

Township Focus

OFFICIAL PUBLICATION OF THE MICHIGAN TOWNSHIPS ASSOCIATION

Supporting township businesses

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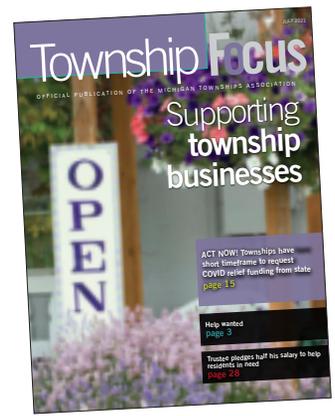
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July 2021 | Volume 9, Number 6



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Act now! Townships will have a short timeframe to apply for federal COVID-19 relief funding

Every Michigan township can receive an apportionment of funding through the American Rescue Plan Act, which aims to help communities in the post-pandemic recovery. However, the timeframe to request funds is short and townships should act quickly.

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Supporting township businesses

As townships are beginning to put the worst public health crisis in a century behind them, Michigan's businesses, too, are turning toward the recovery and what a post-pandemic "new normal" looks like. There are efforts that townships can undertake to support their area businesses and help them not only survive, but thrive in the upcoming months and years.

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'We're together in this'—Trustee pledges half his township salary to residents in need

Learn how one trustee was inspired to extend an offer of help to his residents, giving away a portion of his township salary to those in need.

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Special section!
2021 Township
Vendor Directory



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allied service provider index



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Help wanted

Our feature article in this month's *Township Focus* covers how your township can assist your small businesses recover from the pandemic. While most big box stores operated freely, tens of thousands of small business owners across our state were crushed by the operating restrictions, the stay-at-home orders, supply chain disruptions and drastically reduced staff availability. Many owners have closed permanently while others depleted their savings to cling to their dreams. These owners are your community's employers, school sports sponsors, quality-of-life providers, taxpayers and, quite often, township officials or volunteers. Please read our review of the situation and see how you can help them rebuild.

Late-night television ads for many years advertised "Free Government Money," usually pitched by someone in a bright green suit decorated with dollar signs. Various other scams and shams have used similar lines. Now at least, the idea of it is reality. The American Rescue Plan Act (ARPA) brings dedicated funding to our townships for which we fought through our National Association of Towns and Townships (NATaT) and in coalition with many other municipal associations. This new program offers per-capita funding to townships based on the 2019 Census estimate. We are sharing critical details with our members as they become available in emails, our website and social media, this magazine, and in free webinars and online Q&As with MTA staff as well as both the federal and state Treasury departments. Continue to watch those vehicles for updates on this critical local government program.

Key immediate details are:

- Townships must complete the Michigan Treasury's "Funding Election and Budget Certification Form" to receive the funding.
- Townships will have until the end of 2024 to "commit" the funds.
- Townships will receive the first half as early as this month and the second half next year.

Please do not miss out on what is being called a once-in-a-generation opportunity for our local governments. I read with disbelief that nearly 20% of Michigan local governments returned their federal CARES funding. Fortunately, this new program has much broader permitted uses. **Turn to page 15 for additional details on the ARPA program and actions that townships must take.**

2021 MTA President **Pete Kleiman** and I have our first date for our September "MTA Chapter Reopening Tour." We'll be in the Grand Rapids area on Sept. 23. Would you like to host us in September for your nearby county chapters? We have a date, you name the place. Please send me an email to neil@michigantownships.org.

This issue also features details on MTA's return to in-person learning, our September *UP North Summit*. While both MTA and our member officials have embraced online learning over the past year-plus, we have also missed gathering with our members to learn and network together. We are thrilled to be able to return to our face-to-face education, and are also continuing to offer a remote learning option for those who have grown to appreciate participating from their home or office. Our annual Township Vendor Directory is also included in this issue—please remove this center section to keep at hand throughout the year when searching for services or products for your township, and support the companies that support MTA and township government.

As we help our communities recover, we are also heading into the peak summer months, so we wish you and yours very enjoyable times in our beautiful state.

Neil

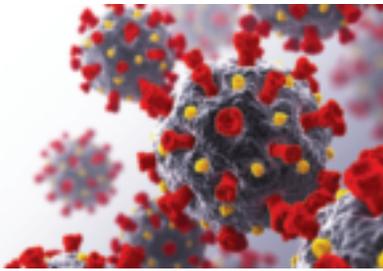


news¬es

a compendium of noteworthy items

RETURN TO NORMAL

COVID-19 restrictions lifted early, including workplace rules



All broad state COVID-19 restrictions from the Michigan Department of Health and Human Services “Gatherings and Face Masks” epidemic order were lifted June 22, nearly two weeks ahead of previously announced timeframe, following plummeting case

positivity rates, hospitalizations and deaths, and increasing statewide vaccination rates. As of *Township Focus* press time, nearly 62% of eligible Michiganders had received at least one dose of the COVID-19 vaccine. With the lifting of restrictions, there are no longer any indoor or outdoor gathering capacity limitations or face covering requirements. However, businesses and workplaces—including townships—may have their own requirements for the safety of their staff and the public.

Revised Michigan Occupational Safety and Health Administration (MIOSHA) emergency workplace rules were also released, now allowing all non-health care employers—including townships—to use their best judgment in determining whether to maintain daily health screenings or require face coverings or social distancing. Townships no longer must have a COVID-19 preparedness and response plan, as previously required under the MIOSHA rules, but may modify and keep their plan in place if they so choose. Workplaces are encouraged to continue to follow the available Centers for Disease Control and Prevention and federal OSHA recommendations to mitigate health and safety hazards.

Townships can resume holding in-person public meetings with no restrictions to the number of attendees, and no requirements for social distancing or face coverings. A township board may continue to adhere to such requirements if it so chooses. Through the end of the year, virtual attendance of members of a public body at public meetings is only allowed for three reasons: military duty, a medical condition, or a statewide or local state of emergency or state of disaster. After 2021, remote participation is only allowed due to military duty.

Vaccination requirements, incentives are allowed

Townships—as employers—can require employees be vaccinated from COVID-19 before returning to in-person work and offer incentives for employees to get vaccinated, according to updated guidance from the U.S. Equal Employment Opportunity Commission. Under the newly released information, employers may require all employees

entering the workplace to be vaccinated for COVID-19, subject to the reasonable accommodation, disparate impact and disparate treatment considerations. Encouraging employees and their families to get vaccinated, providing vaccination information and addressing common questions do not violate equal opportunity laws.

As explained in the March issue of *Township Focus*, townships also must comply with the Americans with Disabilities Act, Title VI of the Civil Rights Act and the Genetic Information Nondiscrimination Act. Townships considering such actions should work with their legal counsel to ensure proper adherence to the law.

‘Month of Action’ wraps up July 4

A declared “Month of Action” focused on helping Americans get vaccinated against COVID-19 in the lead-up to the July 4 holiday. When announcing the campaign, geared toward community leaders, President Biden said, “Without your strong support on the ground to organize, mobilize, educate and inspire your community, we never could have come this far. The light at the end of the tunnel is growing brighter each day, and that is a direct result of your leadership.” Among the actions that local officials can take to increase vaccinations are hosting or promoting local vaccine clinics, going door to door or creating a phone tree to discuss vaccination with residents, including answering questions and sharing resources.

As vaccination rates slow dramatically, emphasis to ensure that the pandemic is behind us is turning to providing residents vaccine access and information from trusted sources. An On-Site Vaccination Clinic Toolkit, available on www.michigantownships.org/coronavirus.asp, includes details that can help your township, community groups, area churches and others in partnering with local vaccine providers to make vaccinations more convenient and accessible. The toolkit includes a roadmap for working directly with vaccine providers to launch vaccination clinics in places individuals know and trust, sample roles and responsibilities to guide discussion and planning with your vaccine provider, and points-of-contact for vaccine providers offering on-site vaccination services.

Form I-9 remote inspection flexibility ends Aug. 31

The temporary policy allowing flexibility for employers to remotely complete inspection of required identity and employment authorization documents for the Form I-9 ends Aug. 31, 2021. All employers—including townships—are responsible for completion and retention of Form I-9 for each individual they hire for employment in the U.S. (This includes elected officials.) After the policy sunsets, remote inspection of required documentation is no longer allowed.

MUCH-DESERVED RECOGNITION

Nominate your township's inspiring individuals for 'Small Town Civic' award

The Small Town America Civic Volunteer Award is once again seeking to shine a spotlight on the dedication and hard work being done every day across the nation by our public servants and volunteers in small communities.



Among last year's awardees were a **Wheatfield Township** (Ingham Co.) election inspector who has worked township elections for more than seven decades, a dedicated supervisor from **Thornapple Township** (Barry Co.), **Marquette Charter Township** (Marquette Co.) planning commission chair, **Lee Township** (Allegan Co.) trustee, and a 40-plus year veteran of the **Lee Township** (Van Buren Co.) fire department. After the past year, our public servants and volunteers have been more valuable than ever. Visit www.civic-volunteer.com to nominate someone from your township for their services to your community. The application period runs July 15 to Oct. 15.

The award aims to spotlight the growing challenge small communities face in retaining and recruiting people to fill vital public service roles. The program will recognize the top 100 nominees who fill critical roles such as firefighters, emergency medical technicians, advisory committees for libraries, public recreation programs, township boards and committees, and more. Note that small stipends, travel reimbursement and other modest forms of financial support received by some elected and appointed township officials are not considered "pay" for the purpose of the contest.

The award program is open to all U.S. townships, cities and counties with populations of 25,000 or less. Local governments represented by the top three winners will receive awards of \$20,000, \$7,500 and \$5,000. Municipalities represented by the top 100 nominees will qualify for a free volunteer management module that can be integrated with their website to help engage, recruit, track and retain community volunteers, along with module tech support. The National Association of Towns and Townships is among the program's co-sponsors, and MTA Executive Director Neil Sheridan serves on its national advisory team.

Honor the public servants in your community. Up to two nominations per township can be submitted. The supervisor, or his/her designee, must authorize the application. Nominators will be asked to describe their candidates' compelling story of local volunteerism and its positive impact on their communities. Nominations will be evaluated on the degree to which a nominee's service has made a significant, lasting impact on their locality; the length of their public service; and whether their service contributions would be considered above and beyond the "call to duty."

We can't wait to see the Michigan winners!

LOCAL UPDATES FROM ACROSS MICHIGAN

Township happenings

Canton Charter Township (Wayne Co.) Police Chief **Chad Baugh** was reappointed by Gov. Gretchen Whitmer to a two-year term on the state Human Trafficking Commission, representing the Michigan Association of Chiefs of Police and the interests of law enforcement.

Two townships were among recent recipients of Community Energy Management program grants announced by the Michigan Department of Environment, Great Lakes, and Energy. **Chassell Township** (Houghton Co.) was awarded \$15,000 and **Overisel Township** (Allegan Co.) was awarded \$1,245 for energy efficiency upgrades. These projects will save money and reduce carbon footprints.

Chesterfield Township (Macomb Co.) is now home to Michigan's third-ever Michigan Veterans Home. A ribbon-cutting ceremony was held this April, attended by Gov. Whitmer, representatives from the state Department of Military and Veteran Affairs and others. The home will provide state-of-the-art care to our state's veterans and their families. The facility has four neighborhood-style buildings and a community center, offering 128 private resident rooms, barbershop, salon, pharmacy, facilities for physical and behavioral therapy, and more.

Members of the **New Buffalo Township** Fire Department (Berrien Co.), along with Berrien County Sheriff's Department and Berrien County Prosecutor's Office staff (and assisted by the Berrien County Dive Team and Medic 1 Ambulance) took a chilly dip this winter, participating in the Polar Plunge—and raising more than \$2,400 for Special Olympics. The team's fundraiser took first place in the Law Enforcement Division.



Email YOUR Township Happenings to 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.



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Remembering MTA Life Member Ron Voorheis

MTA Life Member and 1977 President **Ronald Voorheis** passed away in June. He was 91.

A lifelong resident of **White Lake Charter Township** (Oakland Co.), Voorheis (*pictured at right with his family during his MTA presidency*) was first urged to run for township office by his uncle, Hazen Welberry, who was the township's clerk. He ran for and was elected treasurer in 1956—and was re-elected 12 times. Voorheis later served two terms as township trustee, before his retirement in 2004. His daughter, Andrea, followed in her father's footsteps and began serving the township as trustee in 2004, and also continues her father's legacy by carrying the township flag in MTA's Parade of Flags during the Association's Annual Conference, as Ron Voorheis did for many years (*pictured above*).

Voorheis was active in other areas of his community, including the local historical society since its inception in 1987, the Huron Valley Community Chest Committee, as a 4-H leader, and as a deacon and superintendent at the White Lake Presbyterian Church. He volunteered for Meals on Wheels and was a multi-gallon blood donor for Red Cross.

Voorheis served townships across the state with his dedication and service to MTA. In his area, he will likely be most remembered by many for his portrayal of Uncle Sam in various area parades from the early 1970s until just a few years ago. He first rode a "bumpity" bike and then a high wheeler, always taking time after parades to give rides to excited children. His daughters and the occasional niece or nephew would dress up in matching costumes and ride with him, adding tandem bicycles to the mix (the unicycle experiment was, unfortunately, a failure.) He often rode with his wife Mary as his "Mrs. Uncle Sam," eventually giving up the bikes and riding in the parades in cars.

"Serving your community as a township official is often at the sacrifice of your personal time—serving as our MTA president involves years of Board service and mentoring those who follow you as president," said Neil Sheridan, MTA executive director. "Ron Voorheis was cherished by his peers, by the Board and by staff for his generous giving of time, effort and true pride for townships. We mourn Ron's passing while celebrating how he inspired so many to do their own part for our Michigan communities."



Robinson Scholarship deadline extended

The Robert R. Robinson Memorial Scholarship Committee has extended the application deadline to July 30. Please continue to help MTA promote the scholarship to students in your community. 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.

Applicants must be a junior, senior or graduate student enrolled in a Michigan college or university and pursuing a career in local government administration. 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.

Share on your township's website or social media, or include in newsletters or print newsletters. You can direct students to www.michigantownships.org/scholarship.asp for additional information and full application details. Thank you for helping us spread the word about this important program that supports tomorrow's local leaders!



MTA's lunchtime learning series, *Now You Know*, offers timely updates, insights from our experts and a chance to get your questions answered in just one hour! Don't miss our next episode held: **Wednesday, July 14 from noon to 1 p.m.**

What the Township Board Needs to Know about July Board of Review

What is the difference between the March, July and December boards of review? What can and can't be done in July? What decisions can be made? What are the administrative steps to conducting the meeting? MTA's Member Information Services Liaison Cindy Dodge provides these answers and more! Register now at <https://bit.ly/NYKmta>

Now You Know

Can't participate live? Each session is recorded so you can watch (and learn!) at your convenience. Is your township subscribed to MTA Online at the Premium level? You get FREE access! Save the date for the next episode, held at noon on Aug. 4, *All Aboard: Appointing New Board & Commission Members*.

MTA's Online Learning Center Michigan is sponsored in part by **CLASS**



Connect with fellow officials using online MTA directory

MTA-member township officials can find up-to-date contact information for fellow officials in the neighboring township—or across the state—by accessing MTA’s online township and township officials directory! After logging in to the members-only section of www.michigantownships.org (click on “Member Login” in the upper right-hand corner), under “My MTA,” you’ll find links to look-ups for both townships and township officials, as well as directories for MTA staff and Allied Service Providers!

On the members “Find a Township” page, you can also view, download or print updated PDFs (as of June 18), including a township listing (by county), as well as separate listing for each township office.

Remember, you can also update your member profile—including any changes to address, phone number or email—via MTA’s member website. To update your profile, simply log in to members-only portion of the website using your email address on file with MTA and password. Select “My Profile” under the “My MTA” tab to get started.

(Not sure of your password to log in? Select the “Forgot Your Password?” link on the log-in page. Enter your email address on file with MTA, and you will be sent a link to create your password. Contact elsa@michigantownships.org for further assistance.)

Changes can also be submitted to MTA at database@michigantownships.org, by calling (517) 321-6467 or faxed to (517) 321-8908.

Join MTA in welcoming three new Allied Service Providers



Please join MTA in welcoming **Lappen Agency** of Alpena, **Northland Securities, Inc.** of St. Clair Shores and **USDA Rural Development**, whose Michigan office is based in East Lansing, to the Allied Service Provide program at the Keystone Club level. We thank these organizations for their commitment and dedication to MTA and township government. For more on the Allied Service Provider program, turn to page 2 or visit www.michigantownships.org/asp.asp.

profile



Advertorial

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Fixing Michigan’s roads starts here

As a proud member of MTA’s Allied Service Provider program, Asphalt Materials Inc. is dedicated to being a client-focused, innovative provider of high-quality asphalt



and asphalt emulsions products. For more than 50 years, Asphalt Materials has provided quality materials for roadway construction. Asphalt Materials plays a critical role in assisting federal, state, local and private authorities in building and preserving economical and reliable pavements. Through experience and research, the company has found that asphalt performance is dependent on selection of grade, mix design and how it is applied.

Asphalt Materials recognizes the value of a knowledgeable sales staff to assist clients in the technical aspects of constructing and maintaining asphalt pavements. Its marketing team has the “real world” experience of having worked within the public sector and understands the demands placed on agencies to provide services to the traveling public.

Through consistent research and the strong relationship between other Heritage-related industries, they continue to introduce new technology to ensure the highest quality asphalt products. New technologies available to townships for pavement preservation and rehabilitation include cold in-place recycling and cold central plant recycling. The recycling process uses the existing roadway materials to create a new asphalt base course. Scrub sealing is used as a mass crack-filling and chip-sealing process. This creates a sealed underlying surface with a chip seal-wearing surface.

Asphalt Materials Inc. is committed to building long-term relationships with its customers based on trust and confidence, creating solutions to issues affecting its customers. For more information, visit www.asphaltmaterials.com or contact Scott Assenmacher, P.E. at (734) 755-8274 or Bucky Brooks at (734) 755-0073.

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JULY

1 Taxes due and payable in those jurisdictions authorized to levy a summer tax. (MCL 211.44a(3) and (4))

5 *First Tuesday in July.* Deadline for governmental agencies to exercise the right of refusal for 2020 tax foreclosure proposals. (MCL 211.78m(1))

Notice of voter registration for the Aug. 3 election published. One notice required. (MCL 168.498)

Clerk shall post and enter into Qualified Voter File (QVF) the hours the clerk's office will be open on the Saturday or Sunday or both immediately before the Aug. 3 election to issue and receive absent voter ballots. (MCL 168.761b)

Clerk shall post and enter into QVF any additional locations and hours the clerk will be available to issue and receive absent voter ballots, if applicable. (MCL 168.761b)

19 Last day to register in any manner other than in person with the local clerk for the Aug. 3 election. (MCL 168.497)

20 *through 8 p.m. Aug. 3.* In-person registration with local clerk with proof of residency for the Aug. 3 election. (MCL 168.497)

Tuesday after the third Monday in July. The July board of review may be convened to correct a qualified error. (MCL 211.53b) The township board may authorize, by adoption of an ordinance or resolution, an alternative

meeting date during the week of the third Monday in July. (MCL 211.53b(9)(b))

For taxes levied after Dec. 31, 2012, an owner who owned and occupied a principal residence on June 1 or Nov. 1 for which the exemption was not on the tax roll may file an appeal with the July board of review in the year for which the exemption was claimed or the immediately succeeding three years. (MCL 211.7cc(19))

An owner of property that is qualified agricultural property on May 1 may appeal to the July board of review for the current year and the immediately preceding year if the exemption was not on the tax roll. (MCL 211.7ee(6))

July board of review may hear appeals for current year only for poverty exemptions, but not poverty exemptions denied by the March board of review. (MCL 211.7u, STC Bulletin No. 6 of 2017)

Partisan and nonpartisan candidates file nominating petitions and Affidavits of Identity by 4 p.m. for the Nov. 2 general election. (MCL 168.644e) Withdrawal deadline elapses at 4 p.m. on July 23.

Minor parties that wish to participate in the partisan Nov. 2 general election nominate candidates by 4 p.m. Parties must notify clerk of nominated candidates within one business day after caucus (party must have state-recognized ballot status). (MCL 168.644e)

23 Write-in candidates for the Aug. 3 election file declaration of intent forms by 4 p.m. (MCL 168.737a)

By 26 Clerk forwards names and addresses of partisan and nonpartisan candidates for the Nov. 2 election to county clerk. (MCL 168.321)

By 27 Notice of the Aug. 3 election published. One notice required. (MCL 168.653a)

Petitions to place proposals on the Nov. 2 election ballot filed with county and local clerks by 5 p.m. (MCL 168.646a)

By 29 Public accuracy test for the Aug. 3 election must be conducted by local election commission. (R 168.778) Notice of test must be published at least 48 hours before test. (MCL 168.798)

30 Electors may obtain an absent voter ballot via first-class mail for the Aug. 3 election until 5 p.m. (MCL 168.759)

Electors may submit a written request to spoil their absent voter ballot and receive a new ballot by mail for the Aug. 3 election until 5 p.m. (MCL 168.765b)

AUGUST

By 1 Deadline for a township or local authority to file Form 5608 *Portion of 2020 Essential Services Millage Rate Dedicated for Cost of Essential Services.* (MCL 123.1353(7))

Deadline for a municipality to file Form 5613 *Millage Rate Correction for 2021 Personal Property Tax Reimbursement Calculations.* (MCL 123.1358(4))

2 *July 31 is a Saturday; Aug. 1 is a Sunday.* Appeals of property classified as residential real, agricultural real, timber-cutover real or agricultural personal must be made by filing a written petition with the Michigan Tax Tribunal (MTT) on or before July 31 of the tax year involved. (MCL 205.735a(6))

July 31 is a Saturday; Aug. 1 is a Sunday. Industrial Facilities Tax Report (Form 170-IFT), Commercial Facilities Tax Report (Form 170-CFT), Commercial Rehabilitation Act Tax Report (Form 170-CRA) and Obsolete Property Rehabilitation Act Tax Report (Form 170-OPRA) must be filed with the Michigan Department of Treasury Property Services Division on or before July 31 of the tax year involved.

Electors who have returned their absent voter ballot for the Aug. 3 election may submit a written request in person to spoil their absent voter ballot and receive a new ballot in the clerk's office until 10 a.m. (MCL 168.765b)

Electors may obtain an absent voter ballot for the Aug. 3 election in person in the clerk's office until 4 p.m. (MCL 168.761)

Electors who have lost their absent voter ballot or not yet received their ballot in the mail may submit a written request in person to spoil their absent voter ballot and receive a new ballot in the clerk's office until 4 p.m. (MCL 168.765b)

3 Emergency absentee voting for election until 4 p.m. (MCL 168.759b)

Election Day registrants may obtain and vote an absent voter ballot in person in the

clerk's office with proof of residency or vote in person in the proper precinct until 8 p.m. (MCL 168.761)

Election.

4 Clerk delivers results of the Aug. 3 election to county clerk before 11 a.m. (MCL 168.809)

Candidates without political party affiliation who seek a partisan office at the Nov. 2 election file qualifying petitions and Affidavits of Identity by 5 p.m. (MCL 168.590c) Withdrawal deadline elapses at 4 p.m. on Aug. 9.

5 Boards of county canvassers meet to canvass the Aug. 3 election by 9 a.m. (MCL 168.821)

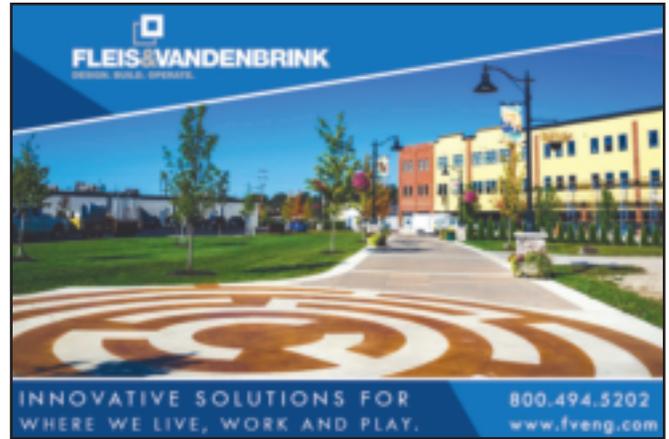
By 10 Ballot wording of proposals qualified to appear on ballot for the Nov. 2 election certified to

county and township clerks by 5 p.m. (MCL 168.646a)

By 12 Local clerk forwards to county clerk names and addresses of candidates without political party affiliation who seek a partisan office at the Nov. 2 election. (MCL 168.321)

15 Deadline to certify 2021 essential services assessment statement and electronically submit essential services assessment in full with the state Department of Treasury without late payment penalty. (MCL 211.1057)

By 16 *By the third Monday in August.* Deadline for taxpayer to file appeal directly with the MTT if final equalization multiplier exceeds tentative multiplier and a taxpayer's assessment as equalized is in excess of 50% of true cash value. (MCL 205.737(7))



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Are townships required to use competitive bids for purchases?

Unless a township has adopted a policy to require a competitive bidding process for specific purchases or purchases over a specified amount, there is no general requirement to use competitive bids for township purchases.



Don't townships have to use competitive bidding to hire a contractor for a contract over \$20,000?

No. Attorney General Opinion 5599 of 1979 states that, in the absence of a statutory requirement, a municipality is not required to seek competitive bids before awarding a construction project.

Local ordinances may require the use of competitive bidding procedures. It is important to determine if your township has such a requirement. Many townships do have a competitive bidding ordinance because they were required by statute from 1993 to 1996.

Public Acts 167 and 168 of 1993 (MCLs 206.481 and 208.136) required a township to require sealed competitive bids for contracts of \$20,000 or more, except for contracts for professional services, emergency repairs or services pursuant to a written policy adopted by the township board. Under MCLs 206.481 and 208.136, a township was not eligible to receive certain revenue sharing payments if it did not require competitive bidding. Each township was required to submit its policy to the Michigan Department of Treasury's Office of Revenue and Tax Analysis; most townships had adopted such a policy.

In 1996, the Legislature repealed MCLs 206.481 and 208.136. Townships are no longer required by a specific statute to seek competitive sealed bids for contracts over \$20,000. However, many townships still have a policy dating back to November or December 1993 requiring sealed competitive bids.



What can we do if our township adopted a competitive bidding policy?

MTA advises townships to research the township board minutes or administrative policies to determine if the township has a competitive bidding policy. Until that policy is repealed or amended by the township board, the township should follow that competitive bidding

policy. Because a competitive sealed bidding process is no longer required by statute, it is up to the township board to decide if it is in the best interest of the township to continue that policy or amend or repeal it.



Can a township require a bidder to provide his or her qualifications in order for the contractor's bid to be considered?

The Bidders on Public Works Act (MCL 123.501, *et seq.*) permits any officer, board, commission, committee or department of a township authorized to receive bids for construction, maintenance and repair of public works (except public buildings) to require any interested bidders on the project to submit a sworn statement at least 10 days before bids are opened documenting his or her qualifications to satisfactorily carry out the work within the time specified for the project. The act allows the township to judge the bidder's qualifications based on his or her past performance on work of a similar nature, on the bidder's financial resources, and the construction equipment and facilities proposed for use on the project. Any person determined not to be a suitable person to bid on the proposed work must be notified of that determination in writing at least five days before the bids are opened.



Are there any other statutory requirements a township should consider when bidding out a project?

Under MCL 339.2011, a township may not engage in a public works project costing \$15,000 or more unless the plans and specifications for the project are prepared by a licensed professional engineer, the land is surveyed by a licensed professional surveyor, and the work is supervised by either a licensed professional architect or engineer.

If a public works project exceeds \$50,000, MCL 129.201 requires the principal contractor to furnish both a performance bond and a payment bond to the township for the completion of the project in accordance with the plans and specifications, and for the payment of all subcontractors, laborers and material suppliers.

Public Act 517 of 2012, the Iran Economic Sanctions Act, MCL 129.311, *et seq.*, requires townships to require a person submitting a bid on a request for proposal (RFP) to certify that it is not an Iran-linked business. The act

prohibits individuals who have economic relations with Iran from submitting bids on RFPs with the state, any political subdivision of the state or any other public entities. The act also includes penalty provisions for those who submit false certification.



Our township board would like to establish a bidding procedure. What should be considered when developing a procedure?

A township board may want to consider the following when developing a bidding procedure:

- Dollar thresholds for requiring a) written quotations, and b) sealed bids or RFPs
- Types of purchases where quotes or competitive bids will not be required, such as small purchases, up to a specified dollar amount, sole source procurement (where only a single source is available or when the township is participating in a purchasing pool, such as the MiDEAL program provided by the State of Michigan), and emergency purchases (identify what constitutes an emergency and when board approval will be required)
- In order to receive comparable and informative bids and proposals, the township should prepare comprehensive specifications for prospective candidates, including:
 - The length of the contract period
 - Any required qualifications, such as a certified public accountant license
 - If attendance is required at township board or other meetings, and the number of meetings per year
 - The amount of anticipated consultation time (such as time for phone consultations included in bid, etc.)
 - The anticipated nature and number of the activities required, such as the average number of ordinance enforcement prosecutions for an attorney, the number and type of funds to be audited for an accountant, or the number of parcels for an appraiser
 - The titles of the township official(s) authorized to direct or request services
 - Whether the activity, such as auditing or appraisal, is to be performed at the township hall
 - That all documents and records created in a governmental function are property of the township and will be subject to the Freedom of Information Act
- As appropriate, a request for proposals should ask each candidate to describe:
 - The individual or firm's municipal and township experience
 - Specific experience with the service or project
 - The names, credentials and references of the specific individuals who will be assigned to work with the township
 - Specific certification, such as certified public accountant, or memberships in an appropriate association, such as the Public Law Section of the Michigan Bar Association
 - Potential conflicts of interest, such as township property owned, interest owned in businesses located in the township, or other clients who may have interests that are potentially adverse to the township
 - Services to be billed above the retainer amount, including the amount charged per hour, with a maximum amount for specific types of services, such as additional meetings not covered under the retainer or whether the meetings are to be billed on a per diem or hourly basis
 - The individual or firm's policy regarding reimbursement for travel time, phone bills, mileage, copying, postage and other incidental expenses
 - The services the township requires and if those services are to be included in a retainer
- The criteria for awarding bids or requests for proposals should be identified by the board at the outset, including factors such as:
 - Cost
 - Experience
 - Reliability
 - Sufficiency of equipment
 - Insurance
 - References
 - Good communication
- Any board member or department head who has any ownership or other interest in a company submitting a bid should disclose the conflict of interest to the board, and recuse him- or herself from all deliberations and votes involved in awarding the bid.

For sample policy language on bidding procedures, and many other township administrative policies, townships may wish to purchase the MTA publication, *Policy Matters! Using Board & Administrative Policies to Manage Your Township*, available in the online MTA Store on www.michigantownships.org, or by calling (517) 321-6467 or emailing elsa@michigantownships.org.

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.

American Rescue Plan funding appropriation signed into law



Legislation that formally appropriates American Rescue Plan Act (ARPA) funding for the majority of Michigan townships, as well as other local governments, has been signed into law.

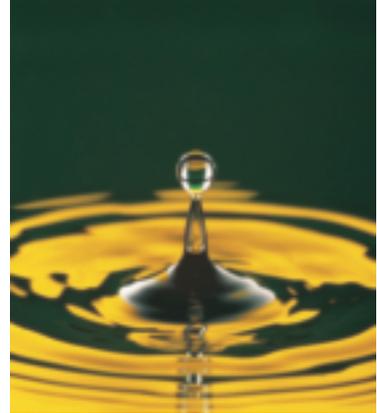
Public Act 30 of 2021, the Nonentitlement (NEU) Coronavirus Local Fiscal

Recovery Fund Grants, includes the \$322.1 million in federal funding for local units of government. The act includes funding for NEUs—communities under 50,000 population—which includes all but eight of Michigan’s largest townships. To receive their allocation, NEU townships must submit a request for funds—along with other required documents—to the state Department of Treasury. The remaining eight townships request their funding appropriation directly from U.S. Treasury. Turn to page 15 for greater detail on ARPA, the application process, allowable uses, resources for townships and more.

Measure to assist energy efficiency for local government with water and sewer projects

Townships and other local units of government may soon be able to participate in state water and sewer project loans that include utilization of more energy and resource efficiencies under legislation that has been sent to the governor.

House Bill 4123, sponsored by Rep. Beth Griffin (R-Mattawan) and supported by MTA, would allow certain projects under the Clean Water Assistance and Safe Drinking Water Assistance Acts to include energy and resource efficiencies described in the Cost-Effective Governmental Energy Use Act. The legislation would make new projects eligible for assistance that otherwise would not be eligible, but it would not change the total amount of funding for the programs.



HOW CAN YOU PREDICT THE LEGAL RISKS YOUR COMMUNITY MIGHT FACE?

- A. CRYSTAL BALL
- B. TAROT CARDS
- C. OUIJA BOARD
- D. ROSATI, SCHULTZ, JOPPICH & AMTSBUECHLER, PC

ANSWER: D

“They are integrally involved with the day-to-day operations of the township. They anticipate what the impacts will be for the township and make recommendations on how to deal with them.”

—Township Supervisor



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63

Michigan communities have a 22-person planning department. You can, too.

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R. Brent Savidant, planning director, City of Troy

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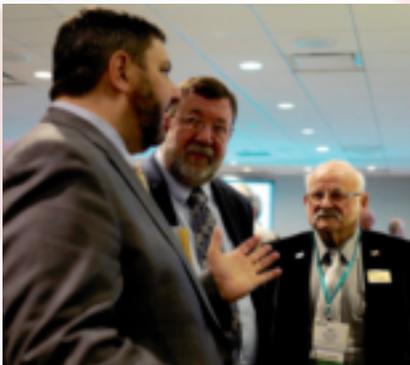
State lawmakers debate legislation every day that impacts your township and your ability to best serve your community. The local perspective must be front and center when new laws are being considered. That's where we need your help. Your support can make MTA-PAC a more powerful force in the Michigan Legislature. If all township officials participated, MTA-PAC would have the necessary financial resources to support legislators who will fight for us. **Your contribution is more important now than ever before.**

MTA-PAC matters to you.

Townships affect the lives of Michigan families every day. More than half of Michigan residents live in townships, and their governments are responsible for protecting their safety and enhancing their quality of life. **Townships are facing an increasing number of legislative challenges that threaten the role of township government and your board's right to govern your township.** MTA-PAC helps stop these bills by supporting state legislators who are responsive to township government.

Get involved. Together, we can make a difference.

Become an MTA-PAC member today!



Support MTA-PAC today.

For more information or to donate online, www.michigantownships.org/members/advocacy.asp. You may also mail your MTA-PAC contribution, made payable to MTA-PAC, to PO Box 80078 Lansing, MI 48908-0078. Thank you for your support!

Legislative lowdown

A quick look at critical bills that MTA is following as they move through the legislative process. For a complete list, see MTA's "Legislative Action Center" on the members side of www.michigan townships.org, or look to our e-newsletters sent to all member officials.

HB 4014: Speed limits—Modifies procedure for establishing speed limits. *MTA supports.*

HB 4084: Unlawful dumping—Revises criminal penalties and civil fines for unlawful dumping of garbage. *MTA supports.*

HB 4115: Liquor license—Allows a local unit to adopt a resolution for on-premises liquor licensees to sell alcoholic liquor between 2 and 4 a.m. *MTA monitoring.*

HB 4129: Elections—Requires secretary of state to post on department of state website list of local clerks who are not current with continuing education training. *MTA monitoring.*

HBs 4132-4133: Elections—Creates felony penalties for knowingly submitting an absentee voter (AV) ballot application using another person's name and personal information and for submitting an AV ballot application with the intent of obtaining multiple AV ballots for a person. *MTA monitoring.*

HB 4134: Elections—Allows increase in allowable precinct size and requires permanent absent voter list. *MTA supports.*

HB 4135: Elections—Requires absent voter counting boards in cities and townships with more than one election precinct. *MTA monitoring.*

HB 4172: Firefighter cancer presumption—Extends presumption of causation to part-time, paid on-call, and volunteer firefighters. *MTA monitoring.*

HB 4192: Elections/replacement candidates—Modifies the process for appointing a replacement candidate. *MTA opposes.*

HB 4197: Local preemption—Prohibits local laws that prevent local officials from cooperating with federal authorities regarding an individual's immigration status. *MTA opposes.*

HBs 4211-4212: Law enforcement—Increases penalties for disarming a law enforcement officer of a firearm. *MTA monitoring.*

HB 4285: Candidate filing fees—Makes filing fees for candidates seeking township office nonrefundable and designates use of funds for election equipment. *MTA monitoring.*

HBs 4454-4461: Solid waste—Revises current Part 115 solid waste law to create materials management plans, and places more emphasis on recycling and composting of materials. *MTA supports.*

HB 4491: Elections—Provides authority for county clerks to remove deceased individuals from the Qualified Voter File. *MTA monitoring.*

HB 4492: Elections—Expands places that can be used as polling locations. *MTA supports.*

HBs 4523-4524: Local Rail Grant Separation Program—Creates a local grade separation grant program for the separation of motor vehicle traffic and railroad traffic. *MTA supports.*

HB 4528: Elections—Provides training requirements for election challengers. *MTA supports.*

HB 4530: Elections—Eliminates May and August election dates, and creates June primary. *MTA monitoring.*

HB 4637: Township name change—Provides statutory process for approval of township name change. *MTA supports.*

HB 4722 & SB 446: Land use/local zoning preemption—Preempts Michigan Zoning Enabling Act to preempt local units of government from zoning short-term rentals. *MTA opposes.*

HBs 4766-4771: Asbestos abatement—Revises laws that govern asbestos abatement in Michigan. *MTA supports.*

HBs 4833-4834: Property tax—Exempts certain heavy equipment rental personal property from taxation and replaces with a specific tax of 2% on the rental of that equipment. *MTA supports.*

HB 4839: Elections—Allows a township clerk to offer an annual absentee ballot application that could be used for any or all elections held during a calendar year. *MTA supports.*

HB 4845: Elections—Requires the secretary of state to conduct signature verification training for county, city and township clerks. *MTA supports.*

SBs 22-23: Elections—Limits millage elections to November elections. *MTA opposes.*

SB 46: Broadband personal property exemption—Creates a personal property tax exemption for new broadband equipment that resolves lack of broadband service. *MTA opposes.*

SB 61: Shoreline permits—Provides for expedited permit processing during high water. *MTA supports.*

SBs 319-320: Septic system loan program—Modifies strategic water quality initiative loan program and fund to create a municipality loan program and a resident loan program. *MTA supports.*

SBs 429-431: Land use/local preemption—Preempts local units of government on zoning and all regulation of sand and gravel mining operations, and places jurisdiction under state Department of Environment, Great Lakes, and Energy. *MTA opposes.*

SB 442 & HB 4875: Land use—Modifies conditions under which zoning ordinance may prohibit aggregate mining. *MTA supports.*

SB 449: Unfunded mandates—Creates the Headlee Unfunded Mandates Prohibition Act specifying a local unit of government would not be obligated to provide a new activity or service or increased level of activity or service required by state law unless the state appropriates the necessary funds to local unit of government. *MTA supports.*

Act now

Townships will have a short timeframe to apply for federal COVID-19 relief funding

All townships can receive an allocation of COVID-19 relief funding through the American Rescue Plan Act (ARPA)—but there is a short turnaround time to apply. MTA is encouraging all townships to accept the funding and submit their application to the state Department of Treasury as quickly as possible.

The state of Michigan will receive an estimated \$10.3 billion in Coronavirus State and Local Fiscal Recovery funds under ARPA, including some \$644 million for “non-entitlement units of local government” (NEUs). All but eight Michigan townships are NEUs—communities under 50,000 population—and will receive their funding through the state of Michigan. “Entitlement metropolitan cities,” which include Michigan’s eight largest townships, and counties have received or will submit applications to receive direct payment from the U.S. Department of Treasury.

Townships will apply for funding via a new state website, www.michigan.gov/ARPA, which is also a hub of information for local units of government to assist in navigating the process. The site includes updated allocation estimates for every NEU in the state. Allocations are based on 2019 Census population counts, with a maximum amount no more than 75% of the local government’s operating budget—both general fund and all other funds—as of Jan. 27, 2020 (pre-pandemic annual budget). Note that the allocations are the maximum amount allowed, before the 75% cap. Allocations will *not* later be adjusted to reflect 2020 Census population figures.

While additional information and processes were still being developed as of *Township Focus* press time, further information has been shared by state Treasury about the application process, required documentation and an estimated timeframe. Please watch MTA’s emails and website for continued updates and guidance, including free guidance videos and Q&A webinars to help answer your township’s questions as you move through the process.

Applying for funding

This time period is your township’s only opportunity to request to receive the dollars, and **MTA encourages all townships to act now to ensure that you do not miss out.** There is great flexibility in how the dollars can be used, and the money does not have to be committed until the end of 2024. There is time to make those decisions—but there is not time to waste in choosing to apply.

To receive their allocation, townships **MUST** submit an online application form requesting payment, along with the appropriate documentation. Treasury expected to have the system up and running, and ready to accept requests for funding, by early July. The application process will be through the state’s Elite system, with which some officials may already be familiar, as it is the same system by which townships provide documents to the state, such as the Form F-65. You may also create a new Elite ID when accessing the system.

The due date to apply for funds had not been established as of press time, but based on current U.S. Treasury guidance, townships may only have a couple of weeks to submit a successful application. Because of the tight timeframe, townships should visit the state’s ARPA website, which outlines and links to required documents and information that must be completed and submitted via the application portal, including:

- Township name, taxpayer ID number, DUNS number and address (*visit <https://fedgov.dnb.com> to register for a free DUNS number if your township does not already have one*)
- A township SAM.gov account (*which is free, and must be renewed annually*)

- Authorized representative name, title and email (*your “chief administrative officer,” such as the supervisor or township manager*)
- Contact person name, title, phone and email
- Verify township’s banking information in the state’s SIGMA payment system
- Award Terms and Conditions Agreement (*completed by the supervisor, as “chief administrative officer” of the township, or manager if the township has one*)
- Assurances of Compliance with Title VI of the Civil Rights Act of 1964 (*completed by the supervisor, as “chief administrative officer” of the township, or manager if the township has one*)

The township must also complete and submit a “Funding Election and Budget Certification” form, which was being developed by Treasury but not finalized as of press time. Check www.michigan.gov/ARPA for a finalized version, and watch MTA emails for its availability.

When completing the form, townships will need to select one of three options: 1) request to receive the funding, 2) decline the funding and complete a U.S. Treasury form to have funds transferred to the state or 3) decline funding and have the funds proportionally distributed to other NEUs. If a township requests the funding be transferred to the state, the money goes into state coffers for the Legislature to determine spending priorities in the typical state budget process. In Option 3, if a township declines the funds, state Treasury will reallocate that money to all other applicable NEUs.

MTA encourages all townships to accept the funding, as you will have until 2024 to determine how to use the funds. If your township does not want to accept the funding, consider selecting Option 3 to allow the funding to go to other local governments and stay at the local level. The choice selected is final, and cannot later be changed.

On the form, the township will also certify its total operating budget amount as of Jan. 27, 2020. Treasury issued a numbered letter in early July to help local units determine what is included when certifying their total operating budget. When submitting the application, you must include all required documentation at the same time.

When will you receive the money?

The state is not planning to wait until the application period closes to transfer payments to local units of governments. During Treasury’s June 17 ARPA webinar, state officials estimated that local units will receive their first payments within several weeks of applying. Payments will be made through the state’s SIGMA financial portal, the same system by which townships receive revenue sharing payments from the state.

Total allocations will be distributed in two tranches: the first half this year, and the second half no later than 12 months after the initial allocation—so likely in summer 2022.

What can townships spend the money on?

As explored in the June *Township Focus*, townships have broad latitude to use the funding, if it falls into one of four categories for allowable uses. According to both state and U.S. Treasury, recipients have flexibility in how they put the dollars to use, as long as it meets the objectives of responding to the impacts of COVID-19. The broad primary funding uses include:

1) replace public sector revenue lost due to the pandemic (*from January 2020 through the end of 2024*); 2) provide premium pay for essential workers; 3) invest in water, sewer and broadband infrastructure; and 4) respond to the public health emergency or its negative economic impacts.

The formula to determine revenue loss is complex and was explained and outlined in both the state Treasury webinar and webinar PowerPoint presentation, which are available on MTA’s ARPA website, www.michigantownships.org/covidrelief.asp. **Even if you do not think your township has had or will have a revenue loss, we encourage all townships to run this formula.** The formula is structured in such a way that we anticipate most local units will have lost revenue. By showing lost revenue, you have flexibility to spend the funds on most current government services, so it is worth going through the calculation process. A calculator to determine revenue loss was expected to be released, and will be available on both MTA and Treasury’s ARPA webpages.

The webinar also offered additional examples of allowable uses under each category. We believe that all ARPA funding expenditures must comply with state law—so not all examples of allowable uses outlined in U.S. Treasury resources are lawful expenditures for Michigan townships.

And remember, there is no need to rush; townships should take some time to analyze, ask and assess the best way to put these dollars to work for your community. Funds must be “obligated” by Dec. 31, 2024, but the “period of performance” does not end until Dec. 31, 2026.

‘Long-term impacts for communities’

The federal ARPA funding represents an enormous opportunity for townships to shore up, create or expand operations, programs or services to the benefit of their community and residents following this turbulent and uncertain time. Townships are encouraged to reach out to MTA and the state Department of Treasury with questions or for additional guidance and resources, and network with organizations and other local units of government in your own area to share experiences and ideas. U.S. Treasury’s FAQs document, available on both the state and MTA’s ARPA webpages, is updated frequently and provides a great deal of insights and examples.

State Treasury has also set up a dedicated email address—treas-arpa@michigan.gov—to submit questions. Sign up to receive Treasury’s email alerts by visiting the Community Engagement and Finance Division website, www.michigan.gov/cefd. Both MTA and Treasury will continue to offer webinars and additional guidance as the state finalizes its processes and policies for NEUs.

“This is going to be a long process, as we continue to navigate the significant dollars that are being made available for our local governments,” Rod Taylor, Community Engagement and Finance Division administrator, told more than 1,000 local officials during the June webinar. “Our goal is to hopefully see that many communities are able to make transformative changes within their communities. Ultimately, we hope that the use of our ARPA dollars is going to strengthen the fiscal position of our local units of government, which will have long-term impacts to ensure vibrant communities for decades to come.”

Township Vendor Directory

2021 edition

Looking for product or service for your township? Pull out this Vendor Directory and place it somewhere convenient. When your township is looking for a company that provides the services you need to run your township efficiently, this listing will help you find a good fit! An online vendor listing, including description of services and links to company websites, is also available at www.michigantownships.org/vendor_directory.asp.



Companies that are part of MTA's Allied Service Provider program are listed in blue. We thank these companies for their participation in the program, and their dedication to serving township government.



2021 Township Vendor Directory

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CIVIL ENGINEERS SURVEYORS ARCHITECTS
Engineering Strong Communities

Anderson, Eckstein & Westrick, Inc.
51301 Schoenherr Rd. Shelby Township, MI 48315
(586) 726-1234 | www.aewinc.com



BMJ Engineers & Surveyors, Inc.
519 Huron Ave. Port Huron, MI 48060
(810) 984-5596 | www.bmjinc.com



Carlisle Wortman Associates, Inc.
117 N. First St., Ste. 70 Ann Arbor, MI 48104
(734) 662-2200 | www.cwaplan.com



Fleis & VandenBrink
2960 Lucerne Dr. SE Grand Rapids, MI 49546
(616) 977-1000 | www.fveng.com



Gourdie-Fraser, Inc.
123 W. Front St. Traverse City, MI 49684
(231) 946-5874 | www.gfa.tc



Hennessey Engineers, Inc.
13500 Reeck Rd. Southgate, MI 48915
(734) 759-1600 | www.hengineers.com



McKenna
235 East Main St., Ste. 105 Northville, MI 48167
(248) 596-0920 | www.mcka.com



Prein & Newhof
3355 Evergreen Dr. NE Grand Rapids, MI 49525
(616) 364-8491 | www.preinnewhof.com



Wade Trim
25251 Northline Rd. Taylor, MI 48180
(734) 947-9700 | www.wadetrim.com



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(269) 605-4289 | www.gowightman.com

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Asphalt Materials Inc.

3737 Fisher Rd. Columbus, OH 43228
(614) 634-6024 | www.asphalt-materials.com



Michigan Chloride Sales

402 W. Jackson St. Saint Louis, Michigan 48880
(989) 681-3221 | www.michiganchloride.com

EMS Education & Ambulance Services



Emergent Health Partners

1200 State Circle Ann Arbor, MI 48108
(734) 477-6783 | www.emergenthealth.org

Insurance & Risk Management



Burnham & Flower Insurance Group

315 S. Kalamazoo Mall Kalamazoo, MI 49007
(800) 748-0554 | www.bfgroup.com



David Chapman Agency

5700 W. Mt. Hope Hwy. Lansing, MI 48917
(517) 321-4600 | www.davidchapmanagency.com



Franklin Benefit Solutions

2444 E. Hill Rd. Grand Blanc, MI 48439
(810) 579-0534 | www.totalfbs.com



Lappan Agency

180 S. Ripley Blvd. Alpena, MI 49707
(989) 284-8609 | www.lappanagency.com



Michigan Municipal Risk Management Authority

14001 Merriman Rd. Livonia, MI 48154
(734) 513-0318 | www.mmrma.org



Michigan Township Participating Plan

1700 Opdyke Ct. Auburn Hills, MI 48326
(248) 371-3657 | www.theparplan.com



Nickel & Saph, Inc. Insurance Agency

44 Macomb Place Mount Clemens, MI 48043
(586) 463-4573 | www.nickelsaph.com



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(269) 385-5911 | www.hartlebagency.com

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Municipal Employees' Retirement System of Michigan

1134 Municipal Way Lansing, MI 48917
(517) 703-9030 | www.mersofmich.com



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100 Maple Park Blvd. St. Clair Shores, MI 48081-2200
(586) 745-8065 | www.northlandsecurities.com

Legal Services



Bauckham, Sparks, Thall, Seeber & Kaufman, PC

470 W. Centre Ave., Ste. A Portage, MI 49024
(269) 382-4500 | www.michigantownshiplaw.com



Fahey Schultz Burzych Rhodes PLC

4151 Okemos Rd. Okemos, MI 48864
(517) 381-0100 | www.fsblaw.com



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313 S. Washington Sq. Lansing, MI 48933-2193
(517) 371-8100 | www.fosterswift.com



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(313) 963-6420 | www.millercanfield.com



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(248) 489-4100 | www.jrsjlaw.com

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Rural Economic Development



USDA Rural Development

3001 Coolidge Rd., Ste. 200 East Lansing, MI 48823
(517) 324-5208 | www.usda.gov

Software, Technology,
Telecommunications & Websites



BS&A Software
14965 Abbey Lane Bath, MI 48808
(517) 641-8900 | www.bsasoftware.com



CSA Software Solutions
1800 Club Manor Dr., Ste. 3 Maumelle, AR 72113-7420
(501) 801-9900 | www.csasoftwaresolutions.com



revize
The Government Website Experts
Revize
150 Kirts Blvd., Ste. B Troy MI 48084
(248) 269-9263 | www.revize.com



Custom Websites
Aerial Drone Video
Document Management

Shumaker Technology Group
3721 W. Michigan Ave., Ste. 103 Lansing, MI 48917
(517) 325-3121 | www.stgmunicipal.com

Utilities



Consumers Energy
2400 Weiss St. Saginaw, MI 48602
(989) 791-5608 | www.consumersenergy.com



DTE Energy
One Energy Plaza Detroit, MI 48226
(800) 477-4747 | www.dteenergy.com



ITC Holdings Corp.
27175 Energy Way Novi, MI 48377
(248) 946-3000 | www.itc-holdings.com

Solid Waste & Recycling



Waste Management of Michigan
48797 Alpha Dr., Ste. 100, Wixom, MI 48393
(866) 797-9018 | www.wm.com

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Supporting township businesses

After more than a year of struggles and uncertainty, local businesses in **Dalton Township** (Muskegon Co.) are starting to see a return to “business as usual,” now that COVID-19 restrictions and limitations have been lifted.

The West Michigan township’s local economy features everything from small mom-and-pop businesses like The Scoop ice cream shop to seasonal attractions like Michigan’s Adventure amusement park. Supervisor **Jeffrey Martin** is seeing promising signs for the businesses in his community. “Our local businesses were just in survival mode, trying to find a way to make it,” Martin said. “Most of them have been able to hold on, and we are seeing a surge in activity.”

Unlike earlier in the pandemic, when stay-at-home orders and capacity limits—as well as fears about the virus—kept customers home, Martin thinks that ability to visit local attractions and businesses, without mask-wearing requirements or significant fears over health and safety, is fueling the resurgence. “I think it’s almost a reaction to the past year,” he said. “The previous hesitancy is shifting to people returning to normal.”

Every business in Michigan faced enormous hardship and difficulties during the pandemic, perhaps especially smaller employers, restaurants and retail shops—like those located in our townships’ downtowns, business districts and sprinkled throughout our communities. As townships are beginning to put the worst public health crisis in a century behind them, Michigan’s business communities, too, are turning toward the recovery and what a post-pandemic “new normal” looks like. There are efforts that townships can undertake to support their area businesses and help them not only survive, but thrive in the upcoming months and years.

The pandemic’s impact on small business

First, after the remarkably challenging past year, let’s share some good news. According to a recent Small Business Association of Michigan (SBAM) survey to gauge the impact

cover story

of the pandemic, the majority of small businesses across the state, like those in Dalton Township, are no longer in that “survival mode.” Some 72% of respondents to the SBAM survey say they are optimistic that their business will withstand the pandemic.

On the flip side, the survey also showed that 78% of respondents said that COVID-19 had a negative impact on their business in 2020 and 63% say that COVID-19 is still negatively impacting their business. In fact, 76% showed a reduction in gross sales in 2020.

“The pandemic certainly impacted small businesses,” said Rob Fowler, SBAM CEO. “While not all had to close their doors, all had to manage through the complexities of ever-changing compliance regulations. They set up remote teams, laid off employees, managed through executive and epidemic orders, all while doing their best to keep their team and customers safe.”

On a positive note, 38% did report that the pandemic opened their eyes to new growth opportunities. In addition, roughly half of respondents expect to increase their workforce over the next year and half increased employees’ wages over the past year.

A full one-third reported staffing reductions due to the pandemic. In April 2020, Michigan’s unemployment rate surged to 24%. One year later, that had plummeted to 4.9%. Indeed, labor shortages continue to be a key concern for small businesses, with nearly half—47%—of SBAM survey respondents identifying difficulty finding and keeping employees as the biggest problem facing their business.

When asked if customers are returning to frequent their area businesses, Fowler noted that, “This may be in the ‘too soon to tell’ category, especially as some of the hardest hit industries are just opening at full capacity.” However, the SBAM survey revealed that 45% of respondents say the pandemic created permanent changes in the customers they serve.

“It’s clear that small businesses are finding ways to adapt, but it’s been a long, tough year for the majority,” Fowler said.

A look at best practices

Early in the pandemic, MTA partnered with the University of Michigan Youth Policy Lab COVID-19 Consulting Corps (UM CCC) to explore several key issues surrounding the impact of COVID-19 on townships, their operations and their communities—including how to best support local businesses. The research team evaluated resources and information from economic development organizations and conducted interviews with township leaders around the state to ascertain officials’ concerns, as well as actions that townships are taking to help boost their local economy.

One regional economic development organization in western Michigan noted that small and rural businesses were the most likely to struggle during COVID-19, due to their tendency to

have a smaller financial cushion to fall back on. Those businesses experienced a severe lack of liquidity and access to cash, compounding the financial and businesses distress that some were experiencing before the pandemic began.

Throughout the past year, township leaders have stepped up to find creative ways to fill gaps and support businesses in their localities. “Anecdotally, I’ve witnessed a huge movement to support and shop local businesses at both the community level and amongst other business owners,” Fowler said.

As we begin to emerge from the pandemic, townships can continue these efforts—and even take lessons learned to expand their support of local businesses to ensure a thriving community for residents, business owners and visitors.

Be responsive

A key area of support is simply staying connected with business leaders in your township—meet with local business groups, neighboring local units of government or area chambers of commerce regularly to share ideas, hear concerns, offer information and create personal relationships to benefit this key local constituency.

“Convening small businesses in your community, and talking about what has changed in your community and how does it impact your business and your strategy may be something to think about,” Fowler said. “The success of townships and the success of small businesses in those townships have undeniable benefits to all residents and stakeholders in both groups.”

Last spring, **Meridian Charter Township** (Ingham Co.), set up a hotline—ringing directly to Manager **Frank Walsh**’s cell phone—to allow both residents and businesses to call with questions or if they needed assistance. A critical lifeline for some residents and others during a time of fear and uncertainty, the hotline received hundreds of calls—particularly early in the pandemic. It also served as a method of connecting residents who were unable to leave their homes with township services and with area businesses that offered home delivery for food, medication and other essentials. While those phone calls have now slowed to a trickle, the hotline proved invaluable for the township, its residents and the business community.

“We developed a very close relationship with our business community,” said Walsh, who calls establishing the hotline and the service it provided, “the proudest time in my career. “Through our hotline service, I now know the owners of a lot more businesses because of it.”

Open lines of communications can also create opportunity, something that Martin, who was first elected Dalton Township supervisor in November, has experienced first-hand. While recently enjoying a sweet treat at The Scoop ice cream shop, he was asked by a constituent about

the township's regulations for food trucks. Martin said he didn't think the township had an ordinance for such businesses and promised to look into it further—and he did. When he confirmed that no such local ordinance existed, he started to do some research. He reached out to both neighboring townships and those from as far away as Traverse City for their ordinances and experiences. What he found is that those communities with the most structure in place are the most successful.

To ensure his township is among those open to new opportunities, he is planning to bring the idea of a food truck ordinance before his township board for consideration.

“By having the conversation, we can have a process and policy in place, rather than creating a vague or uncertain environment for this potential business opportunity,” he said. “This can open up avenues for our community, rather than having an entrepreneur take their business elsewhere, where a process is already in place.”

And what's more, it can help position the township as being seen as business friendly, encouraging future growth. “That our township is a welcoming township can spread through word of mouth, and have a ripple effect,” Martin said. “We can keep the momentum going.”

Be a hub for information and resources

Throughout the pandemic, residents and business leaders expressed confusion about which guidelines and directives to follow—and many turned to their township as a source of trusted, up-to-date information. Townships were able to share details on the rapidly changing regulations and requirements, as well as help direct businesses to resources, relief opportunities and more. Township officials universally cited to UM CCC the importance of proactively working with other units of government and local organizations to provide coordinated, clear communication to residents and businesses.

Townships can continue to play a critical role by continuing to be a source of information, by sharing both resources for businesses and connecting residents with their local business community. Several township managers noted to UM CCC researchers that they held weekly check-in meetings with representatives from the county government, neighboring townships, local chambers of commerce, as well as local health departments, to ensure they aligned messaging to key area stakeholders. Townships that have not yet coordinated communication with neighboring communities and chambers of commerce can reach out to set up regular check-ins to discuss communication timing, areas of concern or confusion, and share resources. For example, if a local chamber of commerce a webinar for business owners on post-pandemic workplace safety, the township can include the registration information in their own communications. By establishing regular conversations and an open line of communication, township leaders can minimize their own time spent gathering information while maximizing efforts to make sure local businesses are aware of information and resources available.



Townships can serve as a hub of information for both their business community and connecting residents and visitors with area businesses by creating a listing and links to details on their website or even including in newsletters sent to the community.

Townships can aggregate this information on a “business portal” on their own website, assembling in one location the information that businesses need to succeed in the community. **Pittsfield Charter Township** (Washtenaw Co.), for example, includes under the “Business” link of www.pittsfield-mi.gov access to applications, forms, permits, licenses and inspections for the township, as well as special events permit applications, the township’s zoning ordinance and master plan, and links to area convention and visitors bureaus and chambers of commerce. Has your township received any awards, recognition or accolades for quality of life, township administration or services? Post them here to ensure current and potential businesses are aware that yours is a quality community in which to do business.

In addition to providing updates for the business community, townships around the state, from **Benton Charter Township** (Eaton Co.) to **Spaulding Township** (Menominee Co.) and many others, have assembled an online “Local Business Listing” to give a boost to local businesses and share contact information and links to business websites, all in one convenient location for residents and visitors. Any township with a web presence can compile local business details for a webpage. Don’t have a lot of businesses in your township? That’s OK—even a handful of area businesses can benefit from being included on your township’s site. Don’t have a website? Include a business listing in your township newsletter to residents. Every bit of promotion and information helps.

Fowler shared an example of a Lansing-based BBQ restaurant that stepped up to support its fellow area restaurants during the pandemic by creating a single webpage that patrons could visit to see which restaurants were open for takeout, hours of operation, etc. “A township could play the same role, serving as an aggregator of information about their local businesses and promoting local businesses to the surrounding citizens/customers,” he suggested.

Reviewing policies, requirements and ordinances

Over the past year and a half, many townships reprioritized their code enforcement strategy—something that townships may further consider and continue as we move into the recovery period. Numerous township officials told UM CCC researchers that they had stopped enforcing sign ordinances for businesses that were attempting, in good faith, to communicate changes to their hours or service offerings, as well as health and safety requirements for entry.

Meridian Charter Township businesses were given greater leniency to use the right-of-way to post temporary, small signage to make it easier for businesses to attract customers and let residents know, “‘Hey, we’re open,’” Walsh said. “This seems like maybe a trivial thing, but it wasn’t trivial.”

While that allowance is no longer in place, as COVID-related restrictions have been lifted, the township is currently reviewing its sign ordinance to ensure it continues to meet the needs of the community—and its businesses. “If you drive through the township, aesthetics and the ambience are really important,” Walsh said. “We have a very strict and restrictive sign ordinance. We are just beginning a rewrite of our sign ordinance, which could include some leniency, including for temporary signage. One thing that we have learned from COVID is that there may be a better or different way of doing things.”

Dalton Township has already loosened its sign ordinance, which was previously very restrictive and made it difficult for businesses, churches and others to comply with the ordinance size requirement when they wished to install new signage. Since the planning commission recommended and board approved amendments to the ordinance this spring to allow for larger signs, the township has already seen several new signs unveiled in the township—balancing the need for consistency and a polished appearance with ensuring businesses and other establishments can promote their services to the public. “It has improved the appearance of the community,” Martin said.

Townships have also reviewed access to their permitting information and permitting processes—something that may remain in place to continue to assist local businesses efficiently and effectively. Several townships emphasized to the UM CCC team the importance of putting their permitting processes online to allow for residents and businesses to submit permit applications, check the status of permits, and receive permit approval more conveniently—without ever visiting the township office. Others also highlighted the importance of ensuring clarity on the website and actively supporting those who had questions as they moved through the online permitting process.

Expediting the permitting process has also been critical in many townships. It allows for businesses to quickly increase their cash flow by operating in higher capacities, which in turn raises townships’ tax revenue. Meridian Charter

Township ensures that its permitting process is as quick and smooth as possible for businesses. “Permitting is another thing where we have to make sure there’s not any bureaucracy in place that is going to make red tape, or a big toll gate for businesses to get through,” Walsh said. “We have to make sure that the ‘open for business sign’ is out there as best we can.”

The pandemic has certainly been an impetus, spurring townships to review how their current policies affect their local business community. In **Saugatuck Township** (Allegan Co.), for example, “The planning commission has created a special committee to review our ordinances and policy to better help businesses within our community,” said Manager **Joe Frey**.

Martin says that Dalton Township is also looking at its processes and ordinances to ensure that there are not any unintended barriers to helping businesses establish and flourish in the community. And he is taking an active role in talking with business and property owners to get their feedback personally. He recently reached out to the owner of a parcel of property to ask whether there was anything from the township perspective that was preventing the land from selling.

“I think it’s important to eliminate barriers where you can, while recognizing that regulations and policies are put into place for a reason,” said Martin.

As businesses continue to resume operation and make up for lost revenue, it is also important for townships to track the financial security and status of their businesses. One chamber of commerce recommended in the UM CCC report that townships can send out surveys to track this information and modify their policies and initiatives accordingly.

Work with businesses to creatively repurpose space

COVID-19 forced both townships and the business community to get creative to continue operations and serving the public. For small businesses—particularly restaurants and bars as well as retail establishments—capacity limits, stay-home orders and customer concerns over health and safety, every square foot of space made a difference.

Townships responded by offering businesses flexibility in allowing for creative use of outdoor space, particularly into parking lots, rooftops, and outdoor patios or porches. Fowler urged townships to consider, “maybe even property you oversee. Can you make a street available? Can you make a sidewalk available?”

Meridian Charter Township is one of many Michigan communities that eased property use for its business community—and they kept it simple. “We simply notified the businesses that they could encroach on public spaces,” Walsh said. “There was no fee, no application.”

The township’s public space flexibility ended on July 1, though Walsh said the township may look into a more simplified, permanent process in the future.

Townships may wish to continue such creative uses as we ease back into a world without COVID-related restrictions, but as health concerns linger. The UM CCC report noted that, in one township, a local minor league baseball stadium parking lot has been used for trade shows, farmer's markets, and sidewalk sales that allow social distancing. This could be replicated in a township park or even hall parking lot.

A number of townships have opened up park space for socially distanced recreation, and in some cases, allowed local gyms and fitness studios—many of which may still not be operating at full capacity—to host fitness classes in public parks during off-peak hours. In other places, townships continue to utilize unused parking lots and fields as food distribution centers in order to remedy the reduced function some shelters and nonprofit social service organizations may have. In partnership with local businesses, township leaders should evaluate opportunities to repurpose underutilized public spaces to promote commercial activity and strengthen community foundation.

As a result of the increased need to support local businesses and help spur economic activity, a new law—MCL 436.1551—was signed last summer allowing municipalities to create “social districts” creating a common space, with specific requirements, where bars and restaurants can sell alcoholic beverages that can then be consumed within the area of the district. Bars and restaurants must first seek application approval from the township board, and if approved, then apply for a social district permit from the Michigan Liquor Control Commission. If a township is considering adopting an outdoor dining and retail ordinance or creating a social district, we recommend that you work with your local legal counsel.

Inform businesses about grant and funding opportunities

As business loan and funding programs continue to be developed or are extended, townships can work with other local entities to clearly communicate which opportunities are available to Michigan small businesses. Many businesses may be struggling to make up for months of accumulated debt after being mandated to operate below full capacity. It can be critical for their success to communicate funding opportunities available to them by sharing details about programs through sources such as the Michigan Economic Development Corporation (www.michiganbusiness.org/) and the federal government (www.usa.gov/coronavirus). Additionally, townships can communicate with their local chambers of commerce and economic development organizations to identify grants specific to their region and disseminate that information to their business communities.

Townships with their own downtown development authorities (DDA) or economic development corporation (EDC) can work directly with their business community to provide funding opportunities. Smaller communities may reach out their regional or county EDC for information or to partner on efforts to support their local businesses.



Throughout the pandemic and likely continuing in the recovery, townships have supported local businesses—particularly restaurants, bars and retail shops—by offering flexibility in allowing for creative use of outdoor space, particularly into parking lots, rooftops, and outdoor patios or porches.

The **Delhi Charter Township** (Ingham Co.) DDA created a “Back to Business” program to support all township brick-and-mortar businesses during the pandemic. The two-phase program offered both free digital advertising and also educated business owners about digital advertising best practices to reach their customers—which not only proved incredibly valuable during the pandemic but will continue to benefit businesses now and long into the future. No interested businesses were turned away, and all told, 77 businesses participated.

Each business was budgeted \$2,500 to use toward their digital advertising campaign, which included options for social media ads, Google display ads, Google keywords, email marketing, or geofencing, which virtually pinpoints a geographic area. The businesses received a full analytics report at the end of their campaign, detailing the reach and effectiveness of the ads.

“Program feedback was extremely positive,” said Howard Haas, executive director of the Delhi DDA. “Participating businesses were incredibly grateful for the many leads, conversions and sales the program generated.” Collectively, the Back to Business program ads were viewed more than 22 million times, by more than 2.5 million users.

During the pandemic, the Meridian Charter Township EDC offered two rounds of grant funding to township businesses, though its Meridian Redevelopment Fund, which was originally established to attract development to the township. The first round offered \$4,000 grants, while round two was up to \$7,500 per business.

“We came up with the notion of, instead of trying to attract businesses during this time, let’s support the ones we have,” Walsh said, adding that the businesses were able

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to use the money to help pay staff, and make mortgage and utility payments. “The program was a really good signal to our businesses that we support them, and we put our money where our mouth is.”

Encourage ‘shop local’

“Shop Local” isn’t just a catchy phrase designed to encourage your residents to spend their dollars in businesses right in your community—these messages and campaigns can make an enormous difference to your township’s businesses. Losing a business will be more detrimental to townships’ tax income and financial security in the long term than if they were to take action to keep businesses afloat. If ever there was a time to encourage these efforts, it’s now.

“While we’ve seen these campaigns a lot over the years, [COVID-19] may be the most compelling reason for shop local support that I’ve seen in my 35 years of business advocacy,” Fowler said. “What we’ve just seen is an earthquake that is going to change everything for a lot of businesses.”

The UM CCC team found an example of a major manufacturing employer that purchased gift cards to local restaurants to distribute to employees. While a township doesn’t have the authority to purchase gift cards, it still has the ability to propose the idea to large businesses. Townships must, however, be careful not to favor one business over another.

Along similar lines, one township manager emphasized the importance of demonstrating that the commercial district is open for business by maintaining landscaping and displaying seasonal “welcome” banners on light poles. The visual and aesthetic cue that the business district is open encourages residents to visit and patronize local businesses.

“Buy local” campaigns can take many forms—anything from promoting a specific “Shop Local” weekend event, highlighting discounts or events taking place in participating businesses, or regularly featuring your township business directory to residents to keep dollars right in your own community.

This is something that any township—no matter your size or budget—can do.

“Regardless of your budget, just start local,” Fowler said. “A well-executed ‘buy local’ campaign can be very impactful and the township can be the organizer or help promote it. Taking that simple step to source something locally puts valuable resources back in our communities. Last year, the Michigan Economic Development Corporation shared this stat: If only one in 10 out-of-state purchases were switched to local stores, Michigan would gain \$1.2 billion in increased economic activity, creating 10,600 new jobs.

“Every purchase counts.”

Next steps

Townships adapted rapidly throughout the pandemic to the challenges and restrictions posed by COVID-19. As we move forward, townships continue to play an important role in providing credible, trusted communication, and quick responses to questions from businesses to help provide clarity during the economic recovery process. This key partnership between townships and businesses is not new, but was clearly emphasized throughout the past months—and remains more critical than ever.

It can start with a simple conversation. Said Walsh, “Get together and talk with your area business owners, and let them know that your township is here to help them succeed post-COVID.”



Jenn Fiedler, MTA Communications Director

Portions of this article were excerpted from the report, “Business Reopening Best Practices,” authored by Emily Fletcher and Michael Blakeslee, as part of the University of Michigan Youth Policy Lab, COVID-19 Consulting Corps. Read the full report at www.michigantownships.org/coronavirus.asp.



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

The General Sales Tax Act specifically exempts townships 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 when 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 "Michigan Sales and Use Tax Certificate of Exemption" can be downloaded at www.michigan.gov/taxes (click on "Sales and Use" and scroll to Form Number 3372 under "Forms and Instructions").



Are the materials purchased to build our new township hall exempt from sales tax?

Yes. According to the state, the township could claim exemption from sales tax on the materials purchased by township officials or employees. However, if the township hires a contractor to build the hall or install materials, the contractor becomes the ultimate consumer of the materials and could be held liable by the state to pay the use tax on the material's value. The state may charge a use tax, which is 6%, on the storage, use or consumption of tangible personal property on which no Michigan sales tax has been paid.

If the township plans to hire a contractor, it is a good idea to check with your township attorney and the Michigan Department of Treasury on the rules governing sales and use tax.



Is there any way to avoid having to reimburse officials and employees for sales tax when making purchases for the township?

From a practical aspect, it is almost impossible to avoid paying sales tax on all township transactions. 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 an authorizing signature.



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. 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.

'We are together in this'

Trustee pledges half his township salary to help residents in need

It all started with a post on a community Facebook page from a **Delhi Charter Township** (Ingham Co.) resident who had fallen on hard times. She posted a message seeking help.

Trustee **Tyjuan Thirdgill** reached out to the resident directly to find out more information about her situation. After talking with the resident about her needs, Thirdgill offered to send her \$300 from his salary as a township trustee and told her to reach out again if she needed further help.

In that moment, Thirdgill—who was first elected to office in November—knew that he could take the action one step further and help even more people in his community. He posted a message on the community Facebook page, announcing that, starting June 12, every two weeks, he would give \$200—or more—from his trustee's salary to a resident in need. They simply need to message him on Facebook, call, email or text him.

"I'm not a person who talks around things," said Thirdgill, who, at 22 years old, is the youngest person elected to the township's board, and is the township's first African American elected official. "It's an obvious solution. I can do this. I am putting my money where my mouth is—quite literally."

While he doesn't intend for the payments to be life-changing, they will certainly make a difference for the individual by offering a means of getting by. As needed, he'll break up the \$200 among multiple requests. He landed on the amount and frequency after calculating his personal financial needs.

The way he sees it, this is part of what it means to be a community. "This is a place where I plan on laying down roots," Thirdgill told Fox 47 News in one of numerous media

interviews that he has done about the effort. "If they are struggling, that means I am also struggling because we are a community and we are together in this fight, especially during the pandemic."

Since he posted the message, dozens of requests have poured in. "I've been overwhelmed by requests, and I love it," he said. While he had initially planned to respond to requests on a first-come, first-served basis, he is now trying to prioritize requests in terms of greatest need and respond accordingly. "This is in its infancy," he said. "The process will evolve and change."

The offer is indicative of the nature of the township community, and its leaders. "This community really helps each other," Treasurer **Tom Lenard** told Fox 47. "He's really a reflection of people who I've seen reaching out to each other with little food libraries, pitching in when a neighbor needs help, and going above and beyond to try to protect each other."

'Connecting the dots'

The action goes further than its charitable nature. Thirdgill, a second-year Michigan State University student, is also evaluating the requests for common themes. "This is a snapshot of issues in our community," he said. "I am working to connect the dots, and see what we can do as a township to help."

Common inquiries involve unemployment or underemployment, troubles paying utilities or even a request

to help one's mother make rent. Thirdgill has helped to connect people with their lawmakers and with utility companies for payment plans.

The calls for help unveiled "the effect the pandemic—which we are still in, though hopefully coming out of—has had on people's livelihood," he said. "There is an intersection of issues, resulting from a lack of income."

This is not the first time that Thirdgill has put out public offers to assist people in his area. Several months ago, he offered to pay for transportation for anyone—regardless of whether or not they were a township resident—to go to a COVID-19 vaccination clinic or testing site. Thirdgill was participating in several Protect Michigan Commission workgroups, including the Youth, African American and Local Government groups, and heard that among key concerns was access to transportation. "I didn't want access to be a barrier to getting a vaccine," he said.

While his offer coincided with county public transportation, as well as ride-sharing services like Lyft and Uber, providing free transportation to vaccine clinics and testing sites, the public expressed gratitude for his outreach—something that he is seeing today, as well.

"People from the community have been really supportive," Thirdgill said. "It's been overwhelmingly positive."

'Ripple effects are amazing'

The efforts, including the related media coverage, have drawn further attention to the programs and services that the township offers, with residents recognizing how easily they can turn to their township government and officials with questions or for guidance and resources.

"The ripple effects are amazing," Thirdgill said. "More people are reaching out about township issues in general. They are coming to the township, and the board, saying, 'These people are accessible.'"

Thirdgill is also using his platform as an elected official to encourage more individuals to get involved in local government. He has witnessed and been involved in community activism his entire life, seeing his mother work as a community advocate. He knocked on his first door at age 10, the start of a love of local politics and volunteering, including for state and national political campaigns.

A native of Chicago, he moved to the Lansing area while working in constituent relations for Senate Minority Leader Jim Ananich (D-Flint), where he worked alongside Lenard. Thirdgill "saw the good things that are happening in Delhi Township," he said, and decided to move to the community. After living there for more than a year, he made the decision to run for trustee, to represent the place that he plans to call home long into the future.

With political divisiveness prevalent in recent years, coupled with pandemic fears and pressures, part of Thirdgill's intentions as an elected leader is to show that people can still support and respect each other in local communities despite their differences.



First-term Delhi Charter Township (Ingham Co.) Trustee TyJuan Thirdgill has pledged half of his trustee's salary to support residents in need, an effort having ripple effects connecting people with township services and resources.

He says his time on the board thus far "has been a really positive experience" as he brings a new viewpoint to the board. "I bring a different generation and perspective to the board," he said. "No one looks like me age-wise, no one is a minority, no one has my life experiences. A key focus of my efforts on the board is how we can represent the underrepresented in the township."

Thirdgill, in turn, is serving as an inspiration for others, and he is passionate about involving new voices in government, including young people, minorities and women. "There hasn't been an event that I've attended where I haven't been asked to talk about the importance of young people getting involved in government," he said, noting that he has talked with civic and community organizations from around Michigan and even other states, including Texas.

"We need to build a bench of people to run for local office. My involvement in the township has been a gift that keeps on giving. I am never going to turn down an opportunity to mentor and talk with others, and urge them to run for office. Just run."





Court of Appeals affirms property tax exemption for congregation-less parsonage

West Michigan Annual Conference of the United Methodist Church v. City of Grand Rapids, __ Mich. App. __, Docket No. 352703 (For publication, Feb. 25, 2021)—In this case, the City of Grand Rapids refused the property tax exemption for a “parsonage” under MCL 211.7s on the grounds that a home owned by the conference and lived in by Dr. Rev. Margie Crawford, an ordained minister who does not have a designated congregation but who occupies an administrative role overseeing multiple congregations for the conference, did not meet the statutory definition of “parsonage.” On a question of first impression, the state Court of Appeals held that the property tax exemption for a “parsonage” has no requirement that in order for a residence to constitute a “parsonage,” its resident be a pastor who ministers to a particular congregation.

The court found that “the statute refers to a ‘religious society,’ which is broader than the minister of a particular local church or parish; its plain meaning encompasses a minister who is part of church hierarchy. ... The statute, however, does impose the additional requirement that a residence be used as a parsonage to qualify for the exemption. Here, of course, there is no question that Dr. Rev. Crawford is a fully ordained minister in the West Michigan Annual Conference of the United Methodist Church, a religious society. The residence undisputedly is owned by petitioner, a religious society; it is the residence of a parson, Dr. Rev. Crawford; and it is used

as a parsonage, because Dr. Rev. Crawford is an actively practicing minister of the religious society. The residence thus fully satisfies the requirements for exemption under the plain language of the tax statute, and no further construction is permitted. The [Michigan Tax Tribunal] correctly applied the definition of ‘parsonage’ based on that word’s common understanding, that is, the home of a parson, as well as the remainder of the statutory language of the tax exemption.”

SOS guidance requiring presumption of validity for absent voter signatures invalid

Genetski v. Benson, unpublished opinion of the Michigan Court of Claims, March 9, 2021 (Docket No. 20-000216-MM)—The Michigan Court of Claims ruled on March 9, 2021, that the guidance issued by the Michigan secretary of state on Oct. 6, 2020, with respect to signature-matching standards for absent voter ballot applications and ballots, was a rule issued without following the Administrative Procedures Act (APA) procedures for promulgating rules and therefore invalid. The *Absent Voter Ballot Processing: Signature Verification and Voter Notification Standards* required clerks to presume that signatures are valid and to resolve “slight dissimilarities” in favor of finding a signature valid unless there were unacceptable defects in the signatures.

Under the APA, a rule is defined as “an agency regulation, statement, standard, policy, ruling or instruction of general applicability that implements or applies law enforced or administered by the agency, or that prescribes the organization, procedure or practice of the agency, including the amendment, suspension or rescission of the law enforced or administered by the agency.” (MCL 24.207) Rules must be promulgated following procedures mandated by the APA.

The guidance was not promulgated as a rule, so the question before the court was whether it should have been. The court declared that Benson’s guidance was generally applicable and required local election officials to apply a mandatory presumption of validity to signatures: “In sum, the standards issued by defendant Benson with respect to signature-matching requirements amounted to a ‘rule’ that should have been promulgated in accordance with the APA. And absent compliance with the APA, the ‘rule’ is invalid.”

The court’s ruling prohibits the use of that mandatory presumption with respect to future elections.

However, the court dismissed Genetski’s request for an election audit under Article 2, § 4(1)(h) of the Michigan Constitution of 1963 as it relates to absent voter ballots: “First, the constitution speaks of an audit of election results, not signature-matching procedures. Second, while the statute allows for an audit that includes ‘reviewing the documents, ballots and procedures’ used in the election, the statute plainly leaves it to the secretary of state to ‘prescribe the procedures for election audits’ and mandates that the secretary of state shall conduct audits ‘as set forth in the prescribed procedures.’ In other words, there is no support in the statute for plaintiffs to demand that an audit cover the subject of their choosing or to dictate the manner in which an audit is conducted. MCL 168.31a(2) leaves that to the secretary of state.”



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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



Katrina Pilgian Desmond

+1.313.496.7665
desmond@millercanfield.com



Steve Frank

+1.313.496.7503
frank@millercanfield.com



Jeffrey Aronoff

+1.313.496.7678
aronoff@millercanfield.com



Ronald Liscombe

+1.313.496.7906
liscombe@millercanfield.com



Sean Rucker

+1.313.496.7671
rucker@millercanfield.com

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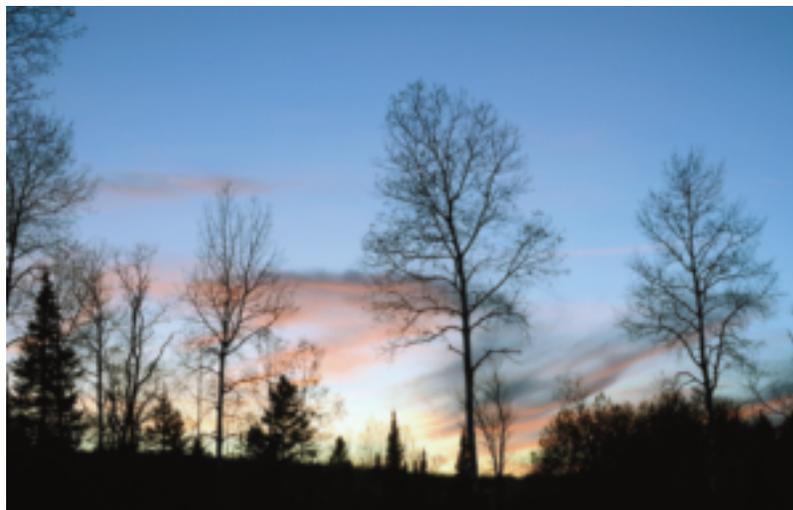


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aroundthestate

townships in the spotlight



Interior Township

Interior Township (Ontonagon Co.) is a small township in the Upper Peninsula with an abundant sense of community and limitless beauty. Home to about 300 people, part of the Ottawa National Forest and with a lot of local history, the township is a breathtaking and serene place.



Just inside the Ontonagon County side of the Ontonagon-Houghton county line, situated along Mill Pond Road, is a small dam across Trout Creek—a picturesque place to be.

The scene is pastoral, with small homes scattered sporadically about a lush and green countryside, split by a two-lane state highway.

This area was once home to white pine lumbering. The lumber town hummed during the 1920s, with passenger rail trains stopping along this stretch of the former Duluth, South Shore and Atlantic Railway.

There's a fish ladder here connecting the stilled waters of the pond pooled behind the dam with the swirling waters racing downstream. The railroad named a station for Trout Creek in the late 1800s, which the community later adopted.

This quiet place attracts visitors looking for a place to find a few peaceful moments, casting their thoughts into the placid waters of the reflective pool, and maybe a line or two for trout.

There's a blue, metal bench here at the top of the dam, perfect for sitting comfortably.

From this seat, you can watch the sun set down below the high-line wire and the trees on the western horizon, where the Duluth South Shore and Atlantic—later to become the Soo Line—used to run.

Meanwhile, the colors in the sky—orange, yellow, pink, blue, purple and red—slowly blend and burn down into the embers and ashes of another day.

A long time ago, the railroad station picked up and dropped off passengers four times each day. Today, the passenger trains have disappeared. Just a few hundred people live in this township now, much of which is located within the Ottawa National Forest.

After the close of the Civil War, Decoration Day was created. Graves were decorated with flowers, honoring the dead from the country's horrific war that claimed more than 600,000 lives.

At the pond on Trout Creek, the blue metal bench has a plaque attached honoring some of these local war heroes, men who at one point had no doubt watched the magnificent sunsets here, cast their thoughts into the reflective pool and watched the cars pass by on the two-lane blacktop.

The plaque reads: "In memory of these men killed in action while serving our country in WWII, Korea, Vietnam: Joe Cameron, Jerry Garrick, Tom Heikkala, Marvin Helsius, Jack Porter, Walt Pulkas, Ed Trombley; each loved to fish here."

—Excerpted from *Showcasing the DNR: A visit to a reflecting pond*, written by John Pepin.





**Together again
for MTA's**

UP North Summit

September 13-14, 2021

**Island Resort &
Conference Center,
Harris (near Escanaba)**

**Join us as we return to in-person
learning for two days of education,
networking—and fun—
in Michigan's Upper Peninsula.**

**Take advantage of discounted early-bird rates.
Register by Aug. 27 and save!**



Team MTA is preparing for our return to in-person learning and we look forward to seeing YOU at our *UP North Summit!* **Join us Sept. 13 and 14 at the Island Resort & Conference Center**—located in Harris, just west of Escanaba. This exciting event brings together local leaders from across the state for excellent networking opportunities and premier educational programming.

Practical techniques and valuable resources

The program is packed with informative sessions featuring topics relevant to the entire township board, and some tailored to the duties specific to your township board position. Take advantage of this learning opportunity and connect with others who can help make your role as a township official more fulfilling. It's an investment worth making!

Exceptional value

Officials are encouraged to register for the full program to get the most out of this educational experience. Registration fees include all meals. Can't get away for more than one day? Single-day rates are also available.

Educational sessions include:

Elections Update

Don't miss this opportunity to hear directly from the state's Bureau of Elections staff on the hot issues in Michigan elections. Explore key topics and gain insights into the most common questions asked of the bureau. Walk away with helpful tips for navigating your township's elections.
Speakers: Representatives from the Michigan Department of State, Bureau of Elections

What Your Township Needs to Know About Solar Energy Facilities

Learn your township's options when it comes to regulating solar energy facilities. We'll share lessons learned from the trenches in **Escanaba Township** (Delta Co.), including advantages, disadvantages and tips for addressing community concerns. You'll walk away armed with a better understanding of the challenges and opportunities associated with solar facilities.

Speaker: Terry Burkhart, Attorney, Burkhart, Lewandowski & Miller, PC

You Paid What for What?

Every board member must be familiar with the township's finances, including required procedures and reporting. Get an overview of who does what, when and what back-up documentation is necessary when it comes to preparing (and reviewing) your board's financial reports. Learn more about lawful expenditures, annual financial reports and what to do when the board disagrees on expenditures.

Speaker: Cindy Dodge, MTA's Member Information Services Liaison

Sandbox Etiquette

Maintaining your composure is not as easy as it sounds when dealing with negativity at public meetings, negative comments from community members and especially from your fellow board members. Get the tools, mindset and even the language to use to diffuse difficult situations and people. Take away tips for keeping your township (and your sandbox!) clean and maintaining a positive attitude in the face of negativity.

Speaker: Michael Selden, MTA's Director of Member Information Services

No One Left Inside

When it comes to outdoor recreation opportunities, Michigan has so much offer! Outdoor recreation plays a vital role in your community's quality of life, leisure and health. It's also a big part of our state's economy. Gain insights into emerging trends and learn how you can recognize, evaluate and promote your community resources to elevate recreation opportunities in your township.

Speaker: Brad Garmon, Director, Michigan Outdoor Recreation Industry Office

Making the Most of Your Meetings

Have you ever wondered why your meetings take too long or feel like they are unproductive? Do you have unruly citizens or board members on a regular basis? Are you struggling with what goes on the agenda and who gets to choose that anyway? Perhaps you felt compelled to go into closed session, but weren't certain you could? Did you know that both the township and you personally can be held liable for violating the Open Meetings Act? Learn how to get the most out of your meetings while keeping yourself—and your township—out of trouble!

Speaker: Michael Selden

Understanding Ordinances

Ordinances are local laws enacted by your township board and enforced by your township. Zoning ordinances can help you retain (and steer) your township's character. Non-zoning ordinances assist in preventing community conflicts and complaints. Townships are not required to have either, but the right ones sure can make a difference! There are no advantages—and plenty of disadvantages—to having ordinances or provisions that you don't want or need. This overview of statutory authority for both zoning and non-zoning ordinances will help you understand and evaluate your township's ordinance needs.

Speaker: Seth Koches, MTA Legal Counsel, Bauckham, Sparks, Thall, Seeber & Kaufman, PC

Fraud Prevention

The details may vary but the scheme is often the same, and the headlines all too common. While public fraud incidents and their publicity-generating dollar totals may vary, the trust issues that follow remain. How can you develop oversight systems to protect your township? Come hear lessons learned from the voice of experience and get a handle on how your township can develop sound policies, procedures and internal controls for detecting and preventing fraud.
Speakers: Mary Segalin, Clerk, Ironwood Charter Township (Gogebic Co.), and Cindy Dodge

Sessions marked with the red book icon qualify for credit in MTA's new **Red Book Ready** learning series. Enrollees also earn two elective credits just for attending the *Summit*.

Are you enrolled in MTA's **Township Governance Academy**? Join us at the *Summit* and earn four elective credits. No project required!



Agenda

Eastern Standard Time

SEPTEMBER 13

9:30 a.m.
Registration check-in,
continental breakfast and
Northern Market expo

10 a.m.
Welcome address

10:30 a.m.
Legislative panel

11:30 a.m.
Meet the exhibitors

Noon
Northern Market expo

12:30 p.m.—Lunch

1:30 p.m.
Concurrent sessions
• Elections Update
• Solar Energy Facilities

2:30 p.m.
Northern Market expo

3 p.m.
Concurrent sessions
• You Paid What for What?
• Sandbox Etiquette

4:30 p.m.
Legislative update

6:30 p.m.
Dinner and evening activity

SEPTEMBER 14

8 a.m.
Registration and breakfast

9 a.m.
Marijuana in Michigan

10:30 a.m.
Concurrent sessions
• Making Meetings Work
• No One Left Inside

Noon—Lunch

1 p.m.
Concurrent sessions
• Understanding Ordinances
• Fraud Prevention

2:45 p.m.
What the Board Needs to Know
About Assessing

4 p.m.—Adjourn

Post-Summit session
4 p.m.
Registration and dinner

5 to 8 p.m.
Cemetery Management

Informative general sessions

Gather as a group for four informative sessions offering insights and information for today's townships.

On Monday morning, your local legislators will join us to offer their **legislative insights on what is happening in Lansing** and how it affects your township, during a panel discussion. Later that afternoon, hear what's at the forefront and on the horizon for the balance of this year's legislative session, as well as tips for working with your state legislators from MTA's Director of Government Relations Judy Allen.

On Tuesday, we'll begin with an update from Andrew Brisbo, executive director of the Marijuana Regulatory Agency. You won't want to miss this discussion on **the township's role with marijuana in Michigan**. Our Closing Session digs into **the board's role when it comes to assessing**, as assessing expert Shila Kiander, Mecosta County equalization director and Michigan advanced assessing officer, teams up with MTA's own Cindy Dodge to help ensure your township's assessing measures up!

Valuable networking

Don't miss this unique opportunity for northern Michigan township officials to gather for valuable education and networking. Your fellow officials know better than anyone the challenges you face!

Northern Market expo

Designed to help you find providers of products and services that can help your township run more efficiently. Network with vendors, get your questions answered and you may even win a prize.

Evening event

After a full day of intensive education, we know you'll be ready to get out of the classroom and into the great outdoors. Monday night's dinner features food, festivities and fun!

Dinner sponsored by  Entertainment sponsored by 

Safety first

MTA is fully committed to offering a safe and comfortable learning environment. We will adhere to all current state and federal guidelines and facility rules during our in-person events. By registering you acknowledge your willingness to comply with applicable safety protocols during the event. Failure to comply may result in not being allowed to participate in this event.

Post-Summit session

Tuesday, September 14
5 to 8 p.m. EST

(includes dinner served at 4 p.m.)



Cemetery Management

Township cemeteries provide a positive personal service to residents during a difficult time. Don't miss this review of the rules, regulations and many other important aspects of cemetery management and administration.

Join MTA Member Information Services Liaison Cindy Dodge, a featured conference speaker for the Michigan Association of Municipal Cemeteries, as she digs into elements of green or natural burials and other options many conventional cemeteries are incorporating. Participants will:

- Review the legal obligations for cemeteries, including content and procedures for adopting a cemetery ordinance.
- Explore fees and other budgeting and financial aspects, including tips on dealing with special cemetery management issues.
- Examine the role of advisory committees, cemetery sextons and other caretakers, as well as the duties and responsibilities of the clerk and township board.



Registration Information

Register for the Summit by Aug. 27 to take advantage of discounted registration fees. A limited number of hotel rooms are available at discounted rates. Contact the Island Resort directly to book your hotel room. (Details below.)

Discounted lodging is limited—Call the Island Resort to reserve your hotel room today!

The Island Resort & Conference Center offers spacious, well-appointed rooms with free parking, free Internet, room service, indoor pool & hot tub, in-room coffee makers, hair dryers, and cable television.

Check-in: After 4 p.m. Check-out: 11 a.m. (EST)

MTA Discounted Room Rates

(Does not include 9% occupancy tax.)

Single- or double-bedded rooms only \$83.75

Suites available from \$103.75 to \$127.75

Call the Island Resort at (877) 475-7375 and reference *Michigan Townships Association* or group code 6173. You must make your hotel reservation by Aug. 27 to receive the MTA discounted rate. Please notify the Island Resort of accessibility needs when reserving your room.

2021 Summit Sponsors*





















*As of June 30

Cancellations and substitutions: Written cancellation requests received at the MTA office by Aug. 27 will receive a full refund. No refunds will be issued thereafter. You may substitute another individual from your township for your registration at any time without incurring a charge; please notify MTA of the change.

Summit Registration Form — — — — —

Name & Title Email

Name & Title Email

Name & Title Email

Township County

Daytime Telephone

In-Person Summit (Sept. 13 & 14)

Includes all sessions, meals, refreshments and activities

	By Aug. 27	Aug. 28-Sept. 3	After Sept. 3
<input type="checkbox"/> Regular rate	\$220/person	\$240	\$260
<input type="checkbox"/> Premium subscribers pay	\$176/person	\$192	\$208

Virtual Summit (Online Only)

Includes recorded version of all sessions, bandouts and virtual Northern Market expo

	By Sept. 7
<input type="checkbox"/> Regular rate	\$199/person
<input type="checkbox"/> Premium subscribers pay	\$159/person

Add on: Cemetery Management (Sept. 14 from 5 to 8 p.m.)

Evening class (in-person only); includes dinner

	By Aug. 27	Aug. 28-Sept. 3	After Sept. 3
<input type="checkbox"/> Regular rate	\$99/person	\$119	\$139
<input type="checkbox"/> Premium subscribers pay	\$79/person	\$ 95	\$111

Single-day Summit rates

Includes that day's sessions, meals, refreshments and activities; separate registration required for Cemetery Management class

Check the day you wish to attend: Sept. 13 OR Sept. 14

	By Aug. 27	Aug. 28-Sept. 3	After Sept. 3
<input type="checkbox"/> Regular rate	\$135/person	\$155	\$175
<input type="checkbox"/> Premium subscribers pay	\$108/person	\$124	\$140

Guest dinner and evening activity only:

- \$40/person Guest name: _____
- \$40/person Guest name: _____
- \$40/person Guest name: _____

TOTAL DUE: \$ _____ *Above rates are for MTA members; non-members, call MTA for rates.*

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



Send your completed registration form with payment to MTA, PO Box 80078, Lansing, MI 48908-0078; fax: (517) 321-8908. Or register online at <http://bit.ly/MTASummit> Questions? Call (517) 321-6467.

Available online now

MTA's Virtual Conference & Expo On Demand



Did you miss MTA's Virtual Conference & Expo?

Don't worry! You can take part in all the learning (and we do mean **ALL**) with our on-demand Virtual Conference Package. Every Conference session—nearly 25 in all, including featured speakers from the main stage—is available to watch at your convenience and on your own schedule. Pay just \$199 (that's an incredible value at less than \$5 per educational session!) for access through Sept. 15 to every session, every handout, featured speaker presentations, a legislative plenary AND vendor resources and contacts.

Classes include:

- Bringing Broadband into Your Community
- Clearing the Haze of Marijuana Regulation
- Effective Communication Strategies
- Elections Update
- Managing Expectations: A Positive, Pain-Free Audit
- Meeting Myths, Mysteries & Misconceptions
- Innovating Your Township: Methods and Legalities
- Introduction to Township Ordinances
- Payroll Questions? We've Got Answers!
- Policies Matter: Policies Your Township Needs to Succeed
- Safety First: Active Assailant Preparedness & Violent Behavior Response
- Show Me the Money! Grant Writing Tips
- The Impact of COVID-19 on Your Township Workplace
- Things I Wish I Knew When I First Took Office
- Tools of Engagement: Township Websites & Social Media
- Top Township Legal Pitfalls
- Township Public Safety Services: So Many Options
- Volunteer Neighbors Supporting Neighbors
- What the Board Needs to Know about Corrective Action Plans
- What You Need to Know About Virtual Meetings

Main stage sessions

Experience a celebration of township government and public service, along with motivation, inspiration and insights into leading and serving your communities.

Opening Session offers reflections from MTA leadership on the connection and commitment of today's local leaders.

Legislative Plenary includes a legislative update from MTA Government Relations Director Judy Allen, who also details MTA's 2021-22 Policy Platform.

General Session with featured speaker Tony Brigmon sharing his strategies for keeping a positive attitude through negativity and change.

Closing Session featuring disruption expert Chris Field and his insights on how community persistence can result in lasting change, even in the face of one of the most disruptive periods in contemporary history.

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To add new users to your township subscription, visit www.michigantownships.org/update.asp, or access an update form at <https://bit.ly/MTAUpdateForm>. (Please allow 2-4 business days for processing.)

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