 MTA Annual Educational Conference, to elect new members to the MTA Board of Directors. Directors elected at the caucuses will begin their MTA Board terms at the MTA Annual Meeting on Thursday, April 13, 2017, and conclude following the Annual Meeting in 2021.



In accordance with MTA bylaws, a director will be elected from each of the MTA Districts, except for Districts represented by an incoming officer on the MTA Board, who shall serve simultaneously as representatives of their respective Districts. This

does not apply to the office of president.

Based on the slate of candidates being put forth as officers by the MTA Nominating Committee on April 13, the following Districts will NOT convene a caucus to elect a District director: 3, 7, 18 and 19. All other Districts will convene a caucus to elect a director for their respective District.

Elected officials from MTA-member townships are eligible to run for the MTA Board. Officials who wish to run for District director can campaign for the position prior to the caucus, though there are no requirements for prior announcement of candidacy.

Only elected township officials may vote at the caucus meetings; appointed officials and township employees are not eligible to vote. All votes must be cast in person.

Find your MTA District on the members-only section of [www.michigantownships.org](http://www.michigantownships.org). After logging in, access "Directories" under the "My MTA" tab. Click on "MTA Board of Directors"; the "MTA District Map" link is in the right-hand column.

Times and locations for each caucus will be published in the Conference program booklet received on-site.

MTA Executive Director Larry Merrill and 2016 MTA President **Doug Mansfield, Union Township** (Grand Traverse Co.) supervisor, will conduct a session, "Becoming a District Director and Serving on the MTA Board," on the roles and responsibilities of the MTA Board from 4:30 to 5:15 p.m. on Tuesday, April 11.

*Learn Together, Work Together and Grow Together* when you *Come Together* at the MTA Conference. Learn more at [www.michigantownships.org/conference.asp](http://www.michigantownships.org/conference.asp), or turn to pages 17-20 of this issue of *Township Focus*.

## MTA's online 'Legislative Action Center' has the tools you need to be a grassroots advocate

Being an advocate is easier than ever thanks to the "Legislative Action Center" platform on MTA's website.

Our Legislative Action Center puts all the tools and information you need for grassroots advocacy in one easy-to-find spot. Our goal is to help members stay better informed on the latest happenings in Lansing, understand MTA's positions on legislation, and contact their state representative or state senator. You can locate this section of our website under the "Advocacy" tab on the MTA member homepage. (You must log in to the MTA website with your username and password to access. Contact (517) 321-6467 for assistance.)

You will find Web pages on key issues facing townships, such as the "dark stores" assessing theory, revenue sharing and local preemption legislation. These pages will continually be updated as new concerns arise. Also included are Web pages on each section of MTA's Legislative Policy Platform—Assessment and Taxation, Elections, Environment and Land Use, Intergovernmental Relations, Township Operations, and Transportation and Infrastructure. In addition to finding MTA's policies on these issues, each policy page includes a list of bills that fall under those categories. By clicking on a bill, you'll find a detailed description of how the bill impacts townships and MTA's position.

Anyone searching for their lawmaker will no longer need to leave MTA's website. Instead, you may enter your full address or zip code on the homepage of our Legislative Action Center. This will pull up photos of all federal and state elected officeholders who represent you. By clicking on a photo, you'll find the officeholder's contact information and links to his or her website, Facebook page and Twitter handle. You may also search by the official's name.

The Legislative Action Center will be especially useful when key issues arise impacting townships. MTA will send members an action alert with a link to the "Action Alert" page. This link will take you to a page that includes MTA talking points and allows you to send a message to your legislator, all from MTA's website.

We hope you make frequent use of this feature. If you have questions, please don't hesitate to contact us at [legislation@michigantownships.org](mailto:legislation@michigantownships.org).



## White recognized for service on MTA Board

MTA District 6 Director **Bill White** was honored for his service on the MTA Board of Directors at the Board's February meeting. White was first elected to the MTA Board in 2013.



White received an MTA Diamond Award recognizing his time representing Antrim, Crawford, Otsego and Kalkaska Counties on the MTA Board. White was first elected **Elk Rapids Township** (Antrim Co.) supervisor in 1988. He also served as a township firefighter for more than a decade, and was a member of the Antrim County Conservation District.

See article on page 8 for more on the caucus elections that will be held at MTA's 2017 Annual Educational Conference & Expo to elect members of the MTA Board.

## mta events | April

**3** Contact MTA office if you registered *by the March 28 deadline* and have not received your Conference confirmation materials.

**10-13** MTA's 2017 Annual Educational Conference & Expo at the Lansing Center. On-site registration available.

## mta events | May

**8** *Introduction to Planning & Zoning* workshop, Battle Creek

**22** *Introduction to Planning & Zoning* workshop, Frankenmuth

**24** *Introduction to Planning & Zoning* workshop, Gaylord

**31** *Introduction to Planning & Zoning* workshop, White Cloud

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### APRIL

**1** Separate tax limitations voted after April 1 of any year are not effective until the subsequent year. (MCL 211.205i)

**3** *On or before the first Monday in April.* The board of review must complete its review of protests of assessed value, taxable value, property classification or denial by assessor of continuation of qualified agricultural property exemption. (MCL 211.30a)

Last day to register for May 2 election. (MCL 168.497)

**5** The township supervisor or assessor shall deliver the completed assessment roll, with board of review certification, to the county equalization director not later than the 10th day after adjournment of the board of review or the Wednesday following the first Monday in April, whichever date occurs first. (MCL 211.30(7))

As assessor shall file State Tax Commission (STC) Form L-4021 with the county equalization department, and STC Form L-4022 (signed by the assessor) with the county equalization department and the STC, immediately following adjournment of the board of review. (STC administrative rule: R 209.26(6a), (6b))

Form 4626, Assessing Officers Report of Taxable Values as of State Equalization, due to the county.

**17** Allocation board meets and receives budgets. (MCL 211.210)

**By 25** Notice of May 2 election published. One notice required. (MCL 168.653a)

**By 27** Public accuracy test must be conducted for May 2 election by local election commission. (R 168.778) Notice of test must be published at least 48 hours before test. (MCL 168.798)

**By 29** Electors who wish to receive an absentee voter ballot for May 2 election by mail submit applications by 2 p.m. (MCL 168.759)

### MAY

**1** Final day for completion of delinquent tax rolls. (MCL 211.57(1))

Deadline for Principal Residence Exemption (PRE) Active Duty Military Affidavit to allow military personnel to retain a PRE for up to three years if they rent or lease their principal residence while away on active duty. (MCL 211.7dd)

Deadline for filing the Farmland Exemption Affidavit (Form 2599) with the local assessor if the property is NOT classified agricultural or if the assessor asks an owner to file it to determine whether the property includes structures that are not exempt.

*First Monday in May.* Deadline for assessor to file tabulation of taxable valuations for each classification of property with the county equalization director on STC Form L-4025 to be used in "Headlee" calculations. (MCL 211.34d(2))

Deadline for state Department of Treasury to post the millage

rate comparison reports on the PPT Reimbursement website. (MCL 123.1353(5))

Electors qualified to obtain an absentee voter ballot for May 2 election may vote in person in clerk's office by 4 p.m. (MCL 168.761)

**By 2** Petitions to place proposals on Aug. 8 ballot filed with county and township clerks. (MCL 168.646a)

**2** Emergency absentee voting for May 2 election until 4 p.m. (MCL 168.759b)

Election.

**By 8** Board of county canvassers meet to canvass May 2 election. (MCL 168.821)

**By 15** The state must have prepared an annual assessment roll for state-assessed properties. (MCL 207.9(1))

**16** Ballot wording of proposals qualified to appear Aug. 8 ballot certified to county and township clerks by 4 p.m. (MCL 168.646a)

**22** *Fourth Monday in May.* Final state equalization order is issued by the STC. (MCL 209.4)

**24** *After May 24 and before June 2.* Last day for allocation board hearing (not less than eight days or more than 12 days after issuance of preliminary order). (MCL 211.215)

**26** If as a result of state equalization the taxable

value of property changes, the equalization director shall revise the millage reduction fractions by the Friday following the fourth Monday in May. (MCL 211.34d(2))

**By 31** Appeals of property classified as commercial real, industrial real, developmental real, commercial personal, industrial personal or utility personal must be made by filing a written petition with the Michigan Tax Tribunal on or before May 31 of the tax year involved. (MCL 205.735a(6))

### JUNE

**1** Deadline for PRE affidavits (Form 2368) for exemption from the 18-mill school operating tax to qualify for a PRE for the summer tax levy. (MCL 211.7cc(2))

Deadline for filing the initial request of a conditional rescission of PRE (Form 4640) for the summer tax levy. (MCL 211.7cc(5))

Deadline for filing for Foreclosure Entity Conditional Rescission of PRE (Form 4983) to qualify for the summer tax levy. (MCL 211.905b(6)(a))

Assessment roll due to county treasurer if local unit is not collecting summer taxes. (MCL 211.905b(6)(a))

First notice sent to all properties that are delinquent on 2016 taxes. (MCL 211.78b)

*Not later than June 1.* Requests are due from a brownfield redevelopment authority, tax increment finance authority, local development financing authority or downtown development authority for state reimbursements of tax increment revenue decreases

as a result of the Michigan Business Tax reduction in personal property taxes. Form 4650; PS 154-157 of 2008

**5** *By the first Monday in June.* Deadline for notifying protesting taxpayers in writing of board of review action. (MCL 211.30(4))

County equalization director calculates current year millage reduction fractions including those for inter-county taxing jurisdictions. The completed, verified, STC Form L-4028 is filed with the county treasurer and the STC on or before the first Monday in June. (MCL 211.34d(3))

Deadline for assessors to report the current year taxable value of commercial personal property and industrial personal property to the county equalization director. (MCL 123.1353(3))

Deadline for assessors to file the personal property

2017 taxable value for expired tax exemptions (Form 5403) with the county equalization director and state Department of Treasury. (MCL 123.1353(6))

Deadline for assessors to file the personal property 2017 taxable value for expired/expiring renaissance zone tax exemptions (Form 5429) with the county equalization director and state Department of Treasury. (MCL 123.1353(6))

**12** Allocation board must issue final order not later than the second Monday in June. (MCL 211.216)

**15** Deadline for the assessor's report to the STC on the status of each neighborhood homestead exemption granted under the Neighborhood Enterprise Zone Act. (MCL 207.786(2))

Each municipality that is a tax increment finance authority shall calculate and report to the state Department of Treasury the municipality's tax increment small taxpayer loss for the current year. (MCL 123.1356a)

Deadline for tax increment finance (TIF) authorities to file 2017 TIF loss reimbursement claims Form 5176, Form 5176BR, or Form 5176ICV. (MCL 123.1356a(3))

**By 24** Clerks shall electronically transmit or mail (as requested) an absentee voter ballot to each absentee uniformed services or overseas voter who applied for an absentee voter ballot 45 days or more before the Aug. 8 election. (MCL 168.759a)

Absentee voter ballots for Aug. 8 election must be available for issuance to voters. (MCL 168.714)

**26** *Fourth Monday in June.* Deadline for equalization director to file tabulation of final taxable valuations with the STC on STC Form L-4046. (MCL 211.27d)

**29** *through July 18.* Precinct inspectors appointed by local election commission for Aug. 8 election. (MCL 168.674)

**By 30** Township supervisor shall prepare and furnish the summer tax roll before June 30 to the township treasurer with supervisor's collection warrant attached if summer school taxes are to be collected. (MCL 380.1612(1))

Deadline for classification appeals to STC. (MCL 211.34c(6)) Appeal must be filed in writing on Form 2167 by June 30.

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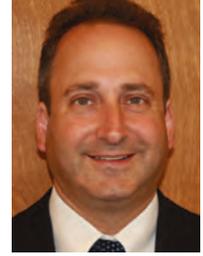
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## Q What is a property tax administration fee (PTAF)?

Under MCL 211.44(3) of the General Property Tax Act, a township as a local property tax collecting unit may add a PTAF of not more than 1 percent of the total tax bill per parcel. A PTAF is defined as a fee to offset costs incurred by a collecting unit in assessing property values, in collecting the property tax levies, and in the review and appeal processes.

## Q Why should my township add a PTAF to the property tax bills?

The decision to add the PTAF of not more than 1 percent is a policy decision of the township board. It is, however, our recommendation that a PTAF be added to cover, to the extent possible, the township's costs incurred in performing the assessing function, review of the assessments, defending property tax appeals, and the collection of property tax levies. These services are performed not just for the benefit of the township, but for the benefit of all tax-levying entities. These services must be properly funded so that they may be carried out by the township in a professional and appropriate manner recognizing the fiduciary obligation owed to all the taxing entities.

These functions have increased costs to townships for many reasons such as compliance with stringent State Tax Commission standards for assessing and costs associated with properly defending the increased number of tax appeals being filed as of late. It is arguably inequitable for the township to have to shoulder these services benefiting all tax-levying entities out of its general fund revenues. This is precisely why the General Property Tax Act envisions townships and cities adding the PTAF.

## Q How does a township authorize the addition of a PTAF?

MCL 211.44(7) provides that a township treasurer shall not add a PTAF unless the township board approves by resolution or ordinance the authorization of the PTAF. This authorization is applicable to all property tax levies that become a lien after the authorization. Generally speaking, the summer tax levies become a lien on July 1, and the winter tax levies become a lien on Dec. 1. The PTAF can be authorized to be added to all summer taxes, all winter taxes, or both summer and winter taxes. Most townships that authorize the PTAF do so on both the summer and winter taxes.

## Q How must a township account for the PTAF?

The PTAF must be used solely to offset the costs incurred in assessing, in tax collection, and in review and appeal of the assessments. The PTAF may not be diverted for any other purpose and should be annually accounted for against these approved costs. A township can always add a PTAF of less than 1 percent if the full amount is in excess of the reasonably anticipated costs.

## Q Is the township-authorized PTAF applicable against special assessments on the tax bill?

No. As properly reasoned in Attorney General Opinion No. 7263 from 2012, the General Property Tax Act does not authorize the addition of the PTAF on special assessments. The PTAF is a tax administration fee based upon the cost of property tax assessing, collection, review and appeal. These costs would not apply to a special assessment.

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Typically, the costs of a special assessment are built within the levy. While a special assessment may be authorized to be collected on a tax bill and may even appear as a millage rate, it is still not a tax. Police and fire special assessments, along with other special assessments, such as those under Public Act 188 of 1954, are clearly not considered to be the same as taxes.

In *Kadzban v. Grandville*, 442 Mich. 495, 500, 502 N.W.2d 299 (1993), citing *Knott v. City of Flint*, 363 Mich. 483, 497, 109 N.W.2d 908 (1961) the Michigan Supreme Court stated that, "Although it resembles a tax, a special assessment is not a tax."

*Hello, MTA ... ?* provides general information on typical questions asked by township officials. Readers are encouraged to contact an attorney when specific legal guidance is needed. Member township officials and personnel may contact MTA Member Information Services with questions or requests from 8 a.m. to 5 p.m., weekdays, at (517) 321-6467 or fax (517) 321-8908.

Learn more from MTA Legal Counsel at a variety of education sessions at MTA's 2017 Annual Educational Conference & Expo, April 10-13 at the Lansing Center, including:



- *Examining Lawful Expenditures*, with Catherine Kaufman
- *Top 10 Township Legal Issues for 2017*, with Rob Thall
- *Inside a Dangerous Building Hearing*, with Roxanne Seeber

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# Member input helps shape MTA legislative priorities

**W**hether testifying in a legislative committee meeting or discussing policy with lawmakers, MTA depends on member input to guide the development for our government relations efforts.

Each year, MTA members approve our Legislative Policy Platform at the MTA Annual Meeting. This crucial document drills down on the topics important to township officials and shapes our policy-making. Our Policy Platform shifts and changes as new issues arise—and as legislative goals are met.

MTA members have the opportunity for input at multiple levels on these policies. First, members had the ability to submit proposed amendments last fall that were considered by the MTA Legislative Policy Platform Committee. Next, members will review and vote on the proposed 2017-18 MTA Policy Platform at the Annual Meeting to be held April 13, at the 2017 MTA Annual Conference & Expo in Lansing.

The following is the proposed 2017-18 Policy Platform containing the Statements of Principles and Policy Objectives that will be before the MTA members for adoption at this year's Annual Meeting:

## Assessment and Taxation

As the primary means to finance township government, the Michigan Townships Association supports the principles of property tax fairness, equity, and efficient assessment and collection by township officials to ensure accountability, public trust, and locally accessible information and assistance. Judicial decisions regarding valuation should be based on sound assessing principles. Affected local governments should be reimbursed by the state for property tax revenues lost due to statutory exemptions and state government should provide local governments with education and technical support to develop and defend their assessment rolls.

As lawmakers and regulators enact changes to current tax laws and local government requirements, the Michigan Townships Association supports the following objectives:

1. Preventing “dark store theory” assessment appeal decisions by amending state law to require property values be based on highest and best use, and recognition that such highest and best use may result in a value based

upon the continuation of an existing use of the property, and prohibit the consideration of private deed restrictions or covenants imposed to reduce the value of the property or exclude competitors of the grantor from the market

2. Codify the 2006 Michigan Supreme Court *Wexford Medical Group v. City of Cadillac* decision for the purpose of narrowing eligibility for nonprofit charitable institutions property tax exemptions
3. Allow charter townships, with voter approval, to increase their millage rate to offset taxable value losses due to constitutional rollbacks
4. Recodify Michigan township statutes to include clarification that assessors are accountable to the township board when the supervisor is not certified to perform assessing functions
5. Increase the specific tax on mobile homes located in licensed parks
6. Exempting minimal personal property tax obligations resulting from minor property improvements on mobile home lots, such as small decks, stairs and porches

## Elections

The Michigan Townships Association supports democratic principles of fair, transparent and efficient elections administered by township officials that encourage high voter participation and procedures appropriate to varying community resources and population densities.

As lawmakers and regulators enact changes to current election laws, the Michigan Townships Association supports the following objectives:

1. Preserve authority of townships to convey information on ballot proposals to their residents
2. State funding for replacement of election equipment
3. Allow candidates seeking township office to pay a filing fee in lieu of filing petition signatures

## Environment and Land Use

The Michigan Townships Association supports in principle state laws supporting the role of township governments to efficiently and effectively plan for land uses and adopt zoning ordinances to protect the public health, safety and general welfare. State and federal regulations should not impede local government growth and development policies and objectives. Further, preemption of local land use authority should be limited to issues of great statewide impact and any resulting adverse local impacts should be mitigated by the state or federal government.

As lawmakers and regulatory agencies enact changes to laws addressing township land use and environment, the Michigan Townships Association supports the following objectives:

1. Require local approval for any DNR purchase of land in townships where a significant amount of land is commercial forestland or is owned by the State of Michigan
2. Require DNR to notify townships and provide opportunity to discuss a proposed state land acquisition
3. Statewide septic system maintenance standards to reduce septic system failures that create serious public health threats and expose townships to being required to build expensive public sewer systems

## Intergovernmental Relations

The Michigan Townships Association supports in principle intergovernmental collaboration to restore economic prosperity, efficiently and effectively deliver programs and services, and solve other challenges. State laws should allow creativity, flexibility and incentivize fair and equitable cost-sharing, benefits and governance in inter-local agreements. State laws authorizing economic development tools and other powers should be based on community characteristics relative to policy objectives, rather than city or township legal status. State taxation and spending policies should mitigate adverse revenue sharing impacts on townships.

As lawmakers and regulatory agencies consider altering the fiscal relationship of the state to local governments as well as powers and authorities of local governments, the Michigan Townships Association supports the following objectives:

1. Full funding to townships for payments-in-lieu-of-taxes, commercial forest program and the swamp tax program
2. Expand the number of townships eligible for statutory revenue sharing and grants
3. Allow a municipality to create or continue the use of a tax increment financing (TIF) authority to capture tax revenue attributable to increases in property value within an area or district and allow the use of that money for identified TIF purposes
4. A local government consolidation process that continues to require voter approval of any consolidation

## Township Operations

The Michigan Townships Association supports the principle of state and federal governments granting to Michigan townships broad discretion and autonomy to govern the funding and delivery of programs and services. MTA also supports state reimbursement to townships for increased costs resulting from new mandated services and state regulations. The Michigan Townships Association supports the following objectives:

1. Modernizing state laws to clarify the governance role of township boards to establish broad policy direction for townships
2. Exempt from state-imposed retiree health care mandates, all townships demonstrating the ability to fund their OPEB (Other Post-Employment Benefit) obligations, while adequately funding their public services, and allowing townships with high OPEB liabilities to develop appropriate strategies to achieve fiscal solvency
3. Appropriate, cost-effective training requirements for township planning commissioners, zoning board of appeal members and board of review members to reduce costly lawsuits and improve township decision-making by key appointed boards
4. State funding to townships providing public safety protection to state-owned, tax-exempt properties

## Transportation and Infrastructure

The Michigan Townships Association concludes that Michigan's road system will continue to require more funding than is currently anticipated in law to ensure that county primary and local roads are safe and convenient for travel. As townships are major financial contributors to road maintenance and construction costs, the Michigan Townships Association supports the principle that township officials should be included in transportation policy discussions at all government levels. Michigan has also under-invested in other infrastructure necessary to remain economically competitive and protect the health, safety and general welfare of residents. The Michigan Townships Association supports the principle that the State of Michigan must play a major role in planning, funding and delivering infrastructure needed by every community to be economically viable and free of environmental threats and risks.

As lawmakers and regulators address pressures to better address Michigan's infrastructure, the Michigan Townships Association supports the following objectives:

1. Supports adequate and continuous funding for infrastructure replacement and improvement, as identified in the Governor's 21st Century Infrastructure Commission Report including transportation, water, sewer and communications
2. Allow townships with voter approval to create special assessment districts for communications infrastructure including broadband and high-speed Internet
3. Require road agencies to comply with a township's Complete Streets Policy resolution



Why doesn't our township pay sales tax on purchases?

The General Sales Tax Act exempts townships and other local governments from paying sales tax on all purchases for internal use. MCL 205.54(6) states, "A person subject to tax under this act shall not include in the amount of his or her gross proceeds used to compute taxes any proceeds ... derived from sales to ... this state or its departments and institutions or any of its political subdivisions."



Some vendors ask for sales tax exemption certificates. What are these, and does the township need to provide them?

Sales tax exemption certificates are forms that tax-exempt organizations such as townships use to indicate to the vendor why a transaction or a series of transactions is exempt from sales tax. Sellers of tangible personal property subject to sales tax are required to maintain records of sales to organizations claiming exemptions. Vendors may request exemption certificates to avoid being assessed sales tax by the state upon audit.

A certificate of exemption is available at [www.michigan.gov](http://www.michigan.gov) (search for "Michigan Sales and Use Tax Certificate of Exemption"). The exemption certificates can be for single or multiple purchases. Multiple purchase, or blanket, exemption certificates cannot exceed four years.



When township officials and employees make purchases for the township, the township ends up reimbursing them for sales tax since they are charged sales tax when they make purchases. Is there any way to avoid this?

From a practical aspect, it is almost impossible to avoid paying sales tax on all township transactions. Vendors cannot verify that a purchase is for a tax-exempt entity when the purchase is paid for by an employee who will be reimbursed. One way to minimize the amount of sales tax paid is to use a blanket purchase order, which is an agreement with a vendor authorizing recurring purchases over a specific time period. The order indicates the items allowed for purchase, the individuals authorized to make purchases, the allowable amount of each transaction, the township's tax-exempt status

and federal identification number, and the title and signature of the person authorized on behalf of the township board to enter into the arrangement.

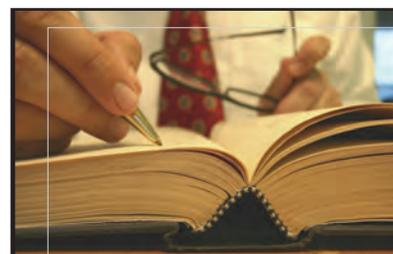


How can the township control the use of blanket purchase orders?

The following procedures should provide appropriate controls over the use of the blanket purchase orders:

- The township board should determine who is authorized to make purchases and make sure only those people have access to blanket purchase orders.
- When an authorized person makes a purchase using a blanket purchase order, he or she should note on the bottom of the township's invoice copy that the items were received in good condition.
- After each purchase, forward the township's copy of the invoice to the clerk or accounting department.
- The clerk should review the invoice to ensure that the items purchased, the person making the purchase and the purchase amount are consistent with the terms of the blanket purchase order. Any problems should be addressed with the vendor immediately.
- At the end of the month, the clerk should reconcile the statement provided by the vendor with the township's monthly invoices and ensure that the vendor statement reflects all payments made. Reconcile any differences with the vendor immediately. Review the statement to ensure that it reflects the township's payment for the prior month. Attach the monthly invoices to the vendor statement and prepare a check to pay the balance due.

Information provided in *Financial Forum* should not be considered legal advice, and readers are encouraged to contact their township auditor and/or attorney for advice specific to their situation.



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# 2017 Conference at-a-glance



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**9 a.m. to 4 p.m.**

Managing Your Township Team\*

*Includes continental breakfast & lunch.*

*Qualifies for 6 TGA foundations credits,  
course F-104.*

**9:30 a.m. to 4:30 p.m.**

Legal Institute for Township Attorneys\*

*Includes continental breakfast & lunch.*

**10 a.m. to 5 p.m.**

Assessors Renewal:  
21st Century Technology\*

*Includes lunch.*

*Approved by the State Tax Commission for six  
hours of Assessor Continuing Education Credit*

**11:30 a.m. to 6 p.m.**

MTA Registration Center, Ticket  
Xchange & MTA-PAC booth open

**3:45 to 5:15 p.m.**

Inside the State Capitol **SOLD OUT!**  
*(pre-registration required)*

**5 to 6 p.m.**

MTA Volunteer Training Reception

*(by invitation only)*

*Sponsored by Miller Canfield*

**8 p.m. to Midnight**

"3-D" Welcoming Reception  
Pre-Conference Festivities  
at Lansing Brewing Company

*Sponsored by Bendzinski & Company,  
Municipal Finance Advisors*

*\* A separate registration fee is required to  
attend.*

## Tuesday, April 11

**7 a.m. to 10:30 p.m.**

MTA shuttle service available

**7 a.m. to 4 p.m.**

MTA Registration Center, Ticket  
Xchange & MTA-PAC booth open

**7:45 to 8:15 a.m.**

New Member Welcome/  
1st-time Attendee Orientation

**8:30 to 9:45 a.m.**

Opening Session

*Sponsored in part by DTE Energy;  
projection screens sponsored by Hubbell,  
Roth & Clark, Inc.*

**9:45 a.m. to 2:45 p.m.**

MTA Expo and MTA Bookstore open

*Chair massages sponsored by*

*Fahey Schultz Burzych Rhodes, PLC*

**10:15 to 11:30 a.m.**

Concurrent Educational Sessions

- Examining Lawful Expenditures
- Exploring the Depths of Deputies and Compensation
- Forecasting the Current Political Climate
- Improving Community and Law Enforcement Relations
- Inside the Proposed State Sanitary Code
- Intergovernmental Agreements
- Master Planning
- Michigan's Broadband Future
- Raising Revenue in a Stagnant Economy
- Short-Term Rental Regulation in the New Sharing Economy
- Signals, Signs and Speed, Oh My!
- So What Did I Miss? A Legislative Update
- When Wildlife and Communities Collide

**11:45 a.m. to 12:45 p.m.**

TGA Graduate "Class of 2017"

Luncheon (by invitation only)

*Sponsored by ITC Holdings Corp.*

**1 to 2:15 p.m.**

Concurrent Educational Sessions

- Assessment Administration Responsibilities
- Be An Advocate: Your Role in the Legislative Process
- Creating Vibrant Communities
- Fundamentals of Municipal Financing

- It Should Not Be This Hard to Get That Property Cleaned Up

- Optimizing Your Open Meetings Act IQ

- Resolving Public Conflict and Increasing Support

- Speed Dating for Township Officials: Bring and Fill Your 'Little Black Book'

- There's Funding for That?

- Top Township Legal Issues for 2017

- Townships Taking Over Roads: What Would THAT Look Like?

- We're All in This Together

**1:15 to 3:45 p.m.**

Turner Dodge House Tour & Tea

*(additional charge; pre-registration required)*

**2:15 to 3:45 p.m.**

EduTour: Inside the State Capitol

*(additional charge; pre-registration required)*

**2:45 to 4 p.m.**

Concurrent Educational Sessions

- Ask the Experts: Township Q&A Forum
- Collective Bargaining Strategies
- Engaging Your Community Through Technology
- Faster, Cheaper Ordinance Enforcement
- Funding and Managing Community Events
- Inside a Dangerous Building Hearing
- Is Wind Energy Right for Your Township?
- Partnering with the U.S. Census Bureau
- Protecting Taxpayer Money in Small Townships
- Understanding the Land Division Act
- What Does the 21st Century Infrastructure Commission Mean for You?

**4:30 to 5:15 p.m.**

Informational Sessions

- Becoming a District Director and Serving on the MTA Board
- Becoming a 'Township of Excellence'
- Introduction to MTA's Township Governance Academy
- The Inside Scoop on County Chapters

**6 to 9 p.m.**

Fun Night: Public Officials Got Talent!

*Sponsored by Michigan Township Participating Plan*

## Wednesday, April 12

### 7 a.m. to 12:30 a.m.

MTA shuttle service available

### 7 to 11 a.m.

MTA Registration Center, Ticket Xchange & MTA-PAC booth open  
(PAC booth open until 1:30 p.m.)

### 7:30 to 8:30 a.m.

Rise & Shine! Coffee with Exhibitors

### 8:30 to 9:45 a.m.

General Session with Dr. Sally Karioth  
*Keynote underwritten in part by Consumers Energy; projection screens sponsored by Hubbell, Roth & Clark, Inc.*

### 9:45 a.m. to 1:30 p.m.

MTA Expo and MTA Bookstore open  
*Chair massages sponsored by Fahey Schultz Burzych Rhodes, PLC*

### 10:15 to 11:30 a.m.

*Concurrent Educational Workshops*

- Budgeting Basics
- Bulletproof Your Zoning Decisions
- Due Process: What Process is Due?
- Elections Update
- Exploring Cybersecurity Trends
- How Sustainable Are Michigan's Municipal Finances?
- Making History: Celebrate Your Township
- MTA Policy Platform Review
- Nuts and Bolts of Writing Contracts
- Overcoming Implicit Bias
- Parliamentary Procedure: Who Needs It?
- Secrets for Coming Together— and Staying That Way
- Understanding Township Millage Questions

### 10:30 a.m. to 2:30 p.m.

Exploring MSU's Museums  
*(additional charge; pre-registration required)*

### Noon to 1 p.m.

*Township Business Solutions Sessions*

- Glad You Asked That!
- Healthcare Benefits: 2017 and Beyond
- Let's Save Money Together
- Navigating the 21st Century Information Superhighway: Procedures, Policies and Preventing Liability
- Reviewing the Freedom of Information Act
- Top Legal Issues Facing Townships in 2017
- Top Three Risk Management Actions for Public Entities

### 1 to 4 p.m.

EduTour: Inside a Full-Service Green Township  
*(additional charge; pre-registration required)*

### 1:30 to 2:45 p.m.

*Concurrent Educational Sessions*

- Creating a Culture of Teamwork
- Examining the Freedom of Information Act
- Looking for a Sign of Understanding
- Medical Marijuana Update
- Michigan Municipal Wetland Alliance
- So What Did I Miss? A Legislative Update
- Threat Assessment and De-escalation Techniques
- Townships and Road Commissions
- Web Resources from MTA (and More!)
- What Is An Audit?

### 1:30 to 4:15 p.m.

Painting with a Twist  
*(additional charge; pre-registration required)*

### 3:15 to 4:30 p.m.

*Concurrent Educational Workshops*

- Boards That Speak With One Voice
- Improving Board-Staff Relations
- Interlocal Divorces: Dissolving a Joint Fire, Ambulance or Building Authority
- Meeting Misconceptions
- MI Legislature: Priorities & Challenges
- Mitigating Workplace Violence and Active Shooter Situations
- MTA's Member Salary Survey
- Payroll Tips for Painless Processing
- Things I Wish I'd Known When I First Took Office
- Understanding Overtime Rules
- Wireless Antennas and Towers
- Your Township's Financial Reports

### 5 to 5:30 p.m.

MTA District Caucus Elections

### 5:30 to 6:30 p.m.

VIP Networking Reception  
*(additional charge; pre-registration required)*

*Sponsored by Ted Hartleb Agency & EMC Insurance Companies*

### 6:30 to 9 p.m.

MTA Banquet

*Entertainment sponsored by Burnham & Flower Insurance Group; projection screens sponsored by Hubbell, Roth & Clark, Inc.*

### 9 p.m. to Midnight

Afterglow Reception  
*Sponsored by Burnham & Flower Insurance Group*

## Thursday, April 13

### 7 a.m. to Noon

MTA shuttle service available

### 9 to 11 a.m.

MTA Annual Meeting  
*Projection screens sponsored by Hubbell, Roth & Clark, Inc.*



## There's still time to register!

The best things happen when individual talents **Come Together** to create community success. Your board, your township and your community is never better than when everyone is working together for a common goal.

Now is the time for Michigan's township officials—newly elected and veteran leaders—to **Come Together** to make a difference for their communities. Let MTA's 2017 Annual Conference & Expo, held April 10-13 at the Lansing Center, show you how. On-site registration is available.

See you in Lansing for the township event of the year. Don't miss it! Learn more at [www.michigantownships.org/conference.asp](http://www.michigantownships.org/conference.asp).

## Evening events include:

"3-D" Welcoming Reception

*sponsored by*  
Bendzinski & Co.  
municipal finance advisors

Fun Night: Public Officials Got Talent!  
*sponsored by*



Afterglow Reception  
*sponsored by*

Burnham & Flower  
INSURANCE GROUP

**COME TOGETHER**  
MTA 2017 CONFERENCE & EXPO | APRIL 10-13 | LANSING

# 2017 Conference Sponsors

# Exhibitor List\*

Visit these exhibitors at the MTA Expo, April 11 & 12, held in conjunction with the MTA Annual Educational Conference.

## Platinum



## Gold



## Silver



## Bronze



Airvac-Aqseptence Group  
 American Legal Publishing Corporation  
 Anderson, Eckstein and Westrick, Inc.  
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 Brick Industry Association  
 BS&A Software  
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 CBI (Creative Breakthroughs, Inc.)  
 CHMP Inc.  
 City Web Central  
 Clarke  
 Cogitate, Inc.  
 Consumers Energy  
 County Road Association of Michigan  
 CSI Geoturf  
 David Chapman Agency  
 Dixon Engineering, Inc.  
 DN Tanks  
 Dominant Systems Corporation  
 DTE Energy  
 Election Source  
 Election Systems & Software  
 Emergency Vehicles Plus  
 Etna Supply  
 Fahey Schultz Burzych Rhodes PLC  
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 KCI  
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 Mackinaw Administrators, LLC  
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 McGraw Morris PC  
 McKenna Associates  
 Michigan Dept. of Agriculture &  
 Rural Development—Biosolids  
 Michigan Dept. of Agriculture &  
 Rural Development—Right to Farm

MERS of Michigan  
 Michiana Land Services, Inc.  
 Michigan Agency for Energy  
 Michigan Association of Municipal Clerks  
 Michigan Chloride Sales  
 Michigan CLASS  
 Michigan Fair Contracting Center  
 Michigan Municipal Risk  
 Management Authority  
 Michigan's Public Safety  
 Communications System  
 Michigan Protection & Advocacy Service  
 Michigan Road Preservation Association  
 Michigan State Industries  
 Michigan Township Participating Plan  
 Miller Canfield  
 Miracle Midwest  
 Mobile Medical Response  
 Moss Telecommunications  
 Munetrix  
 Municode/Municipal Code Corporation  
 Northern Concrete Pipe, Inc.  
 OHM Advisors  
 Partners in Architecture, PLC  
 Penchura  
 PJ Cemetery Mapping Service  
 Playworld Midstates  
 Point & Pay  
 Polly Products  
 Pontem Software  
 Printing Systems, Inc.  
 Provident Insurance  
 Republic Services  
 Retirement Plan Advisors  
 Rose Pest Solutions  
 ROWE Professional Services Company  
 SBS Portals  
 Secant Technologies  
 Shumaker Technology Group  
 Siegfried Crandall PC  
 Sinclair Recreation  
 Spalding DeDecker  
 Spicer Group, Inc.  
 Ted Hartleb Agency  
 The Bredon Group  
 The Mannik & Smith Group, Inc.  
 Tyler Technologies  
 Umbaugh  
 Vortex Midwest  
 Wade Trim  
 Waste Management  
 Wightman & Associates, Inc.  
 Williams & Works

Allied Service Providers are indicated in blue.

## Rep. Bill Sowerby (D-Clinton Chtr. Twp.)

If anyone knows what local governments are up against, it's Bill Sowerby.

From roads to water to sewer and storm systems, the former township treasurer has tackled countless infrastructure issues in his 28 years of shaping Macomb County local government. He knows the needs are many, but the dollars are few.

So Sowerby went straight to the source to address the problem. The first-term state representative said he will work to bring more resources to local units of government, helping them to fix failing infrastructure and meet the growing needs of their residents. "The state needs to address revenue sharing and provide more dollars to road commissions and county road departments to address crumbling roads and failing storm systems," Sowerby said.

Sowerby, a Democrat, began his public service career in 1989, after he was elected to the Macomb County Board of Commissioners. He served four terms before he ran for office in **Clinton Charter Township** (Macomb Co.)—the most populated township in Michigan. He was elected treasurer in 1996, a role in which he served until November 2016, when he was elected state representative.

Serving his community goes even beyond public office to Sowerby. He's served as chair of the annual Clinton Township Community Blood Drive since 2000, helping the organization to collect a grand total of 6,240 pints of blood over the past 17 years. An outdoor enthusiast, the environment is a priority for him, leading him to serve as a local coordinator for nonprofit organization Green Michigan. Sowerby is married to his wife of 20 years, Dr. Martha Higgins, and has an adult son and daughter-in-law.

His background shaped the priorities he took with him to Lansing—failed infrastructure, clean water and public education. He also stays true to these values in his roles on the House Judiciary and Natural Resources committees. These issues aren't just important to residents. Sowerby believes they're vital for continuing Michigan's economic rebound, and attracting and keeping businesses here.

"Through infrastructure improvements, good roads, properly funding K-12 education and providing good higher education opportunities throughout the state, businesses will want to be in Michigan," Sowerby said. "Additionally, the vibrancy of our economic activity is directly related to the promotion and preservation of our abundant natural resources."

Townships will continue to play a major role in Michigan's future by providing services to residents. They



Rep. Bill Sowerby (D-Clinton Chtr. Twp.) served as township treasurer for 10 years until 2016, when he was elected state representative.

also need thoughtful and careful planning and zoning so that residential, commercial and industrial development can cooperate with their designated land uses, Sowerby said.

At the same time, township officials must also actively communicate with their legislators. By partnering together, they can help to ensure that bills have the best possible impact on townships, Sowerby said. Legislators must also thoughtfully consider the practical impact of bills on local governments. They need time to receive feedback from their local leaders and learn the real-life effects legislation would have in their home communities.

Sowerby knows his constituents' voices are critical as he works on legislation in Lansing. His goal is to never lose sight of this fact, and to always let the residents' voices be heard. "When I leave Lansing, I would like to be known for having strong connections with the residents of the 31st District and helping give them a voice in the legislative process," he said.



## Rep. Roger Hauck (R-Union Chtr. Twp.)

The way Roger Hauck sees it, townships are Michigan's "boots on the ground."

While the state Legislature makes laws, and Gov. Rick Snyder enacts them, townships are the ones working with state residents on a daily basis. They're the ones charged with carrying out the laws, even if those laws turn out to have unintended consequences.

Hauck experienced this in his four years of serving as a **Union Charter Township** (Isabella Co.) trustee. Now, in his first term as a state representative, he uses that experience each time he reads a bill. He's able look at proposed policies not just from a lawmaker's perspective, but also from a local official's perspective.

"I believe my time at the local level allows me to have a better understanding of how certain policy can and will be accepted at the county, city and township levels," Hauck said.

Hauck, a Republican, comes to his new role with a bottom-up perspective on government. Growing up, he learned the importance of community while raised in a large Catholic family on a beef and dairy farm. He continued serving the community through his church, Sacred Heart Catholic Church, and his co-ownership of Quality Housing, a small business that builds duplexes in the township. He and his wife, Raschelle, passed the importance of public service on to their two adult children.

For 24 years, Hauck worked for the Delfield Company in Mount Pleasant, while enjoying his hobbies of riding his Harley Davidson motorcycle, bow hunting and fishing. He's also quite the drummer, and even toured with a rock band called Crystal.

Since coming to Lansing, Hauck hasn't forgotten his roots. He remembers from his days as a township trustee that local units of government are still struggling even as the state has rebounded from the recession.

"I am open to discussion of comprehensive changes to municipal finance," Hauck said. "I look forward to these conversations and working with our local governments as we continue advancing the state."

While Michigan has come a long way, the state needs to continue its effective budgeting and use of resources to keep the economic rebound going. This will take all levels of the state working together, including local units of government, Hauck said. All levels of government must be working efficiently and effectively to provide services to the community.

Hauck also believes cooperation among local governments is important to continue seeing positive change. Though it's



Since coming to Lansing, Rep. Roger Hauck (R-Union Chtr. Twp.) hasn't forgotten his roots. He remembers from his days as a township trustee that local units of government are still struggling even as the state has rebounded from the recession.

already happening more and more, he's interested in possibly leveraging state resources to promote cooperation, especially in some rural areas.

Working with local governments is key for legislators to pass good bills. Some ideas might look good on paper, but when they're put into practice, they don't turn out the way they were intended. "Without proper input from the 'implementers,' we could be legislating more headaches," Hauck said.

Though he's still new to his office, Hauck is committed to leaving a legacy of doing everything he can to help the people of his community. He wants to stay active in his community and always listen to his constituents' concerns. And he wants to be known for creating and passing positive legislation in Michigan.

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# Making the most of your meetings

**Y**ou look at the calendar and groan when you realize tomorrow night is your monthly township board meeting.

You're not sure what you'll discuss that night—you haven't seen an agenda yet—but if the past is any indication, it's sure to last at least three hours. Every board meeting is an endless stream of votes on boring, administrative details. The public never shows up, and you don't blame them.

This scenario is all too real for some townships—but it doesn't have to be this way.

Maybe you already know your board meetings aren't working and need to change. Or perhaps you never considered that meetings could be anything more than an evening of dealing with township administration and finances.

But many township boards enjoy meetings that are not only productive and efficient, they also engage the community. While their meetings might occasionally experience conflict, they understand that's sometimes a byproduct of a robust discussion. Instead of accepting division, they make the effort to build consensus among board members and come to an agreement everyone can live with.

This continuing education article and accompanying self-assessment are worth 2.0 elective credits in MTA's Township Governance Academy. See page 29 for details.



## OBJECTIVE

- To organize board meetings to be professional, efficient and forward-thinking on behalf of the township

## CORE COMPETENCIES

- Understands how to conduct effective board meetings and is knowledgeable about parliamentary procedure
- Possesses effective policy-making skills and decision-making skills

# cover story



Many township boards enjoy meetings that are not only productive and efficient, they also engage the community. They make the effort to build consensus among board members and come to an agreement they can all live with.

Having effective board meetings doesn't mean your board simply pays the township's bills and approves everything presented to it in under an hour. Township boards were designed to focus on what's truly important to their communities and lead them through current and future storms. Your board can't do this job well if your meetings are bogged down by administrative minutiae.

By streamlining and organizing meetings—and focusing the conversation—your board can focus on what really matters to your residents. Your township will reap the benefits of having a board with an eye on both current and future issues.

Good board meetings are better for board members and the public alike. Your residents will respect your board more if they see a well-run meeting. Public service will also be more enjoyable for your board members. While board meetings don't exist just to have fun, they shouldn't be torture! With the right processes and planning, your board meetings could actually become something you look forward to.

## Why do meetings fail?

One of the most common mistakes boards make is letting the conversation wander without keeping the focus on agenda items, MTA Executive Director and township governance expert Larry Merrill said. While anyone can veer off topic, some boards don't steer the discussion back to the agenda.

Their meetings end up unfocused and don't accomplish as much as they could.

Many boards are tripped up by how to handle public participation. Some are extremely rigid and refuse to answer even the simplest question from the public, while others become too engaged, leading to a breakdown in decorum.

Some boards struggle with showing negative emotions in board meetings. While there's nothing wrong with showing excitement or joy, a visibly angry or frustrated board member will only stir up more of the same emotions from other board members or the public.

But unless your meetings are plagued with clashes and last for four hours, it isn't always easy to recognize a problem in your own board meetings—especially if you're the moderator. Watch for red flags, such as an angry mob that shows up month after month, or a public that is chronically unhappy with you. Or, the public might be completely apathetic, and no one ever comes to your meetings unless absolutely necessary.

"If a large segment of the community is always unhappy, there's a message there that you're not in touch with your community," Merrill said. "If the public is apathetic, you're not focusing on the things that the community really wants you to do."

Problems might also be present if the board is constantly divided. While debate is positive, and your board does not always need to be unanimous, your board has some unifying work to do if votes are frequently split along the same factional lines.

It's helpful for boards to regularly assess themselves and look for areas that need improvement. Ask other board members for their honest opinion on how the meetings are running. Do they feel they're being treated fairly, and that their time is used well? Are the issues on the agenda the topics they ought to be talking about? The answers to these questions can help you evaluate how well your meetings are working.

Five years ago, anyone who attended an **Independence Charter Township** (Oakland Co.) board meeting could see the meetings needed an overhaul. Their marathon three- to four-hour meetings were frequently peppered with shouting matches. Board members clearly didn't respect each other, and the public followed their lead.

When a new slate of board members were elected in 2012 except for one remaining trustee, Trustee **Andrea Schroeder** and her fellow officials made pact that the previous level of disrespect would not be tolerated anymore. While they've disagreed at times in the last five years, they've stuck to their agreement that civility will always win—and when they go too far at a board meeting, they apologize. "Agreeing to disagree is not enough," Schroeder said. "We have to disagree without being disagreeable. That's our overriding culture."

## Come together

Your township can have the most carefully thought-out agenda in the world, but if your board isn't cohesive, your meetings will never reach their full potential. This doesn't mean everyone on the board must agree all the time. Instead, it means that your board must have a consensus on the township's mission.

Strong boards take the time to discuss the township's role in larger issues such as economic development, farmland preservation, providing services and how to make the community a better place to live. These conversations help to focus the board on its priorities and set a foundation for future decisions.

A short mission statement can serve as a compass to your board as it makes decisions and debates controversial issues. Even the discussion itself can be a unifying process for board members, Merrill said. Then, when your board disagrees in the future, you can always turn to the mission statement that everyone believes in and is invested in.

## What's the purpose of your meeting?

Before you meet, think about the outcomes you hope to achieve and what might be the best way to get there. For example, if your board plans to spend the meeting discussing an issue and working on possible solutions without a vote, you might want to adjust your agenda so that board members have ample time to speak.

If the meeting is a public hearing, your format might be more formal, complete with a microphone and podium so that each speaker can be heard. Or perhaps you plan to spend a meeting becoming educated on a particular topic.

Whatever the purpose of your meeting, you need to decide in advance so that you can plan your agenda and set up your meeting accordingly.

## Keep it legal

It sounds basic, but your board must first make sure that its meetings meet all statutory requirements. Check the Open Meetings Act (see the March issue of *Township Focus* for more details on the OMA) to ensure that your meeting notices are compliant.

State laws require your meetings to accommodate anyone with a disability. A quorum must be present, and minutes must be kept, approved and properly filed. While closed sessions are allowed, this is only in certain, specific circumstances. The public must also have a chance to participate.

## Be prepared

When your board is thoroughly prepared for its meetings, the public receives a message that you respect them. Everything from the facility to the agenda to the board packets can make or break your meeting.

Think about how the chairs are set, and how the board's seating is organized. Pay attention to the acoustics and determine if a sound system is needed in order for the

## Seven steps to basic voting procedures

A township board may choose to adopt an established form of parliamentary procedure, such as *Robert's Rules of Order*, *Mason's Manual of Legislative Procedure*, or any number of other recognized forms of parliamentary procedure. A board could also choose to use a simplified version of meeting procedure or even establish its own rules of parliamentary procedure, as long as they do not violate state law. The key is for all board members to know the rules and use them consistently.

For example, here are some basic steps to voting that a township board may find useful.

### “\_\_\_\_\_ Township Rules of Voting”

- 1. Board members who are not abstaining participate in fact-finding, discussion and debate to reach a consensus that the board should take action on a matter.**
- 2. A board member makes a motion to take a specified action.**

The clerk, recording secretary or the motion-maker should write the motion out as it is made and as amended—even on an index card that can be passed to the clerk—so all members will know exactly what they are voting on when a vote is taken.
- 3. Another board member seconds the motion.**

Note: A “second” is not required by law, or even recommended by all forms of parliamentary procedure. A township board may choose to not require that motions be seconded.
- 4. The motion may be discussed and amended until the moderator (supervisor, if present) calls for the vote.**
- 5. The moderator restates the motion before the motion is taken.**

By reading out the written version of the motion, the moderator is stating the motion so all board members, as well as the public, knows what is being voted on.
- 6. The moderator calls for the vote.**

A vote may be a simple “voice vote,” where each voting member calls out his or her vote at the same time when asked to vote “Aye” or “No,” or a vote may be a roll call vote, where the clerk calls each voting member's name and records in the minutes how that member responds. Secret ballots are never allowed for a township public body—all votes must be made in open session at a public meeting so the public may hear the votes.

The clerk may shuffle index cards with each member's name to ensure that no one member always votes first or last for roll call votes.

Each member, including the supervisor/moderator, votes on all business before the board unless that member is properly abstaining. The supervisor/moderator does not vote only to break a tie, and does not have to vote last.
- 7. The moderator announces the outcome of the vote and should identify responsibility for accomplishing the action (who will do it, and when).**

Note that a public body may choose to decide motions by “consensus,” without actually taking a vote, when a roll call vote or specific majority is not required. The motion is stated and, if no objections are heard, carries.

# cover story

audience to hear the discussion. If you're expecting a large crowd, consider moving the meeting to a location that can seat everyone. And plan ahead—if you're setting up chairs when the public starts to arrive, that says the meeting wasn't important enough for your board to prepare for it.

The meeting's starting time sends a similar message. If the official start time is 7 p.m., but the chair doesn't call the meeting to order until 7:15 p.m., you do a disservice to those who arrived on time. Start your meeting at the published time, even if someone you're expecting hasn't arrived yet.

Board members should sit down at each meeting prepared to do the township's business. They should receive their board packet—including proposed resolutions, draft ordinances and background materials—at least a few days in advance, and they should read it cover to cover well before the meeting is called to order.

As a township board member, you're faced with complex issues and critical decisions, many of which involve taxpayer dollars. If you don't read through the information and ask questions in advance, you'll either make an uninformed decision or waste time at meetings on issues that could have been handled on your own time.

"The purpose of a board meeting is to use information, not to collect it," Merrill said. "Everyone should come into the meeting knowledgeable and ready to make decisions."

## The agenda

The board meeting agenda is the plan for your board's meeting. Anyone who reads it knows what will be discussed that night and in what order. Typically, your agenda should stay consistent. Once you find an agenda that works, use it again and again. This provides both board members and the public with predictability. They know when the public has a chance to comment, when the board handles new business and when it discusses unfinished business.

If your agenda is your plan, then adding a last-minute agenda item at the meeting can throw the plan completely off balance. Not only does it catch board members—and the

public—off guard, but it forces board members to publicly discuss an issue, or even make a decision, without having a chance to prepare.

Independence Charter Township board members realized a major source of conflict at past meetings was the feeling that people were left in the dark. To remedy this, Clerk **Barb Palotta** created a form that board members are now required to complete if they want an item on the agenda. The form states who's requesting the agenda item, background information, what budget line item it would impact and how, the purpose of the request and a proposed motion. They must also indicate if they've run the issue by the township budget director.

All agenda requests must be submitted in time for the agenda to be posted on the township website the Thursday prior to their Tuesday meeting. This way, the public knows what the board is doing, and board members are prepared for the meeting.

"It builds trust in the community when they know what we're doing," Schroeder said.

## Less is more

The agenda can single-handedly determine the success of your meeting. If it's too long, and too crowded with business items, your meeting will last too long, and board members might not get the time they need to discuss the issues that are truly important to them.

**Wales Township** (St. Clair Co.) Supervisor **Larry Thompson** was only one year into his first term as supervisor when he decided the board's agenda needed a change. Far too much time was spent at each meeting approving the minutes, bills and other minor issues that were always approved with a unanimous vote. Combining all of those items into what's called a consent agenda was a game-changer. "The items that used to take us forever to get through them individually, we now pass them all en masse," Thompson said. "That saves us a whole lot of time from getting bogged down on side issues."

At the same time, transparency should always trump efficiency, Merrill said. If a crowd from the public is at a meeting, the board chair might spend a few moments explaining what's in the consent agenda if your board chooses to use one. And if an item in the consent agenda becomes the subject of controversy, it can always be pulled out and put on the regular agenda.

Your board's agenda should be a reasonable length—if it takes your board more than two hours get through the entire thing, it's probably too long. Lengthy meetings are tedious and tiring, and they can lead to bad decisions. No one has an infinite ability to process information, Merrill said. After two or three hours, even a 15-minute break won't refresh you. A board that consistently has three-hour meetings is most likely attempting to tackle too many issues.

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## Follow the rules

While some boards may be more formal than others, generally speaking, *Robert's Rules of Order* provides a procedure that will keep your meetings moving. These rules serve to protect the minority and give your board a mechanism for making a decision (see sidebar on page 25).

Your board also has the freedom to create its own rules of engagement (see sidebar on page 28). These should be discussed as a board and agreed upon so that everyone is on the same page, and they can be either a written set of rules or a verbal understanding. While Wales Township doesn't have a document outlining the rules, everyone on the board knows Thompson generally limits meetings to two hours. They know they're expected to stick to the agenda items without becoming side-tracked on a tangent, and if they do, he won't hesitate to gently steer them back to the agenda.

When someone violates one of these rules, any board member can correct him or her—not just the supervisor. At the same time, the rules are not state statutes, and they can be suspended in certain circumstances if the board agrees to it.

## Engage the public

Your board is required to give the public a chance to speak at its meetings—and each person must be treated equally. How your board handles this is critical—it should not leave the public with the impression that you don't want to hear what they have to say, or that expressing your opinion at a board meeting is more trouble than it's worth.

Many boards have two opportunities on each agenda for public comment—one at the beginning of the meeting, where agenda items may be discussed, and another at the end of the meeting for any topic. Your board can choose to limit each comment to a certain time period, such as three minutes each. However, this must be equally enforced, and your board cannot set a limit on the total time it will spend on public comments.

Merrill recommends taking your public comment periods a step further and also allow them throughout the meeting after the board's discussion on individual agenda items. This way, when the board is ready to vote, the voice of the public is fresh in each member's mind. Having this additional public comment serves two purposes. When members of the public comment on an agenda item after the board's discussion, their questions might be answered before they even ask and confusion can be avoided. Plus, the public feels it was genuinely heard by the board.

One way to handle this type of public comment is to explain that the board will discuss the agenda item first, then the public will have a chance to comment. Then, if a public comment changed a board member's mind, there's still time to change the motion or your vote.

"I want the public to see how awesome the board is," Merrill said. "I want them to hear the board process the issue. If the only time you take public comment is before the board's discussion, they assume that the board doesn't understand or see the issue that they are concerned about.



Having effective board meetings doesn't mean your board simply pays the township's bills and approves everything presented to it in under an hour. Township boards were designed to focus on what's truly important to their communities and lead them through current and future storms.

Most likely what they're going to see is the board already knew about that concern and had it addressed."

In **Carp Lake Township** (Emmet Co.), board members had to find a balance between taking public comment throughout the meeting and descending into an ongoing dialogue. The small township has more relaxed meetings, but it's still the time for board members to do the township's business, Clerk **Tanya Procknow** said.

They've curbed the problem by reminding the public that board members are available for phone calls and in-person meetings. By being accessible, board members can answer questions outside of meeting times. This change has also led to shorter meetings, Procknow said.

## Everyone's opinion matters

Good boards don't necessarily agree all the time. Disagreement is healthy, and no group of five to seven people will always see an issue the same way. Instead, board members must remember that everyone's viewpoint is valid—after all, each of you were elected by the public. "You may not agree with them, but they are owed respect," Merrill said.

Sometimes board members don't speak up to avoid conflict. They don't want to stick out when everyone else seems to agree. But when board members keep quiet and then vote against the motion, it confuses the rest of the board, Thompson said. "When you do that, you're depriving your fellow board members of an argument for the other side that we might have missed," he said. "If you disagree, tell us why. You might change our minds."

# cover story

Board decisions don't have to have winners and losers. When some board members disagree, it's your chance to reach a consensus. This doesn't mean you're unanimous, Merrill said. Consensus-building is a process in which your board reaches a conclusion you can all live with. Members in the majority reach out to those in the minority and ask what they can do to tweak a motion and get everyone on board. For example, your board could start a program as a pilot program only, or cap the amount it's willing to spend. With these changes, the decision isn't perfect for anyone, but everyone can live with it.

Consensus-building unifies the board and helps each board member have a stake in the decision. It also eliminates the problem of board members speaking negatively about a board decision. When the minority signs on to a decision, it gives up its right to criticize, Merrill said.

## Do what matters

Board members are indeed public servants, and your board is statutorily required to carry out administrative and financial duties. But your board can be so much more than that. As elected officials, you are community leaders. Don't be shackled with the perspective that your job is merely to oversee a few programs, Merrill said.

"Leadership means recognizing community challenges and issues, and taking them on before the community tells you that you need to do it," he noted.

Even the smallest township has challenges and issues that its board could help see it through. No township in Michigan is without road issues. Rural community populations are declining, and communities are losing jobs. Urban communities are grappling with development issues. The list goes on and on.

Change is inevitable in your community. In the midst of following state laws and paying your township's bills, it's up to your board to help steer your community through changes with a steady hand.

"Townships that never have a conversation other than the bills they're paying won't ever see what's happening in their community," Merrill said. "Consequently, their community becomes a victim of forces rather than being a group of people in control of their destiny."



**Bethany Mauger,**  
MTA Staff Writer

*Learn more about this topic at MTA's Annual Educational Conference, April 10-13, in Lansing, including sessions, "Parliamentary Procedure: Who Needs It?" and "Meetings Misconceptions."*

See page 29 for a continuing education self-assessment, worth 2.0 elective credits in MTA's Township Governance Academy.



## Board 'rules of engagement'

*developed by the Michigan Townships Association*

### Rules of engagement must be:

- 1) Appropriate to meeting purpose
- 2) Agreed to by all
- 3) Efficient
- 4) Fair
- 5) Promote public respect

### General rules

- 1) Only one meeting—no side conversations
- 2) All viewpoints are valid
- 3) Ideas generated first, evaluated later
- 4) Try to reach consensus—majority vote as last resort
- 5) Decisions will be supported by all members
- 6) Materials will be received in advance
- 7) Each member speaks for established period of time
- 8) Brainstorming—record all ideas
- 9) Manage any war stories and off-track discussions
- 10) Intervene with tact—any group member can act
- 11) Set time limit for each item
- 12) Adopt agenda by \_\_\_\_\_

### Participants

- 1) Prepare by reading; develop points of view, questions and opinions
- 2) Determine your goals
- 3) Take meeting seriously; stay involved, show up on time
- 4) Actively listen
- 5) Know where your point is going before you start—keep comments relevant
- 6) Help chair keep meeting moving
- 7) Obtain recognition from chair before speaking
- 8) Limit remarks to issue being considered
  - a. Ask questions for clarification
  - b. Respect colleagues' rights
  - c. Explain reasons behind significant decisions
  - d. Raise concerns and objections at meeting, rather than after
  - e. Express disagreement verbally and respectfully
  - f. Don't spring surprises
- 9) Criticize constructively and in private



# Continuing Education Self-Assessment

Participants enrolled in the Township Governance Academy (TGA), MTA's credentialing program, may obtain 2.0 elective credits for successful completion of this quiz. (To receive credit, this quiz must be completed by April 1, 2021.) To obtain credit, participants must answer the following 10 multiple-choice questions by circling the correct answer and receive a minimum passing score of 70 percent. The questions are based on content from the article, "Making the most of your meetings," beginning on page 23. There is no charge for MTA members to take the quiz or to obtain TGA credit. Completed quizzes should be faxed to (517) 321-8908 or mailed to: MTA, 512 Westshire Dr., Lansing, MI 48917. MTA will notify you of your results within two weeks after receiving your quiz. **IMPORTANT:** Please keep a copy of your completed quiz in your TGA binder. For information about TGA, call (517) 321-6467, email [tga@michigantownships.org](mailto:tga@michigantownships.org), or visit [www.michigantownships.org/members/tga.asp](http://www.michigantownships.org/members/tga.asp).

## TGA Continuing Education—April/May 2017 Making the most of your meetings

NAME: \_\_\_\_\_ TOWNSHIP & COUNTY: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

1. **What is a common mistake boards make that causes their meetings to fail?**
  - a. Following *Roberts Rules of Order*
  - b. Showing emotions at meetings
  - c. Letting the conversation wander off agenda items
  - d. Finishing in under an hour
2. **How can boards become more cohesive?**
  - a. Take the time to discuss larger issues
  - b. Vote on agenda items unanimously
  - c. Avoid disagreements during debates
  - d. Reach a consensus outside of board meetings
3. **What must your board do in order to plan and set up your meeting?**
  - a. Approve a five-year strategic plan
  - b. Determine the purpose of the meeting
  - c. Publish a meeting notice in your local newspaper
  - d. Check the Open Meetings Act for compliance
4. **Board member packets should NOT:**
  - a. Include proposed resolutions
  - b. Be used to answer questions in advance
  - c. Be available to the public
  - d. Be distributed at the meeting
5. **What can boards do to shorten long agendas?**
  - a. Discuss fewer issues at meetings
  - b. Take fewer breaks
  - c. Use a consent agenda
  - d. Limit public comments
6. **Your board's rules of engagement:**
  - a. Must be in a written document
  - b. Should be agreed upon by the entire board
  - c. Can only be enforced by the supervisor
  - d. Apply in all circumstances at board meetings
7. **State law requires township boards to give the public an opportunity to comment:**
  - a. At every meeting
  - b. At the beginning of the meeting
  - c. At the end of the meeting
  - d. Throughout the meeting
8. **Your township board may limit:**
  - a. The total time allowed for public comment
  - b. Comments from members of the public who oppose the board
  - c. The time allowed for each person who wants to comment
  - d. Comments from attendees who don't live in the township
9. **How should boards handle an agenda item that divides members?**
  - a. Accept that decisions have winners and losers
  - b. Make compromises to build a consensus
  - c. Table the decision and gather more information
  - d. Ask the public for more input
10. **How do township boards lead their communities?**
  - a. Recognize challenges and steer the township through change
  - b. Make sure board meetings follow state statutes
  - c. Avoid controversies to ensure more positive board meetings
  - d. Limit board meetings to finances and township business



## Specific rules for township board meetings

**B**oth general township laws (MCL 41.1a-41.110c) and the Charter Township Act (MCL 42.1, *et seq.*) impose requirements in addition to the Open Meetings Act (OMA) requirements for township board meeting schedules, notices and minutes.

### Scheduling regular meetings

A **general law township** board must adopt a schedule of regular meetings by resolution and must meet no less than one regular meeting every three months. If a time set for a regular meeting of the township board is a holiday, as designated by the township board, the regular meeting must be held at the same time and place on the next secular day that is not a holiday. (MCL 41.72a)

A **charter township** board must adopt a schedule of regular meetings by resolution, and must meet no less than one regular meeting each month. If a time set for a regular meeting of the township board is a holiday, then the regular meeting must be held at the same time and place on the next day that is not a Saturday, Sunday or holiday. (MCL 42.7)

Editor's note: Last month's *Township Focus* cover story, *What you need to know about the Open Meetings Act*, explored the OMA's requirements for meeting notice, conduct, decision-making—and more. This article takes an in-depth look at specific statutory rules for township board meetings. Turn to this month's cover story on page 23 for more on *Making the most of your meetings*.

### Calling special meetings

A **general law township** has three options for calling a special meeting:

- 1) During a meeting, the township board can schedule a special meeting in the future;
- 2) The supervisor can call a meeting when he or she considers it necessary; or
- 3) A majority of the board (three of a five-member board, or four of a seven-member board) can submit a written request to the township clerk stating the specific reason for the meeting.

A general law township supervisor could simply post the special meeting notice, but MTA recommends that a request from the supervisor also be made in writing and delivered to the clerk. (MCL 41.72a) At the very least, this is a courtesy to the clerk, who must post the notice, and provides a clear record of the request.

If the supervisor calls a special meeting, a general law township clerk must give notice of the time, place and purpose of the meeting to each board member, either in

person or by leaving a written notice at the member's address. (MCL 41.72a) MTA recommends that board members be notified whenever a special meeting is posted. There is no time requirement for notifying general law township board members of a special meeting, but MTA recommends establishing a consistent policy, such as using the 24-hour notice period required for charter townships.

A **charter township** can call a special meeting:

- 1) During a meeting,
- 2) Upon the written request of the supervisor to the clerk or
- 3) Upon the written request of two township board members to the clerk.

When a meeting is called by the supervisor or two board members, the clerk or someone designated by the clerk must notify each board member of the time, place and purpose of the meeting at least 24 hours prior to the meeting by written notice served personally or left at the member's usual place of residence. (MCL 42.7) MTA recommends that board members be notified whenever a special meeting is scheduled.

### Public notice of special meetings

The OMA requires that the public must be notified of any special meeting of a township board by notice posted at least 18 hours prior to the meeting time. The notice must state the date, time and place of the meeting. If the township has a website and regularly posts meeting agendas or minutes to the website, then any special meeting notice must also be posted on the website. (MCL 15.265)

In addition, both general township law and the Charter Township Act (MCLs 41.72a and 42.7) require that notice of a special meeting must state the purpose(s) of the meeting. If any board members are missing at a special township board meeting, the board can only do business that was stated in the meeting notice, along with at least one public comment period.

In practice, if any member of a township board is not present at a special meeting, then the meeting notice becomes the agenda of the meeting. Even routine, "housekeeping" agenda items such as approving checks or approving minutes may not be addressed unless they were listed in the special meeting notice. (MCLs 41.72a and 42.7) (Note that this restriction applies only to township board meetings.) As a result, the notice of a township board special meeting should not include any statement to the effect that its agenda "will include any business that may lawfully come before the board."

If, however, all the township board members are present at a special meeting, then any business that might lawfully come before a regular meeting of the board may be transacted at the special meeting.

### Taking meeting minutes

In a **general law township**, the township clerk has the statutory duty to transcribe the minutes of the proceedings of each township board meeting, including each order, direction or rule made by the board. (MCL 41.66)

In a *charter township*, the board must keep a "journal of its proceedings in the English language." The minutes must be signed by the supervisor and the clerk. (MCL 42.7)

### Publishing minutes

The OMA does not require minutes to be published in a newspaper, but township laws do contain publication requirements for township board minutes:

#### *General law township meeting minutes*

If a **general law township** has a taxable value of \$50 million or more, as annually adjusted for inflation by the Michigan Department of Treasury, the township board must publish its minutes or a synopsis of the minutes in a newspaper of general circulation in the township. That taxable value threshold to require publication of minutes for 2017 is \$83 million or more. (MCL 41.72a)

If a synopsis (short summary that shows "the substance of each separate proceeding of the board") is used, the clerk is responsible for preparing it, subject to approval by the supervisor. (MCL 41.72a)

#### *Charter township meeting minutes*

All **charter townships** must "publish" the board minutes or synopsis at least once a month. (MCL 42.8)

For a charter township, "publishing" has a different meaning. It is up to each individual charter township board to determine whether it will publish minutes or other actions required to be published, such as ordinances by: 1) printing the township board minutes or a synopsis in a newspaper or 2) posting the minutes or synopsis in the clerk's office and five public places, or the township website, plus printing a notice in the newspaper that identifies where the minutes are posted within seven days of posting. (MCL 42.8)

#### *Newspaper of general circulation*

MCL 691.1051 defines a "newspaper of general circulation" as a newspaper that: 1) is published in English, 2) is for the purpose of news or information or legal news, 3) has a bona fide list of paying subscribers or has been published not less than weekly in the community for at least two years, 4) has been published weekly for at least one year in the township, and 5) annually averages at least 25 percent news and editorial (non-advertising) content per issue.

.....  
Visit the MTA Members website "Resource Toolkits" page at [www.michigan-townships.org](http://www.michigan-townships.org) or contact MTA Member Information Services at (517) 321-6467 to obtain a copy of the handout, "Just the Facts! Taking Township Minutes," which includes sample minutes and a sample synopsis for publishing. You may also purchase MTA's publication, *Introduction to Township Board Meetings*, online, or by calling the MTA office.

# 'An inspiration'

Love of community, politics motivates newly elected teen treasurer

It's one thing to be the new guy in a township office where most other officials have served for years.

It's another when you're 18 years old.

**Nolan Kinder** was fresh from high school when he was elected treasurer of **Marathon Township** (Lapeer Co.) last November. Not only was he brand-new to the job, he was also a good three decades younger than the other officials.

Some might have been intimidated. Kinder saw it as an opportunity to learn. Now 19 years old, he's dedicated himself to being the best treasurer possible and serving township residents with everything he has. He's stayed at work way past closing time to make sure the first tax bills he prepared were on time and done correctly. He read the entire township master plan before his first board meeting. He's studied up on the duties and responsibilities he is now required by law to fulfill.

## 'Giving this job my all'

He may be young, but Kinder won't let that stop him from doing his job. He is fully committed to his elected position, even delaying starting college until he has a firmer grasp on his work. The job is his top priority. It has to be, he said.

"I'm giving this job my all because I do have a lot to prove," Kinder said. "I'm from a generation that's considered lazy and entitled. I fight for everything I do in this office. I come in every day with a good attitude and do the job to the best of my ability."

Running for treasurer wasn't a spur-of-the-moment decision for the Marathon Township teen. He's had his eye on a career in politics since the 2008 election caught his attention in the fifth grade. Even though he toyed with the idea of other careers, he always came back to politics. He often found himself talking about the issues with his teachers and standing up for his beliefs.

He realized he could voice his opinions and respectfully argue in a way that many other young people could not.

Kinder got his first taste of real-world experience after a chance encounter with a candidate for state representative, Jake Davison. Kinder was working at a restaurant when the bartender pointed out Davison to him. "Hey, you like politics," the bartender told him. "This guy's running for state rep."

The two sat down and talked, and before long, Kinder became Davison's campaign manager. Kinder threw himself into the election, knocking on at least 1,000 doors over the



Nolan Kinder (right) is sworn in as the newly elected treasurer for Marathon Township (Lapeer Co.).

course of the next few months. “We lost by a landslide, but I took a lot of pride in that election,” Kinder said.

Kinder and Davison remained friends even after the election was over. And when Kinder decided to run for treasurer, Davison was the first person he called. True, the office of treasurer wasn’t overly political, but it was a job he knew he could do well. He believed the office was his chance to not only start his career but also serve the township where he grew up. Davison was completely supportive of the campaign, Kinder said.

His parents were shocked when they learned of his plan. They asked him, “Are you sure this is what you want to do?” Kinder reassured them it was what he had always wanted, and they gave him their blessing.

While Kinder was confident he could do the job, he never actually thought he could win. He knocked on a few doors and shook hands on Election Day, but he figured someone older or with more experience would carry the day. So when the results came in and his name was on top, he was stunned. Taking the oath of office on Nov. 20, 2016, was surreal.

“It was a shocking experience,” Kinder said. “This was something I had always wanted, and now it was real. I felt like an inspiration, that maybe other young people will take politics more seriously, voice their opinions and vote. That, to me, would be huge.”

Kinder is by far the youngest person in the township hall, and his fellow officials on the township board have held their positions for multiple years. The previous treasurer

had been in office for seven terms, and everyone in the community was used to seeing her. He came to the office on his first day knowing there would be a transition period. But in just a matter of weeks, he’s already made friends with his co-workers and called the transition seamless. He’s also actively working to build relationships with the community and introduce himself to as many people as he can.

The first board meeting was an intimidating experience. Though he enjoys speaking up and expressing himself, he knew he needed to learn how meetings worked and about township operations before he spoke up too much.

### A sense of pride

Then there was the matter of preparing tax bills. He had just barely settled into his office before he learned tax bills had to be sent the next week. “That was wild to say the least,” Kinder said. He worked a minimum of 12-hour days working to print, fold and stuff every bill in time to send to taxpayers by the deadline. While it was stressful, he left the office that night with a sense of pride in what he’d accomplished.

Every day and every learning experience has helped to build his confidence. He’s growing in his understanding of the job and is getting more and more comfortable with each day that goes by. His responsibilities are huge, but at the heart of it is serving the people in the township he loves.

“The people are my favorite thing,” Kinder said. “When people walk in and I can have a good conversation with them and get them taken care of, it feels great.”

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Steven Mann

+1.313.496.7509  
mann@millercanfield.com



Patrick McGow

+1.313.496.7684  
mcgow@millercanfield.com



Thomas Colis

+1.313.496.7677  
colis@millercanfield.com



Harold Bulger

+1.313.496.7507  
bulger@millercanfield.com



Steve Frank

+1.313.496.7503  
frank@millercanfield.com



Laura Bassett

+1.313.496.8460  
bassett@millercanfield.com



Dorothy Heebner

+1.313.496.7860  
heebner@millercanfield.com



Ian Koffler

+1.517.483.4904  
koffler@millercanfield.com

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# upcoming MTA workshop

## REGISTRATION INFORMATION

### Introduction to Planning & Zoning

Whether you're a member of the township board, planning commission or zoning board of appeals, your knowledge of the planning and zoning process is vital to your community. As new developments and projects approach your township, it's important to be prepared to make tough decisions.

This evening workshop demonstrates the basic elements of an effective planning and zoning program. We'll review the sources of township planning and zoning authority, the structure and function of the planning commission and zoning board of appeals, and the role of the township board. In addition, we'll discuss the "ins and outs" of master plans and zoning ordinances, along with key strategies for effective decision-making.

Registration and dinner begin at 4 p.m., class is held from 5 to 8 p.m.  
Dates and locations are:

- May 8:** Holiday Inn, 12812 Harper Village Dr., Battle Creek, (269) 979-0500
- May 22:** Bavarian Inn Lodge, One Covered Bridge Ln., Frankenmuth, (989) 652-7200
- May 24:** Treetops Resort Conference Center, 3962 Wilkinson Rd., Gaylord, (888) 873-3867
- May 31:** The Shack Country Inn & Conference Center, 2263 W. 14th St., White Cloud, (231) 924-6683



Presented by MTA Legal Counsel Catherine Kaufman, who brings her unique experience as both a planner and an attorney with the firm Bauckham, Sparks, Thall, Seeber & Kaufman PC, this workshop offers real-life, practical application.

**Discounted book package available!** Use this form to pre-purchase MTA's Planning & Zoning Book Package, which includes *The Township Guide to Planning & Zoning (2012 edition)* and *Planning & Zoning Decision-making (2008 edition)*. The *Township Guide to Planning & Zoning* provides a detailed look at the planning process and outlines elements of a successful planning program, while *Planning & Zoning Decision-making* aims to help planning and zoning officials reach defensible, effective decisions and build a strong community based on sound planning principles and procedures. Books will be distributed at check-in. A limited number of publications will also be available to purchase on-site.

**Cancellation, Substitution & Switching Policy:** Written cancellation requests received at the MTA office by April 24 will receive a full refund. No refunds will be issued thereafter. You may switch workshop locations at no charge if you notify MTA of the change at least one week prior to the workshop; otherwise, a \$25/person fee will be assessed. You may substitute another individual from your township without incurring a charge; please notify MTA of the change.

## Introduction to P&Z Registration Form — — — — —

Township \_\_\_\_\_ County \_\_\_\_\_

Telephone \_\_\_\_\_ Email \_\_\_\_\_

Name & Title \_\_\_\_\_ Purchase P&Z book package?  Yes  No

Name & Title \_\_\_\_\_ Purchase P&Z book package?  Yes  No

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Name & Title \_\_\_\_\_ Purchase P&Z book package?  Yes  No

**NOTE: Payment must accompany form in order to be processed.**

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 Charge to: (circle one)    MasterCard    VISA

\_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_     /

Card # \_\_\_\_\_ Expires \_\_\_\_\_

Print Card Holder's Name \_\_\_\_\_ Signature \_\_\_\_\_

### Which location will you attend?

- May 8:** Battle Creek       **May 24:** Gaylord  
 **May 22:** Frankenmuth     **May 31:** White Cloud

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# upcoming MTA event

## REGISTRATION INFORMATION

### Strengthen Your Township Leadership Team

A professional development retreat for townships with a manager or superintendent

The relationships among the township supervisor, the board and the township manager/superintendent is a critical component of effective governance and operations. Clarity of policy and management responsibilities results in greater efficiency in decision-making, execution and accountability.

Join MTA and fellow officials from similar townships for this exclusive *Professional Development Retreat for Township Supervisors and Managers/Superintendents*. Held **June 27-28** at the Bavarian Inn Lodge in Frankenmuth, this two-day event will clarify leadership roles, responsibilities and relationships to build and maintain trust among the entire township leadership team. We'll help you identify the dimensions of high-performing teams and demonstrate how that translates into a more effective local government.

We invite supervisors and their manager/superintendent to attend together to:

- Create a culture of trust and improve your partnership with each other ... and your board.
- Evaluate the effectiveness of your board.
- Identify which governance model is the right fit for your township.
- Examine the core competencies of local government leadership so you can lead at your personal best.
- Walk away with powerful insights to assess your board's capacity for changes—making you more effective in addressing key issues facing your township.



<b>UPCOMING RETREATS</b>	<b>Clerks:</b> July 19 & 20	<b>Supervisors:</b> July 27 & 28
	<b>Treasurers:</b> July 25 & 26	<b>Trustees:</b> August 5 & 6

#### Evening Activity

After a full day of education, we know you'll be ready for some fresh air! Leave the meeting room behind and hop aboard the Bavarian Belle riverboat. Relax and enjoy a one-hour historical narrated tour of the Frankenmuth area.

#### Lodging

Hotel rooms are not included in registration rates. Room rates are \$99/standard, \$109/premium and \$174/suite. Register online at <http://bit.ly/RetreatLodging> or call (855) 652-7200 and reference MTA group#12H1YF. Reservations made after June 13 will be subject to availability.



Attendance at an MTA Professional Development Retreat is worth four (4) elective credits in the Township Governance Academy.

## Registration Form

\_\_\_\_\_  
Township County

\_\_\_\_\_  
Daytime Telephone Email Address

\_\_\_\_\_  
Name Title

\_\_\_\_\_  
Name Title

**NOTE: Payment must accompany form in order to be processed.**

- Check enclosed (payable to MTA)
- Charge to: (circle one) MasterCard VISA

\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_  
Card # Expires

\_\_\_\_\_  
Print Card Holder's Name Signature

### Professional Development Retreat for Township Supervisors & Managers/Superintendents

**June 27 & 28 at the Bavarian Inn Lodge, Frankenmuth**

Team includes township supervisor and manager/superintendent; participation of both is required. Additional registrants are allowed (deputy supervisor or assistant manager/superintendent only).

- Supervisor and manager/superintendent: \$548\*
- Additional registrant: \$274\*

AMOUNT ENCLOSED = \$ \_\_\_\_\_

#### Cancellations & Substitutions:

Written cancellation requests received at the MTA office by May 30 will receive a full refund; those received by June 13 will receive half of the registration fee. No refunds will be issued thereafter. Changes to hotel reservations must be made directly with the Bavarian Inn Lodge; see hotel confirmation for cancellation policies.



Send your completed registration form with payment to MTA, P.O. Box 80078, Lansing, MI 48908-0078; fax: (517) 321-8908. Or register online at [www.michigantownships.org](http://www.michigantownships.org). Questions? Call (517) 321-6467.

# aroundthe**state**



## Canton Charter Township

**C**anton Charter Township (Wayne Co.) is now one of the largest townships in the state. With more than 90,000 residents, the growing township began in 1825 when New England settlers arrived, following the opening of the Erie Canal.



Sheldon Corners was established in 1825 adjacent to the Sauk Trail. The center spawned a small village made up of a number of homes, post office, general store, blacksmith, church and school. As the township grew, so did the need for the main thoroughfare, Michigan Avenue, to expand—making Sheldon Corners a thing of the past. A few of remaining historic structures offer a reminder of the area, including an inn, school and a few homes.

Cherry Hill Village was established at the same time as Sheldon Corners. It was home to the township's first church, now a Michigan State historic site. Not much had changed



in Cherry Hill since the early 1800s until it was reestablished as the new Cherry Hill, including hundreds of new homes, apartments, condos and commercial buildings. Cherry Hill is home to the Village Theater at Cherry Hill Village, a performing, visual arts and education center.

On March 7, 1834, Canton became a Michigan township. Canton, like Nankin and Peking Townships, was named after a city in China. Following a Washington, D.C. decree that township names could not use an existing name, a fascination with China arose and a number of townships adopted Chinese province and city names. Canton Charter Township is the only remaining Michigan township with its original Chinese name. The township's population increased to 5,300 by 1961, and soon after, residents voted to become one of Michigan's first charter townships.

Through the years, it has remained of great importance to the township to maintain its numerous historic buildings, including the Cherry Hill School, Cherry Hill Inn and the one-room schoolhouse that now houses the Canton Historical Society Museum. Cherry Hill School, built in 1876, still has many of its original Italianate-style features, including ornate brackets under the eaves, a wooden cupola with keystone windows and a brick chimney. Inn owner Abner Hitchcock built his establishment on Cherry Hill Road, where he (mistakenly) believed the turnpike linking

Chicago to Detroit would run. The schoolhouse-turned-museum, known as Canton Center School, was originally a log cabin. It burned down in 1883, and was rebuilt with bricks the following year.

The township has a rich history that its local leaders are committed to preserving and are privileged to honor. Officials and residents look to where they came from to help shape the community they know today, and to guide their growing community into the future.





**Effective  
strategies**

**Practical  
techniques**

**Valuable  
resources**

**Managers &  
Supervisors’  
Retreat**  
June 27-28

**Clerks’  
Retreat**  
July 19-20

**Treasurers’  
Retreat**  
July 25-26

**Supervisors’  
Retreat**  
July 27-28

**Trustees’  
Retreat**  
Aug. 5-6

Join MTA for two days of **intensive learning and networking** at our **Professional Development Retreats**.

As a leader in your township, you are expected to have **solutions** for a wide variety of challenges. How do you ensure you’re equipped to anticipate, and develop **strategies** to overcome, virtually any situation that arises in your community?

Held at the Bavarian Inn Lodge in Frankenmuth, MTA’s **Professional Development Retreats** will provide education and insights on topics relevant to the entire township board, as well as sessions tailored to duties **specific to your office**.

Join us this summer, and **elevate your role** as a local leader. Your constituents will appreciate and **respect the knowledge** you gain.

*Registration brochures will be mailed to all officials in April. Online registration and downloadable forms will also be available on [www.michigantownships.org](http://www.michigantownships.org).*

*Save \$50 off full-program rates by registering your deputy or a fellow trustee! Discount applies to second registrant who is attending the same Retreat.*

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