

Township Focus

OFFICIAL PUBLICATION OF THE MICHIGAN TOWNSHIPS ASSOCIATION

Celebrating 'Neighbors Serving Neighbors'



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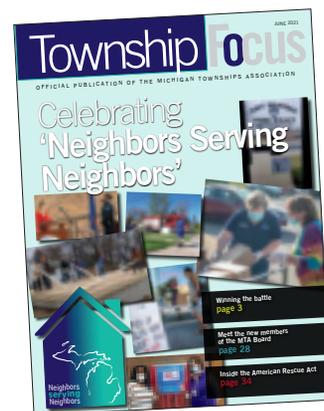
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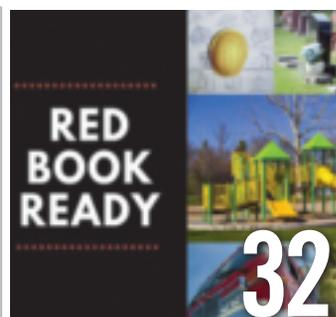
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mission statement

The Michigan Townships Association advances local democracy by fostering township leadership and public policy essential for a strong and vibrant Michigan.



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Celebrating ‘Neighbors Serving Neighbors’

The phrase “Neighbors Serving Neighbors” has always typified township government—but after the past year, it has been more fitting than ever. As the theme of MTA’s 2021 Virtual Conference & Expo, those words were reflected in the education, inspiration and recognition throughout the event, where we were able to honor you—our township leaders and heroes.

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MTA launches ‘Red Book Ready’ learning series

For decades, MTA’s *Authorities & Responsibilities of Michigan Townships*—perhaps better known as the “Little Red Book”—has been *the* go-to guide for township officials to find information and answers on township governance and authority. Our new learning program uses the book as a springboard to take your township knowledge to the next level.

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What we know now about the American Rescue Plan

Michigan is expected to receive more than \$10 billion in federal COVID-19 relief funding from the American Rescue Plan Act—including \$1.46 billion for our state’s municipalities. How do townships access the funding? And how can it be used to help communities after more than a year of hardship and to aid in the post-pandemic recovery?

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mta board of directors

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The fight for local control

The **Battle for Lansing** rages, with multiple efforts underway to preempt your community's local authority to plan, zone and govern to the benefit of your residents. Special interest groups have bills in play for the commercial profits of big industry and distant corporations. Like the British did with our colonies, they have little regard for the communities and people they would harm. Currently, they aim to entirely strip away local planning and zoning control over short-term rental properties, as well as sand and gravel operations statewide. Our different communities have differing interests; the choice of whether, when and how to permit these activities should remain with your residents.

You are the frontline defense in this battle. MTA succeeded in stopping similar efforts last year because you reached out to your legislators and helped convince them to vote for the communities they represent, and not for the special interest groups. So, our MTA Action Alerts may not be as dramatic as Paul Revere's midnight ride warning that the British are coming. But we do know the alerts work. Legislators will tell MTA Government Relations Director Judy Allen that they have heard from you. Your legislator knows well that **you speak on behalf of thousands of voters**—your outreach is a very powerful help in their making the right decision and vote. Later in this issue, you'll find coverage of on these issues, MTA's efforts, and the critical importance of your engagement to protect local authority to plan, zone and govern for your community.

In good news, MTA **plans to restore in-person learning this fall** beginning with our *UP North Summit* in September and *Professional Development Retreats* in October. We're also researching blended learning options for participants who appreciate the convenience and other benefits online learning provides.

MTA President **Pete Kleiman** and I will be on a road trip speaking with MTA county chapters for the last two weeks of September. Would your chapter like to host us? Please email me at neil@michigantownships.org to let us know.

We have a draft route and schedule. Our goal is to kick off MTA's fall events by having one-on-one dialogues with your chapter leaders and members. Pete calls this period the "ever-changing normal." What's changing in your region?

You can also hear Pete's reflections on the "ever-changing" normal in this month's cover story, offering a recap of insights from featured speakers—including Gov. Whitmer—from our successful, first-ever (and hopefully last!) Virtual Conference & Expo. While the event was hugely different than our usual gathering of thousands of township leaders and others, our virtual event was still able to provide quality connection and education, and gave us an opportunity to highlight and honor your commitment to "Neighbors Serving Neighbors" over the past year.

In a few weeks, we will celebrate America's Declaration of Independence and our victory over tyranny. Townships stand at the very core of American representative democracy, we thank you for your hard work and your dedication to the principles that enable our residents to enjoy their local liberties and freedoms.

Neil



‘Back to normal’ by July 1; remote work requirement lifted

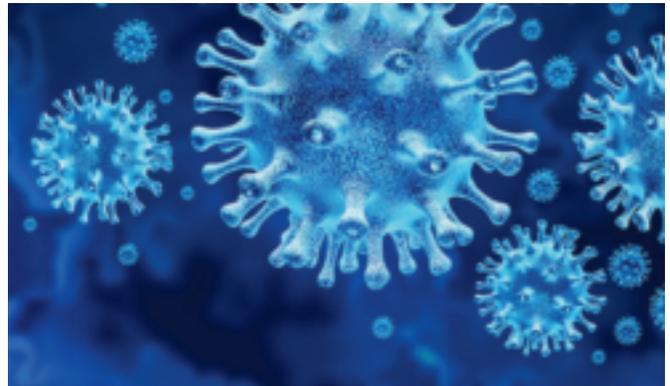
Michigan communities and residents could see a “return to normal” as soon as July 1, when all broad state COVID-19 restrictions are expected to be lifted. Effective June 1, there are no outdoor COVID-19 gathering restrictions and all indoor capacities are increased to 50%, under a revised state “Gatherings and Face Masks” epidemic order.

The announcement is an acceleration of the state’s “MI Vacc to Normal” program, which when initially announced had tied loosening of restrictions to state vaccination rates. While the state had hit the program’s first metric—55% of the eligible population having received at least one dose of the COVID-19 vaccine—the revised plan instead sets calendar dates—June 1 and July 1—as planned milestones. Precautions for vulnerable populations, such nursing homes, will likely continue.

The Michigan Department of Health and Human Services (MDHHS) epidemic order, in effect June 1 to July 1, was also significantly amended to reflect the announcement, which follows updated federal Centers for Disease Control and Prevention (CDC) guidance. Under the order, fully vaccinated individuals do not have to social distance or wear masks or face coverings in either outdoor or indoor settings. Masks are not required for anyone in outdoor settings, regardless of vaccination status. Throughout the month of June, people who are not yet fully vaccinated are still required to mask up while indoors. Individuals must follow requirements set by businesses and workplaces, which can include wearing masks or capacity limits.

“Fully vaccinated” is two weeks after the single-dose Johnson & Johnson vaccine, or two weeks following the second dose of the Pfizer or Moderna shot. MDHHS continues to recommend that individuals who are not yet fully vaccinated continue to wear masks while in crowded spaces outdoors and practice social distancing.

All youth athletes participating in both contact and non-contact outdoors sports also no longer need to wear masks, regardless of vaccination, and fully vaccinated athletes do not need to take part in the required weekly COVID-19 testing program.



After reaching the first “MI Vacc to Normal” milestone, the state’s prohibition on in-person work was lifted, effective May 24. This means that township offices and facilities are no longer required to allow remote work for employees “to the extent possible.” Just prior to *Township Focus* press time, “slimmed down” Michigan Occupational Safety and Health Administration (MIOSHA) emergency workplace safety rules were announced, as a result of the increased vaccination rates statewide as well as revised CDC guidance.

The revised emergency rules, which are currently in place through Oct. 14, remove the remote work requirement, and allow fully vaccinated individuals to work in person without masks or social distancing. The rules do require that employers have a policy deemed effective to ensure non-vaccinated individuals continue to follow masking and distancing requirements while working in person. Cleaning and sanitizing requirements have also been loosened. The requirement for all workplaces—including townships—to have a COVID-19 preparedness and response plan, however, remains in place.

Townships can help to increase vaccination rates. Following a spring surge, which again saw Michigan back into the national spotlight as a hot spot for cases, hospitalizations and deaths due to the coronavirus, numbers have been trending downward significantly in the weeks before press time, as vaccinations have begun to take effect.

As of May 21, more than eight million doses of the COVID-19 vaccine had been administered to eligible Michiganders, including children ages 12-15 after expanded use of the Pfizer vaccine was approved by the U.S. Food and Drug Administration. While 57.1% of the state's population had received at least one dose as of press time, vaccination rates had slowed dramatically both across the state and the nation.

Townships can provide both information and access to help the state reach its goal of 70% of the population vaccinated. While reopenings and lifting of restrictions are both exciting and promising, the most effective way to see an end to the pandemic lies in our vaccination rates.

A recent meeting of the Protect Michigan Commission—of which MTA is a member—highlighted the importance of proximity and convenience to both getting the vaccine and the continued need for COVID-19 testing sites. The state of Michigan has a goal that no resident should have to drive more than 20 minutes to receive a vaccine. Townships can coordinate, partner or promote efforts to bring the vaccine to where people are with a mobile clinic or community vaccination event, rather than having them make appointments and go to a vaccine clinic. If your township has a suitable site and is interested in hosting a testing pop-up event, please reach out to mdhhs-covidtestingsupport@michigan.gov for further information. If you would like to host a vaccine clinic, please reach out to your local health department.

In addition, as local leaders, you can encourage individuals to consider the vaccine by sharing trusted information and resources. Even simply telling your own story for why you got vaccinated, or elevating the experiences of other trusted leaders or community members, can help set minds at ease about the safety and efficacy of all three vaccines.

Reminders for township meetings. Under the MDHHS order of June 1, 2021, effective June 1 through June 30, 2021, all public meetings and all other indoor gatherings at township offices and facilities (including hall rentals) are subject to the indoor gathering limit of whichever is greater: 50% of the fire marshal capacity of the space; or 30 persons per 1,000 square feet if no applicable fire marshal limit exists; or 25 persons. Density must still be limited to provide for six-foot distancing. Fully vaccinated individuals do not have to wear masks at these indoor meetings; other personal exceptions apply, as set forth in the order.

Through the end of the year, virtual attendance of members of a public body at public meetings is allowed for three reasons: military duty, a medical condition, or a statewide or local state of emergency (SOE) or state of disaster. MTA's Coronavirus Resources for Township webpage, www.michigantownships.org/coronavirus.asp,

includes updated township meetings and facilities and state of emergency facts sheets, as well as a link to a Michigan Association of Counties map and listing of counties that have declared states of emergency. If your township wishes to hold a meeting virtually and has not adopted its own SOE, please confirm with your county that a local state of emergency has been declared.

Quarantine guidelines after COVID exposure revised. MDHHS guidelines for quarantining and isolation for unvaccinated individuals following exposure to COVID-19 has returned to 14 days. Previously, the timing had been decreased to 10 days. While the state "Gatherings and Face Mask Order" does not mandate either quarantine or isolation, local health departments may issue orders relating to quarantine or isolation under the Public Health Code. Other laws, including but not limited to the COVID-19 Employment Rights Act, MCL 419.401 *et seq.*, may require observance of quarantine or isolation under certain circumstances. Fully vaccinated, asymptomatic persons do not need to quarantine after exposure.

Water shutoffs. The state moratorium on water shutoffs during the pandemic due to nonpayment expired on March 31. No action to extend the moratorium has been taken, as of press time.



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news¬es

a compendium of noteworthy items

KUDOS TO CLERKS

Largest-ever audit confirms security, accuracy of November 2020 election

Amidst unprecedented challenges including the pandemic, new voter rights and record-setting turnout, clerks, election administrators and poll workers conducted a secure, accurate general election in November, according to the results of the largest-ever post-election audit.

More than 250 post-election audits of local election precincts were conducted following the Nov. 3 election by more than 1,300 officials and state Bureau of Elections staff. Officials also conducted a statewide audit exercise by hand-counting votes cast for president on more than 18,000 ballots randomly selected across the state, which affirmed the outcome of the presidential election as previously determined by tabulation machines. Election officials audited every ballot cast for president in Antrim County and found that the Dominion machines used there accurately counted ballots throughout the county.

Audits of absent voter counting boards found that for each of those boards, the number of ballots matched the number of names in the poll book, or that the imbalance could be explained in such a way that the counting board would be accountable.

Noted the report, “The combination of the COVID-19 pandemic, a set of new election rules, highly contested elections, record-breaking voter turnout, and a shift from majority in-person voting to majority absentee voting posed an unprecedented set of election administration challenges for local officials. Same-day registration at clerks’ offices requires local election officials to ensure that these offices are adequately staffed with experienced workers. The manifold increase in absentee ballots—more than double the number cast in the 2016 presidential election—required updates to training, procedures, equipment and staffing allocation to allow for the processing of both absentee applications and ballots, along with tabulation of large numbers of ballots, under the strict timelines required and allowed by law.

“Many experienced clerks, staff, temporary staff and election inspectors—groups that include significant populations in age groups more at risk from COVID-19—were unable to work before and on election day because of health concerns, quarantines or exposure. In-person and staffing of election offices and polling places was made more difficult because of the need to ensure social distancing and capacity limits on the auditorium or classroom-style settings in which training is typically offered.

“In spite of these and many other challenges, Michigan’s local election officials administered the November 2020 election exceptionally well.”

EXTRA DIGITS

10-digit dialing to be required for all calls in 616, 810, 906 and 989 area codes

Michiganders in the 616, 810, 906 and 989 area codes will have to use those area codes when dialing *even for local calls* starting Oct. 24 this year, the Michigan Public Service Commission announced. However, callers are urged to start dialing all 10 digits now to get used to the new requirement.



People who dial only seven digits will still be connected during a “permissive dialing period.” However, on Oct. 24, the change becomes official, and local calls dialed with only seven digits may not be completed.

The reason for the change is that 988 has been designated by the federal government as the abbreviated three-digit code to reach the National Suicide Prevention Lifeline. That will go into effect July 2022. Because 988 is used as a prefix—or the first three digits after the area code—in many area codes across the country, for 988 to go directly to the National Suicide Prevention Lifeline, any area code that includes the 988 prefix must transition from seven-digit dialing to 10-digit dialing. Customers in other Michigan area codes are not affected by these changes at this time.

Items that may need to be reprogrammed due to the change include life safety systems or medical monitoring devices, fax machines, security systems, cell phone contact lists, call forwarding settings and voicemail.

NEW DOMAIN

Townships can obtain .gov domain for FREE

Townships can now obtain the .gov domain for your township website or email addresses free of charge, the Cyber Security and Infrastructure Security Agency (CISA) has announced. Management of the .gov domain was transferred to CISA from the General Services Administration by the DOTGOV Act. Use of a .gov domain has several benefits, including security standards and boosted public confidence that information is from an official government source. Said CISA, “There’s perhaps never been a more important time for the public to know where to get official government information online.” Interested townships can visit <https://home.dotgov.gov/registration/> to begin the registration process for a .gov domain.



THE COUNT IS IN

Michigan gains in population; drops to 10th largest state in nation

Michigan's population grew 2% over the past decade—to 10,077,331 residents as of April 1, 2020, according to the first 2020 U.S. Census figures released earlier this spring. The state population counts were released for congressional apportionment, to determine how many U.S. House seats each state will have for the next decade.

The increase—up nearly 194,000 residents—represents the first time the state has topped 10 million residents or more since the Great Recession in 2007. The population previously peaked at 10,055,315 residents in 2004.

The state fell from the eight-largest state to the 10th-largest in the nation. According to the new census figures, North Carolina and Georgia surpassed Michigan's population. The decennial population count shows that the 2010s were the second-slowest growth rate in U.S. history. Three states—Illinois, Mississippi and West Virginia—lost population. Michigan was the only state to lose population following the 2010 Census.

As a result of the new population figures, Michigan has lost a congressional seat in the U.S. House of Representatives—down to 13 seats. The state has lost a congressional seat following each census since 1970; in 1990, it lost two. As a result of the loss, Michigan will have one less electoral college vote in the presidential elections.

It is uncertain how the congressional maps will look, as the Michigan Independent Citizens Redistricting Commission (MICRC) is currently undertaking the process of redrawing U.S. House and state legislative district maps. The MICRC is continuing its public hearing tour throughout June and on July 1, to allow officials, residents and community representatives to provide insights and opinions on redrawing of district maps. Note that the final hearing dates and locations differ slightly from the schedule that appeared in the April/May issue of *Township Focus*. Visit www.michigan.gov/micrc for the hearing schedule, and ways to submit comments.

Community-level 2020 Census population numbers will be released later in the year.

In Memoriam

Walter Krzycki Jr., retired **Sturgis Township** (St. Joseph Co.) treasurer, after 20 years, as well as zoning administrator and zoning board of appeals chair.

classifieds

HELP WANTED

Staff planner—Marquette Charter Township (Marquette Co.) is seeking candidates for the full-time position of staff planner. The position is responsible for carrying out assigned activities of the planning department, and provides support to the township planning/zoning administrator and planning commission. This position will interpret and administer the township's master plan and ordinances, perform research, prepare professional reports as needed, and provide GIS and asset management program support. The position will also address neighborhood preservation concerns and administer property maintenance. The position requires a bachelor's degree in a recognized planning discipline, a minimum of one year of responsible municipal planning experience, and a valid/unrestricted Michigan driver's license. The successful candidate will be required to travel within the township to conduct inspections, traverse uneven terrain and obstacles, and engage in moderately strenuous physical activity while exposed to outside weather conditions.

First-year compensation is \$39,300-\$51,100 depending on qualifications, with an annual progression schedule and generous paid benefit package. For consideration, a Marquette Charter Township application and detailed resumé shall be submitted to Township Manager, Marquette Charter Township, 1000 Commerce Drive, Marquette, MI 49855. For an application, job description and more information on what Marquette Charter Township has to offer, visit www.marquettetownship.org.

Want to place a classified in Township Focus or on www.michigantownships.org? Visit www.michigantownships.org/classifieds.asp for more information, email ashley@michigantownships.org, or call (517) 321-6467.

PAYROLL FORM

IRS resources provide guidance for new Form W-4

The IRS has released information and resources on who needs to use the new Form W-4, Employee's Withholding Certificate. Employees fill out a W-4 form so that their employer can withhold the correct federal income tax from their pay. Forms W-4 are NOT filed with the IRS; rather they should be retained on file by the township. According to the IRS, the following must use the new Form W-4:

- All new employees first paid after 2019
- Existing employees who want to adjust their withholding
- Existing employees who claim to be exempt from federal income tax withholding

Visit www.irs.gov (search for "W-4") for resources, or check out the "Payroll Administration" webpage on the members-only side of www.michigantownships.org (access via the "Index of Topics" under the "Answer Center" tab after logging in).

Township boards urged to adopt MTA ‘Principles of Governance’



Township boards can be much more efficient and effective when there is a high degree of trust among board members, and between the board and those whom they are elected to serve. Boards earn trust by demonstrating their commitment to effectively solving problems and

conducting their business in a manner consistent with their community’s expectations and values—and then faithfully delivering on those commitments.

To that end, MTA is again encouraging every township board to deliberate on and adopt “Principles of Governance.” A Principles of Governance certificate, with the names of all elected township board members, was mailed to each township in early June.

Township government embodies efficient, effective, economical, ethical and accountable local government in Michigan. The Principles of Governance encompass these core values, and can guide officials toward consistent actions and deeds that reflect well on the township and on themselves. The principles are not necessarily statutory requirements, but reflect standards for representative and responsive township government.

We believe that a township board that adopts and adheres to these principles will enjoy strong public support and be better positioned to achieve great things on behalf of its residents. We invite your board to affirm and practice the Principles of Governance through formal ratification at a board meeting. By signing the Principles of Governance certificate, board members denote their personal pledges to adhere to the principles. Following board action, we encourage you to frame and proudly display the document in a prominent place for all to see.

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- | | |
|-----------|--|
| 2 | Taking Township Minutes <i>Now You Know</i> lunchtime learning webinar |
| 10 | <i>Board of Review Training</i> live virtual event |
| 30 | Last day for 2021 MTA Virtual Conference attendees to watch sessions and download handouts for FREE. |

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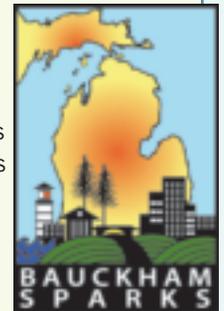
The legal challenges Michigan townships face have certainly changed over the past six decades, and Bauckham Sparks’ attorneys continue to change with the times. The firm’s guiding principles, however, remain as steadfast today as they were over 60 years ago. The firm continues to provide careful and thoughtful analysis, detailed problem-solving, and individual attention to its clients’ needs with the highest degree of integrity in all circumstances.

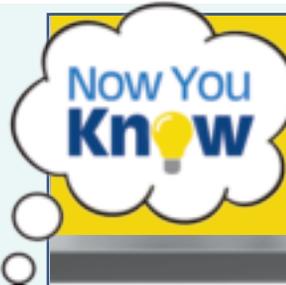
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Bauckham Sparks is proud to provide that expertise to MTA members and is dedicated to representing the townships and citizens they serve. It’s a way of doing business that may seem a bit old-fashioned. Bauckham Sparks, however, prefers to call it “time tested.” Because the way the firm sees it, caring about its clients, providing expert legal advice at a great value, and taking personal pride in serving its clients’ needs are commitments that will never go out of style.

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MTA's **Now You Know** lunchtime learning series, held from noon to 1 p.m. monthly (or more!), covers timely topics and allows you to get your questions answered—all in just one hour!

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- June 2:** Taking Township Minutes
- July 14:** What the Board Needs to Know about July Board of Review
- Aug. 4:** All Aboard! Appointing New Board & Commission Members
- Sept. 1:** My Deputy and Me
- Oct. 1:** Communication is Key—Telling Your Story
- Nov. 5:** Understand the Plan: Master vs. Strategic—What's the Difference?

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JUNE

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

Deadline for filing Form 2368 *Principal Residence Exemption (PRE) Affidavit* for exemption from the 18-mill school operating tax to qualify for a PRE for the summer tax levy. (MCL 211.7cc(2))

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

Deadline for filing Form 4983 *Foreclosure Entity Conditional Rescission of a PRE* to qualify for the summer tax levy. (MCL 211.77cc(5))

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

Requests are due from a tax increment finance (TIF) authority, local development financing authority or downtown development authority for state reimbursements of tax increment revenue decreases as a result of the Michigan Business Tax (MBT) reduction in personal property taxes. (Form 4650; PA 155-157 of 2008)

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

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

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

15 Deadline for submission of Water Pollution Control, PA 451 of 1994, Part 37, and Air Pollution Control, PA 451 of 1994, Part 59, tax exemption applications to the STC.

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

Not later than June 15. Requests are due from a brownfield redevelopment authority for state reimbursements of tax increment revenue decreases as a result of the MBT reduction in personal property taxes. Form 4650; PA 154 of 2008

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

By 19 Clerks shall electronically transmit or mail (as requested) an absentee voter (AV) ballot to each absent uniformed services or overseas voter who applied for an AV ballot 45 days or more before the Aug. 3 election. (MCL 168.759a)

AV ballots must be available for issuance to voters for the Aug. 3 election. (MCL 168.714)

24 *through July 13.* Precinct inspectors for the Aug. 3 election appointed by township election commission. (MCL 168.674)

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

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

JULY

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

5 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 (AV) 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 AV 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 file declaration of intent forms for the Aug. 3 election by 4 p.m. (MCL 168.737a)

By 26 Clerk forwards names and addresses of partisan and nonpartisan candidates to county clerk for the Nov. 2 election. (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 AV 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 AV ballot and receive a new ballot by mail for the Aug. 3 election until 5 p.m. (MCL 168.765b)



63

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Does a supervisor have authority to not recognize members of the public or board members who want to ask

questions on agenda items at a board meeting or to add to the agenda?

It is a pretty universal aspect of parliamentary procedure that comments or questions are directed to the board, or to the audience, through the meeting moderator. So yes, the supervisor does have the authority to not recognize someone who wants to speak, if it is out of turn or not an appropriate place in the agenda. And a supervisor should stop inappropriate interactions between the board and the audience or between board members.

If a meeting is conducted appropriately to enable the township board to do its business in the only time and place that it is allowed by law to act as a board, then there really is no point in the meeting where there should be a back and forth between the board and the public, other than during a public hearing or an open forum discussion, for example, that is on the board's agenda for that meeting.

It's a board meeting

Under the Open Meetings Act (OMA), the only place a township board can do its business is in a public meeting of the township board. Board meetings are the business meetings of the township board, and it's in the best interest of the township as a whole that the board conduct its business in an organized, productive and business-like manner.

The public, however, can interact with the township at any time, going to the township offices, phoning or emailing the township or specific officials, or visiting the township website—even buttonholing board members at the grocery store.

Township board meetings are not “town hall meetings” where everyone has a say in the decisions, and they are not meant to be extended complaint sessions or arguments. This is something that many people, including township boards themselves, lose sight of, especially nowadays when national politicians regularly use the term “town hall meeting” to refer to a public forum. But that does not represent the form of local representative government we have in Michigan.

A township board meeting is not a debate or equal time situation for the public or individual board members. The public does not have a vote in the board's decisions, and they have the legal entitlement to express their opinions at a board meeting only during the public comment period or a specific public hearing.

The idea that all concerns, complaints, opinions, etc., must be expressed at a board meeting is not mandated by law or recommended from a practical standpoint. By their nature, board meetings can put either “side” on the defensive in a very public place.

In reality, many issues the public brings to a board meeting are better handled—in the interests of the public—by township officials or staff in the office during business hours. Comments or questions raised by the public at board meetings are, for the most part, not specific township business that must be transacted by the board. They are often issues involving administrative procedures, and there is no question that this is an important aspect of a township doing its business properly. But until or unless it rises to a level that must be addressed by the board, such a question or concern can and should be addressed by the appropriate township official or staffer following township policies and practices in a business-like and customer service-oriented approach.

If it is appropriate for a board member or staff member to address a member of the public's concerns, then it's usually something best handled in the office, where officials or staff can meet with the person individually to respond to their concerns, with the appropriate resources or information at hand.

The public has a protected right to speak

Under the OMA, the public does have a legal entitlement to attend township board meetings, to see all actions taken by the board, to record the meetings, and to have one, “magic, free speech” public comment period (my description), sometime during the meeting:

MCL 15.263: “(1) All meetings of a public body shall be open to the public and shall be held in a place available to the general public. All persons shall be permitted to attend any meeting except as otherwise provided in this act. The right of a person to attend a meeting of a public body includes the right to tape-record, to videotape, to broadcast live on radio, and to telecast live on television the proceedings of a public body at a public meeting. The exercise of this right shall not be dependent upon the prior approval of the public body.

“However, a public body may establish reasonable rules and regulations in order to minimize the possibility of disrupting the meeting.”

The OMA allows a board to establish reasonable rules and regulations to enable it to do its business with a minimum of disruption. These include adopting rules of parliamentary procedure, such as *Robert's Rules of Order*, and limits on the amount of time individuals may speak during public comment.

Under township law and accepted parliamentary procedural practices, like *Robert's*, the supervisor is the moderator (chair) of the meeting, enforcing the reasonable

rules and regulations, and ensuring that the board will have sufficient time to do its business during that meeting.

The supervisor recognizes the members of the public who wish to speak during public comment. Because the OMA requires that anyone who wants to speak during the public comment period be given an opportunity to do so, a supervisor should not prevent a member of the public from speaking during that one “magic, free speech period”—as long as the person is following the board’s reasonable (and lawful) rules. Basically, the only time a person might not be allowed to speak during public comment is if that person has already had his/her one opportunity—there is no “rebuttal” or follow-up option required by law—or if they have begun to make personal attacks unrelated to the function of the government, at which point the supervisor may ask them to limit their comments.

The supervisor should not allow board members to interfere with the public’s right to speak during that public comment period. During public comment, the board listens to the public. Conversely, the public cannot demand that individual board members respond during public comment, and the board members should not be responding or directing comments individually to members of the audience. If a response is appropriate, the board should direct that specific staff or officials contact the person or meet with them at the break, or initiate a response in the normal, business course.

Then when public comment is done, the board addresses the business on its agenda, and the public is the audience, watching the board do its business. They can only participate in the business portion of the meeting to the extent, if any, that the board, through the supervisor, seeks their comments. The supervisor should not recognize members of the public unless it’s in compliance with the board’s rules and agenda.

Many boards do encourage and allow the public to comment on individual agenda items, and that’s an individual board’s choice, which should be spelled out in policy for both the board and the public to understand what is allowed outside of the OMA-mandated public comment period.

Board members should support staying on track

The supervisor also recognizes the members of the board who wish to speak during the business portion of the meeting. The supervisor should treat all board members with respect, and fairly and consistently recognize all board members who wish to speak—in compliance with the meeting’s agenda and the board’s rules regarding participation.

A board meeting is also not a platform for individual board member “agendas.” Individual board members who want to have their say on something not on the agenda or not involving specific township board business may use the “board forum” time on the agenda, if the board provides for one. But this should be done sparingly.

If something warrants board attention or action, it should be placed on the meeting agenda per the township’s procedures for setting board meeting agendas. This assists the supervisor (or whoever establishes the tentative agenda in advance of the meeting) in arranging the agenda to ensure sufficient time to appropriately address the items, as well as giving the board members and staff time to consider information or materials prior to the meeting.

When board members wish to ask township staff a question from the head table during a board meeting, they should ask the supervisor for permission to address that staff person or to have that staff person speak to the board at that point in the agenda. This is not asking permission to talk to the staff person at all—it’s just following parliamentary procedure to ensure that the meeting does not get off track. Remember, board members can talk to staff outside of a board meeting. The best approach, if staff are going to be asked for information or asked questions in a meeting, would be to place the matter on the agenda—if only to give them notice to be prepared to provide the information being requested.

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.

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Local zoning under attack—**your voices are needed**

Townships are facing an assault on local zoning authority under several bills currently being considered by the Legislature. The bills are yet another example of legislative efforts to erode local authority and preempt your township's ability to best serve your residents and community.

Any threat to local control must be met with opposition, with township voices sharing the importance of local democracy by the government closest to the people. Join MTA in our fight for you, and act now to protect township zoning authority.

Sand and gravel mining bills preempt local authority

Legislation to strip township authority and oversight of sand and gravel mining operations is once again being considered in the Senate. Senate Bills 429, 430 and 431 are an assault on local control by the mining industry that would allow state takeover on matters of a local concern—including permitting, location, hours of operation, truck routes, reclamation and financial assurance.

A sand and gravel mining operation can have a lasting impact on a community without consideration of existing land uses and effects on the community, and its residents, businesses and property owners. SBs 429-431 eliminate local jurisdiction and place sole authority with the state Department of Environment, Great Lakes and Energy (EGLE), prohibiting any local review or consideration of a sand and gravel mining operation. Further, as introduced, the bills would not allow EGLE to deny an application, nor would a public hearing be required for input from impacted communities.

The bills do not address very serious consequences that would be created by the mining operation in the community or contain any monitoring or control of truck routes. Other provisions of concern include permitting mining activities to exceed the noise standards for international airports 400 feet from a home, business or school, no annual review to address local concerns, and a limit on reclamation

SBs 429-431 have far-reaching impacts at the local level. Ask your senator to oppose these bills because:

- **No two communities are alike.** The circumstances in one community are very different than in another community and local governments are best equipped to address those issues. Every community should have a voice over issues impacting their neighborhoods and quality of life.
- **State government does not know your community,** its interests and concerns, and how best to protect your residents. You do.
- **This legislation would have lasting detrimental consequences in communities for decades to come.** Local government is the most accessible to the people, and your residents

come to you with problems, issues and concerns—and they expect you to have answers and solutions. This legislation takes away that opportunity and ties your hands when trying to best advocate for and serve your residents and community.

- **The bills unfairly favor the aggregate industry,** putting profit over people, to the detriment of our residents, schools and the environment. Impacted individuals must have a say over health and safety issues such as truck routes, decibel noise levels, hours of operations, and the impact on the environment, including water quality.
- **Local governments must maintain their existing authority regarding mining operations** and are best equipped to balance the needs of residents with the impact of mining operations, versus a top-down, statewide approach. The majority of Michigan residents agree—more than 78% oppose eliminating local approval over mining operations.

Bills preempt local zoning on short-term rentals

Townships' zoning authority over short-term rentals would be eliminated under two bills being considered by the Legislature. Senate Bill 446 and House Bill 4722 are identical and would mandate that short-term rentals—a commercial activity—be permitted in all residential zones. The bills would preempt any local authority such as a special use or conditional use permit or any procedure different from those required for single-family or other dwellings in the same zone, and create a new statewide zoning requirement—thereby eliminating a township's ability to regulate any issues with nonowner-occupied residences UNLESS the same regulations are applied equally to *all* owner-occupied residences.

This legislation removes the ability for local municipalities to manage the number and location of rentals across Michigan, undermining local control and upsetting the delicate balance between property rights and the established, transparent process for local decision-making. This preemption of local authority would eliminate all local zoning control of these uses and exempt short-term rentals from reasonable local land use regulations. If your township currently regulates short-term rentals, your regulations would be eliminated. Additionally, many communities are facing a lack of housing or affordable housing and these bills will only increase the problem.

While MTA has worked in past legislative sessions to seek a reasonable compromise on this issue with stakeholders, there has not been a willingness from all stakeholders to do so. MTA urges you to contact your state legislators and voice your opposition to HB 4722 and SB 446, which undermine local decision-making and local zoning.

New public acts

Trust fund project funding—Funding for 23 township projects recommended through the Michigan Natural Resources Trust Fund (MNRTF) received final approval in May. Public Act 9 of 2021, sponsored by Rep. Sue Allor (R-Wolverine Twp.), provides \$39.1 million for acquisition and development projects approved by the MNRTF board. The act appropriates \$37.8 million in MNRTF grants that will support 76 recreation projects and land purchases throughout Michigan, supporting quality outdoor recreation and boosting local economies.

Transfer of rental property—Effective Aug. 17, 2021, a transfer of rental property between two entities under common ownership or control is not a change of ownership for inspection purposes under the Housing Law of Michigan if the property was inspected within the previous two years (or longer if specified by local ordinance). PA 14 of 2021, sponsored by Sen. Dale Zorn (R-Ida Twp.), specifies that

such an ownership transfer exists if the owner, owners, trustors, grantors or members of the transferring person were the same as the owner, owners, trustees, grantees or members of the recipient person or both the transferring person and the recipient person were under common control.

Industrial Hemp Growers law—To meet a federal deadline, updated regulations for hemp growers took effect March 24, 2021. PA 4 of 2021, sponsored by Sen. Dan Lauwers (R-Brockway Twp.), integrates into state law additional details from the final federal hemp rules released in January. The legislation requires all hemp testing facilities to be registered with the U.S. Drug Enforcement Agency, no longer permits growers to collect their own samples, amends the timeframe for growers to report hemp acreage to U.S. Department of Agriculture and Rural Development (USDA), alters the registration license cycle, increases the harvest window from 15 to 30 days after testing, allows growers to remediate non-THC-compliant hemp rather than destroy the crop, and adds enforcement language to provide more flexibility for the USDA.

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.michigantownships.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 4123: Water supply—Modifies use of clean water assistance and safe drinking water assistance funds for energy efficiency water works projects. *MTA supports.*

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 absentee voter list. *MTA supports.*

HB 4135: Elections—Requires absentee voter counting boards in township and cities 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.*

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 Part 115 solid waste law to create materials management plans, and places more emphasis on recycling and composting of materials. *MTA supports.*

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

HB 4822: Workers' compensation—Provides for workers' compensation for COVID-19 presumption for police, firefighters and emergency medical personnel without positive test result. *MTA opposes.*

SBs 22 & 23: Elections—Limits millage elections to November elections. *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.*



Gov. Whitmer to Conference attendees:

‘Thank you for leaning in during the pandemic’

When Gov. Gretchen Whitmer addressed hundreds of township officials at the Closing Session of MTA’s Virtual Conference & Expo, she made one thing abundantly clear: the township manner of governing—of “Neighbors Serving Neighbors”—has been key to helping guide Michigan through the pandemic and into the recovery ahead.

Not only was the mantra the theme of this year’s Virtual Conference, held April 19-21, it also was a fitting tribute to public servants, essential workers and emergency services personnel who have helped guide us through this past year. The governor took the opportunity to honor the heart and soul of township government—“Neighbors Serving Neighbors.” Her address to attendees is excerpted below.

“I’m so glad to be here with you and with everyone at the Michigan Townships Association—members, staff, leadership, Executive Director Neil Sheridan, President Pete Kleiman of **Harris Township** up in Menominee County, and sponsoring partners and patrons.

Today, I’ll give you a quick update on what’s going on in Michigan as we forge ahead with vaccinations and build back better from the pandemic.

I want to take a moment to thank all of the incredible townships across our state for leaning in throughout this pandemic and living MTA’s values of neighbors serving neighbors. To date, we have administered over six million [*editor’s note: now more than eight million*] doses of safe, effective COVID vaccines ... and we are making steady progress toward our goal of equitably vaccinating 70% of Michiganders 16 and up.

If you haven’t already, I encourage you to get vaccinated. It’s the most effective way to keep myself, my family, you and your family safe, and so that we can get back to normal sooner. We might not be unanimous on a lot of things, but we are unanimous on that, I believe.

Opportunity for transformative, lasting investments

Right now, we’ve got a real opportunity to make transformative, lasting investments in our kids and schools, communities, and small businesses, in the fundamentals and toward our future. This moment is really exciting with the Biden Administration and the American Rescue Plan. We’ve got real opportunity.

There are a few moving pieces that I want to share: 1) dollars sent to us by the federal government late last year under the Trump Administration; 2) the American Rescue Plan under the Biden Administration; and 3) my budget proposal. There is a lot of work to do and a huge opportunity for transformative change. Taken together, all of these present a real opportunity to uplift Michigan and Michiganders.

First, let’s talk about the federal funds that are flowing into Michigan. In December, the White House and Congress sent billions of dollars to Michigan so that we could invest in our communities, continue protecting public health, and support schools and small businesses. While we have allocated a lot of it, there are still billions left on the table awaiting action from the Legislature. I think this money should be used to help small businesses, schools and communities, and I laid out my vision for these funds and the Michigan COVID recovery plan earlier this year.

I’m always ready to work with anyone to invest in Michigan and I’ll continue making good-faith efforts to reach across the aisle to spend these dollars, to keep our kids



Gov. Whitmer addressed via Zoom hundreds of township attendees during MTA's 2021 Conference & Expo in April, thanking "all of the incredible townships across our state for leaning in throughout this pandemic and living MTA values of neighbors serving neighbors."

safe in school, and to put people back to work. In addition to these dollars from last year, we also have billions headed our way, thanks to President Biden's American Rescue Plan. This includes \$5.7 billion to the state of Michigan, \$4.4 billion to local governments, and \$3.9 billion to Michigan schools.

The American Rescue Plan could lead transformational change on issues where we share a lot of common ground. I believe the funds should be spent in a sustainable way without creating future budget challenges, and all the policies we pursue should center equity in responding to the economic and health issues created and exacerbated by COVID. *(Turn to page 34 for more on the American Rescue Plan.)*

We should think big. We should think collaboratively and outside the box with these dollars. We should beef up our public health capacity; create a small business accelerator; ramp up initiatives to continue attracting players in the technology and mobility spaces; work toward protecting access to clean drinking water and air; and think about 21st century infrastructure, like broadband. All these priorities have the added benefit of creating thousands of good-paying jobs at a time when Michiganders need them. I'm really looking forward to putting the American Rescue Plan to work and to making lasting investments for our kids, for our families, for our communities and our small businesses.

The third piece is the budget. All budgets are about values and this one makes mine clear: it's about people, projects and potential. This budget is the spark we need to jump-start our economy so we can keep rolling on the road to recovery. I'd like to briefly touch on each of these components and talk about how we can work toward our shared vision of a more equitable, more just and more prosperous Michigan.

Last year, we made the largest investment in K-12 schools in our state history, without raising taxes, and this year's budget calls on us to reach that milestone again. It includes money to stabilize schools and school districts, and mitigate the impact of the pandemic on students' learning and development.

It gives us the chance to give families, and especially moms, a much-needed boost in this budget. It invests \$370 million to a significantly lower childcare costs, in some cases down to zero. This game-changing investment in early learning will provide access to quality, affordable childcare for 150,000 additional Michigan families.

Now let's talk about what the budget does to empower our dynamic workforce. One of the most direct ways we can value our workers more is to pay them more. In the past year, we have done precisely that by giving direct care workers a \$2 per hour wage increase—a raise that my budget proposes making permanent.

I've also outlined my broader 60-by-30 goal working toward 60% of Michigan adults holding a post-secondary degree by 2030. I want to invest in Michigan's extraordinary workforce to ensure we continue to succeed, no matter the crisis we face, because we all know that the most recession-proof thing a person can have is skills.

Finally, I want to talk about the third big bucket of my budget: projects. This budget builds on the progress we have made so we can continue strengthening our infrastructure. We're putting \$300 million toward fixing the damn bridges—120 of them, in counties all across the state. It puts in \$290 million toward the MI Clean Water plan to build up water infrastructure, all while creating thousands of good-paying jobs.

Finally, projects proposed under the \$3.5 billion Rebuilding Michigan Bond project are also underway, and you'll see more orange cones this spring and summer as their building season begins. This plan will create tens of thousands of union jobs, too. We've been fixing the damn roads and I'm proud of the progress that we have made, but we still have a lot of work to do.

In line with their focus on infrastructure, the Biden Administration has also introduced its American Jobs Plan, which proposes a \$2 trillion investment in several kinds of essential infrastructure. It's a bold plan that would put hundreds of billions toward fixing roads, bridges and highways; replace all of America's lead pipes and build up other water infrastructure; install thousands of electric vehicle charging stations; and crucially, it would create millions of good-paying jobs, sending our economic recovery into the stratosphere as we build back better from COVID. This is all very real, very possible and very exciting. There's so much potential. It'll likely lead to additional federal dollars coming into Michigan that the Legislature and I will have to work together on to implement after the American Jobs Plan passes sometime this year.

We face a huge task. To meet this moment, we've got to work together. We have an unprecedented opportunity to invest in Michigan, to benefit our people and to uplift our economy. We can't let this pitch go by. It's not what any of us in government, in the private sector, Michiganders individually—none of us—wants us to miss this opportunity. In the face of historic colliding crises, we must do better—and be better. And the only way we get through this moment is by living your motto, "Neighbors Serving Neighbors."

Thank you for having me today. I appreciate all of you and the work that you do every single day in communities across our great state.



“Why not me?”

Conference speaker shares how township officials can be ‘disruptors for good’

Three small words have been instrumental through Chris Field’s life—from running for mayor of his hometown at just 19 years of age, as a college freshman, to helping save more than 200 girls from child trafficking in Ghana, Africa over the past decade.

Why not me?

“I believe to my core that every single one of us has more capacity than we even believe,” said Field, who served as a featured speaker during the Closing Session of MTA’s 2021 Virtual Conference & Expo in April. “I believe that we are capable of driving so much positive impact and good in the world. My life mission is to help people believe that they can do that and to give them tools to go out and be people who say ‘why?’”

Field’s message inspired attendees, who called his address “spectacular,” and said, “Chris Field was outstanding. He made me think about many things and certain concepts were very adaptable to my everyday work and personal life.” The following is an excerpt from Field’s Virtual Conference address.

“Today, we’re going to talk about disruption. We’re going to talk about disrupting for good. We’re going to talk about the way you, in Michigan townships, served and loved your neighbors during the last year and came through a disruption that none of us expected. A disruption that none of us hoped for, none of us wanted, but in spite of that, we saw some beautiful things happen.

I hope to inspire and encourage you, that each one of us has the capability to be disruptors for good. And I hope that you’ll be reminded of so much of the good that’s come out of the last year, and so much of the good still to come.

In the case of COVID, it caused things to not be able to continue in the normal way. I found a fun story, in Detroit, where someone bought an extra lot on their block and, with the help of the Detroit Fire Department, and turned it into

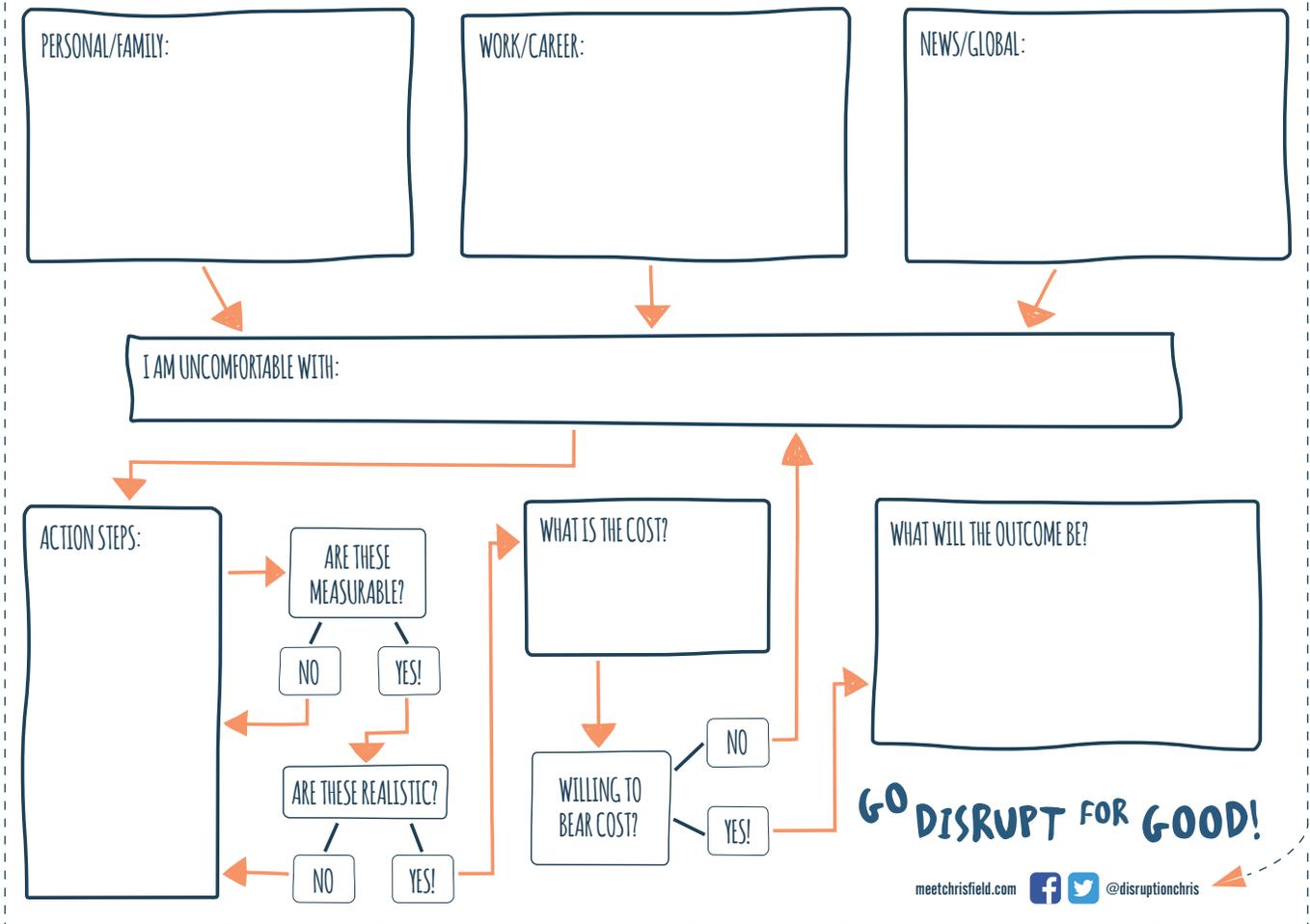


2021 MTA Virtual Conference Closing Session featured speaker Chris Field inspired attendees to see inspiration in change and disruption, and shared how the ultimate disruptor—COVID-19—can spark good in our communities.

an ice-skating rink for kids in the neighborhood. People in the neighborhood donated skates of all different sizes.

We think about change as these huge moments, and maybe it really is just as simple as looking down the street and asking what skills and assets—in this case, literally a piece of land that was unused—do I have right now, today? Not in 10 years, not when I become a millionaire, not when I retire, not when my kids get out of college, but today. What’s the best gift I have to give the world? We do that a few thousand times in a row, and we’re good.

FIND YOUR UNCOMFORTABLE TRUTH:



Choosing to show up, and take action

I wrote a book, *Disrupting for Good*, and in that book, I came up with two definitions for a disruptor. The first is a disruptor, as someone who’s uncomfortable with the truth, so they show up and they take action. They persist until a new and better truth has been born. Sometimes these uncomfortable truths are given to us, as in the case of COVID, but we still get to choose to show up, take action and persist. That’s what so many of you have done, and are doing.

The second definition for a disruptor is someone who dismantles accepted norms and forges unimagined futures. We know that there were so many accepted norms that got blown out of the water when it came to COVID. There were so many unimagined futures that we had to choose to forge—that you chose to forge in your own communities. And you did so beautifully. It wasn’t always neat and clean. It wasn’t always tied up with a ribbon. But still, we persevere. We continue to show up and to forge those unimagined futures.

Disrupting is never distracting, and disruption is not inherently bad. The only way disruption is always bad is if the normal way should never be stopped, if the normal progress or activity of something is always best, and we know that’s not the case.

Where would we be today if disruptors before us had let things continue in the normal way?

In America, we continue finding our way forward, when it comes to some of the systems and constraints that are still in place from generations ago and the impact they’re still having. An example of disruption is someone who said, “There has to be a better way.” That’s what all of you have done for the last year—identified those opportunities. Sometimes they’re handed to us, and sometimes we seek them out, but the choice at the end is always ours. How will we respond when that thing happens, when the opportunity presents?

Just a year ago, your communities, your township, your state and your country needed you to become a disruptor, needed you to step up, and that is exactly what you did. And something beautiful began to happen.

Think about the stories we saw in communities where people were showing up outside hospitals with signs, people coming out onto their balconies at a certain time, clapping, cheering and singing together songs of thanks and gratitude for the work that frontline health care workers were doing. We had factories that were pivoting to creating hand sanitizer, something they’d never created before. We had



grandmothers and little girls sitting together sewing masks at a time when they weren't being made fast enough.

None of those things would have happened if the disruption of COVID hadn't come. They were reflective of the changes that were happening in our communities, of the changes you were leading in your community and in your township.

Take a disruption and turn it into good

Our communities changed in the last year, some of it for the worse, but so much of it for the better. We began to appreciate one another in new ways. We began to have gratitude for those times we could be together in person in ways we would have never appreciated before.

This didn't happen by accident. This happened because we chose to take a disruption and to turn it into good, to take an uncomfortable truth of COVID-19 and to turn it into a new and better truth. We asked, in spite of these challenging circumstances, what can I do to drive real, lasting impacts?

What can I do to make a real difference when I see this problem? Why not me, now?

We are not spectators in this life, not even when something goes terribly wrong, but we are active participants. That's what each one of you has said by participating in your community in the important way that you do.

As life begins to get closer back to what it used to be before COVID, we each get to make the decision, individually and collectively, in our townships and our state and across our country. Who do we want to be? Do we want to be the people who wait for disruption to come to us, and then we react?

Or do we want to be the people who choose to be disruptors, who choose to lead—who choose to lead by making a commitment, by coming up with clear action plans and by persisting, and by making a commitment to transformation that can only come with the intentional conscious choice of being disruptors for good.

General Session featured speaker shares strategies for staying positive in the face of uncertainty

Tony Brigmon, a featured speaker at the 2021 Virtual Conference, shared his stories of positivity, handling difficult people and overcoming adversity with attendees during the event's General Session. Following the difficulties of the past year, Brigmon's message was perhaps more needed than ever. His message struck a cord with attendees, who called his address "an absolute highlight" and noted "the idea of always looking for the positive in a situation is very relatable."

Brigmon shared strategies for how to keep a positive attitude in the face of all of this uncertainty and change, and to remind us that our neighborhood dream might become a nightmare if our dream team doesn't work together. The following are some key takeaways from Brigmon, a former Southwest Airlines executive, and consultant and speaker to more than 2,000 different organizations over the past years.

Energize, engage and enrich

"We need to energize ourselves to get our brains in a state of positive, so that we can engage with our full attention and enrich through mutual sharing. How can we have more fun, get more done and bring out the best in everyone? Try thinking of something that made you smile or laugh out loud in the last week and share that with one another. Share something that you're looking forward to doing; maybe it's getting past COVID, or for me, it is watching a mystery movie with my wife."



2021 MTA Virtual Conference General Session featured speaker Tony Brigmon shared his "ambassador of fun" message and tips for staying positive with attendees.

Reframe the negatives in a positive way so we can deal with them in the best possible way

"Studies show that when you share something you're looking forward to, it puts your brain in a state of positive—which is how I define fun. Today, the title of my average presentation is The FUNnomenal Way. It's about navigating negative neighbors, and township officials know a little bit about that. You're in a fishbowl—there's not so much interest

in what's happening to you, but people are really, really interested in how you're going to respond.

"My role at Southwest Airlines was to go out and share positivity, best practices, and our fun culture and how we were able to accomplish this. It turns out that once I define fun, people realize that anyone could pretty much do it. We began to take fun very seriously, and we noticed the serious results we got when we were in a state of fun or positivity. Fun is a fit for everyone."

Dealing with 'negative nasties'

"Here are some of the takeaways from navigating our negative nasties:

- Negativity leads to negative outcomes.
- Positivity inspires.
- Maintaining composure isn't easy, and easy must be earned.

"In dealing with a difficult person, ask yourself, 'How can I turn this around and make it a positive?' When someone is upset, never, ever interrupt them or over-talk. Then, you don't respond to them in a negative or critical way in any manner. The most powerful two seconds you can give anyone is the two-second pause after you've listened to everything they have to share with you. It's those two seconds that convinces them they have been heard. Once they've been heard, they feel they feel respected. They feel valued, become motivated to support

the community, and to do their very best to be part of it. We can have a win-win solution when we approach negativity with positivity and with the ability to clearly communicate with one another."

The power of positivity

"In your world, you deal with some negativity at public meetings, negative comments on social media, emails and letters. Sometimes, the most challenging part is dealing with negativity from your own township team. With the power of positivity, we can navigate our way through that.

"When we're in a state of fun or positivity, studies show that we're 31% more persuasive, are more productive, 37% more persuasive in communication, and 19% faster and more accurate on diagnosis when we're diagnosing problems. Energizing is all about putting your brain in a state of positive.

"You can fail your way to success by learning from every failure. As a seasoned board member, when you're training a member of the team, remember that what's easy for you now could be quite a stretch for the person you're training. Be patient. Sometimes clear communication doesn't work out the way we had hoped. We think we're clear, and it turns out it's not received that way at all, and constructive criticism doesn't feel constructive. But if it's communicated clearly and properly, oh my goodness, it can lead to some great changes for good."

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‘What a ride’

Jeff Sorensen reflects on his two-year MTA presidency

In a typical year, the current MTA president takes the stage at the Opening Session of MTA’s Annual Conference & Expo, sharing reflections on his or her past year at the helm of the Association, and the impact that it has had on their service to their township, to our members and to township government.

But this has been anything but a typical year, and **Jeff Sorensen’s** presidency leading the Association was anything but typical. When Sorensen, **Cooper Charter Township** (Kalamazoo Co.) supervisor, was first elected MTA president in 2019, he had no idea that he would end up leading us through what has arguably been the most turbulent time for Michigan, for townships and their residents in decades. And he also didn’t know that, as a result of the pandemic, the 2020 MTA Conference—where he would typically have taken the Opening Session stage—would be cancelled, and that he would serve an unprecedented two-year term as president.

Sorensen has long touted his belief that the phrase “Neighbors Serving Neighbors” reflects the very nature of township government and its leaders. So it was only fitting that this year’s conference theme honored both Sorensen and all townships that have served as an inspiration throughout these past many months. Sorensen shared his reflections on his own public service—and that which he witnessed as president—with attendees at the Opening Session of MTA’s Virtual Conference & Expo, which are excerpted here.

“Boy, what a ride it’s been over the last 24 to 36 months.

If I really look at my career as a public servant and in township government, I can take you all the way back to 1986 when I started as a firefighter for Cooper Charter Township. I so much enjoyed my community and serving my community that, after about 10 years, I approached our township supervisor and ... told him, this is the way I want

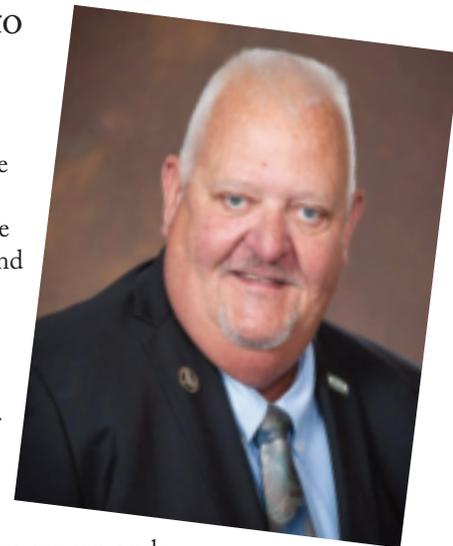
to serve my community for the rest of my career.

The year 2000 came, and he ran for supervisor and I ran, and I have been here since.

I have had the beautiful opportunity to have many, many elected officials—public servants—take me under their wing to teach me. What is the right way to be a board member? What is the right way to be a public servant? How can we work together with other local units of government?

I have a township board that works so well together, and that can agree to disagree. What it takes to be a good board member, I feel, is working together for the greater good of our community. It is such a blessing to have a board work together, and a greater community—whether it be a city, a village or township board working together—realizing that we are one community.

For example, on July 28, 2018, I got a phone call from Sen. Margaret O’Brien stating that I needed to get down to the emergency operations center at the sheriff’s department. We had a contamination of a municipal water supply that served over 1,000 residents in my township. It was contaminated with PFAS. We had the cities of Kalamazoo and Parchment, and Cooper Charter and



Coloma Townships all working together. Within 72 hours, Parchment's water system that was contaminated was turned over, cleaned, flushed, and running off the city of Kalamazoo. Everybody just went to work and did what had to be done.

Now, in 2021, we are finishing up a water project that will serve an additional 600 township residents. Above all, after working so hard together with the City of Kalamazoo in building those relationships, that system is now treated as a community-wide system.

I try to live what I say: work together with your people, and enjoy your time as a public servant.

In reflecting on my last two years as MTA president and what it means to me, it's about building relationships, and getting to know people from large townships to small townships, and understanding the needs of communities from tiny, rural to large and urban. Above all, it has been realizing that we are all public servants.

I always want to be remembered as a public servant, not as a politician. If your heart is truly set on being a public servant, you will succeed. You'll have a great community and you will be respected. Thank you.

Words from the wise

MTA leadership shares advice, reflections during Conference roundtable

Following their Opening Session addresses, MTA's 2019-2020 President **Jeff Sorensen**, 2021 President **Peter Kleiman** and Executive Director Neil Sheridan took part in a round-table discussion on the importance of "neighbors serving neighbors," and the ways in which townships have adapted to what Kleiman calls the "ever-changing normal." The conversation also turned to how township officials connect and learn from one another in their area, and even help toward the recovery and to put the pandemic behind us.

What does 'Neighbors Serving Neighbors' mean to you?

Sorensen: What 'Neighbors Serving Neighbors' means to me is what I've noticed in local government, especially over the past year: local units working together to find out, 'How are we going to best serve our constituents?' 'How do we work together to still serve the best way we can?'

What is the "ever-changing normal", and what does it mean to getting the recovery into full swing and out of this pandemic period?

Kleiman: For me, the ever-changing normal means to expect the unexpected. If you think something is always going to operate the way it always has, you're wrong. You need to get prepared for what could happen. For so many years, we just talked about, "What if something happened? Is there a better way of delivering services? Is there a better way of meeting?"

The pandemic forced us to change overnight. We found out that what we had talked about for the last 10, 15 years was a reality—whether we liked it or not. This was the perfect evidence that it pays to prepare for the unexpected, and

that we *can* move forward and do the business of township government.

How can MTA county chapters help township officials connect and learn from one another in their area, and even help toward the recovery and to put the pandemic behind us?

Kleiman: When I was elected 33 years ago, we found that county chapters were a way of finding out what was really happening in various townships. We got together every two months, and were able to discuss—as a whole—issues, questions and solutions. We used county chapters meetings to learn, and used the talents of those involved to discuss how to work together to address county issues, and sometimes state issues, too. County chapters are a way to discuss what's going on, to get a better feel between townships how to solve problems. It's so much simpler to get together and learn from one another.

As we go through the recovery, we need to discuss what happened during the pandemic, what worked—and what didn't work? What do we have to do so that we are prepared to do things in a new fashion?

The recovery is an opportunity for us to show how to make it work better. We found out that we could meet using technology. Perhaps this is a way to get more people involved in township government. This can also be a way that they can get education as new officials.

What are your recommendations for new officials, as they continue to lead over the next year?

Kleiman: Regardless of your position on the board, learn your job, attend workshops and don't be afraid to talk to your fellow board members. But the number one thing I tell every brand-new township official is, when you have a question, contact MTA. Their team of experts is there to help you find answers.

Sorensen: Don't be intimidated. You are one vote on a five- or seven-member board, and none is weighted against any other vote. I have been blessed with the board that agrees to disagree. You deliberate something and if you're on the descending side, you still move forward and you speak with one voice. That's very important—that's part of respect that you'll earn in your community, too, to be a good board member. Your one vote made a difference, but once the board reaches consensus, moving ahead with one voice is so important.



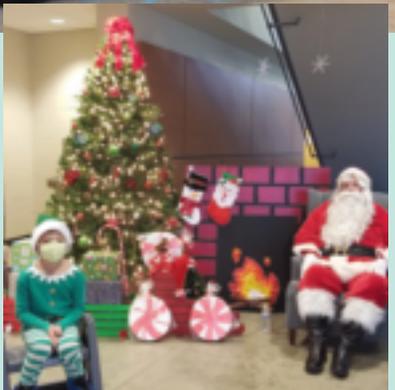


Honoring ‘Neighbors Serving Neighbors’

This has been a year like no other. But through all the challenges and uncertainty, we have also been inspired ... by Michigan townships, as they have led their communities with compassion, creativity and resilience. A very special part of MTA’s Virtual Conference was being able to honor our townships and their leaders, how communities strived to make a difference over the past year, and embodied “Neighbors Serving Neighbors.” Here are just a few examples.



Byron Township (Kent Co.) spread happiness, with the fire department giving the Easter Bunny a township tour to visit kids, a socially distanced Santa hearing children’s Christmas wishes, and outdoor gatherings for seniors. Said Clerk Peggy Sattler, “Americans are creative and resilient. We made it through the year and became stronger because of it.”

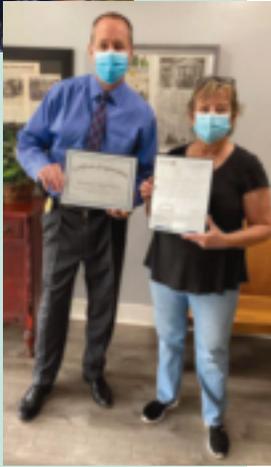


For years, Kristi Walsh, Grand Haven Charter Township (Ottawa Co.) public services coordinator, has helped township and the region’s residents. Whether it is toy drives, food drives or public events, Kristi rallies township staff, gains their participation and delivers what is needed. “This past year has been especially difficult on many in the community, and Kristi responded by organizing food drives for high school students, senior citizens and frontline workers. We are fortunate to have Kristi in our community helping and inspiring others,” said Andrea Dumbrell, township human resources director.

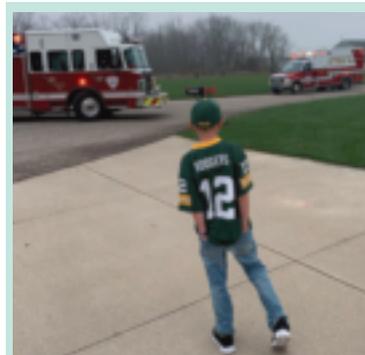




In Lansing Charter Township (Ingham Co.), Supervisor Dion'Trae Hayes shared her township "in action serving others" over the past year, including ice cream in the park with township police and fire personnel and volunteers; and recognizing citizens and businesses that supported the township over the past year. "One thing I love about this community is our ability to come together to help those who need it most," she said, noting that her fellow board members also coordinated and assembled Thanksgiving baskets for local families. "I appreciate you all so much. Together, we made people smile."



"This past year has not been easy by any means but the Whitewater Township (Grand Traverse Co.) Fire Department has made an effort to keep in touch with our residents by conducting several drive-by birthday celebrations as well as visiting our local school district to teach fire safety to kindergartners through fifth graders in addition to our normal emergency calls," said Chief Brandon Flynn. "Our very own Whitewater Emergency Service Auxiliary helped to make masks to hand out and was also able to squeeze in a can and bottle drive with social distancing measures to help purchase equipment for the fire department. "Considering the challenges we all have faced, I consider this year a success. With the support of the township board and our citizens, we will continue to provide public safety to the best of our ability."



The Minden Township (Sanilac Co.) Board, their families and neighbors distributed food to more than 300 households. "In a time of need, it was so cool and rewarding to see our small township come together to help serve those in need," said Clerk Darcy Hansen.

Thornapple Township (Barry Co.) recognizes its Hometown Heroes, saying, "We love and appreciate that our firefighters, first responders, township workers and volunteers who went the extra distance to bring a little happiness and promote wellness to the community during the pandemic."

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- The Impact of COVID-19 on Your Township Workplace
- Things I Wish I Knew When I First Took Office
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- Top Township Legal Pitfalls
- Township Public Safety Services: So Many Options
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- What the Board Needs to Know about Corrective Action Plans
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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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Print Card Holder's Name _____ Signature _____

Meet the new members of the MTA Board

The MTA Board of Directors welcomes four new members, who were appointed at the April Board meeting, in the absence of an MTA Annual Meeting. “On behalf of the entire MTA Board and our membership, we welcome these new members to this group of dedicated leaders from around the state who work together to help guide the Association and its work on behalf of Michigan’s 1,240 townships,” said 2021 MTA President **Peter Kleiman**. The new directors represent MTA Districts 3, 13, 14 and 24.

Warren Suchovsky, District 3 Director Trustee, Lake Township (Menominee Co.)

Warren Suchovsky brings more than three decades of local government experience to his new role serving the Association as director of MTA District 3, which encompasses Alger, Delta and Menominee Counties. In addition to serving **Lake Township** (Menominee Co.) for more than a decade, he has also served on the county board of commissioners, planning commission and conservation board, and on the Stephenson Area Public Schools Board.

Suchovsky says that “having the opportunity to serve the people in my community” is the most rewarding part of local government service—and his service on the MTA Board will allow him to broaden that service. “Being involved in local government is a major responsibility of being a good citizen,” he said. “Through MTA, I hope to ensure that all are treated openly, fairly and consistently.”

With a strong background in natural resources, Suchovsky has also participated on advisory committees for the state Department of Natural Resources and other natural resource organizations, and to both state and national agricultural and forestry organizations. As an MTA director, he hopes to serve as a voice for those rural townships that are dependent on the state’s natural resources.

Suchovsky began his logging career more than 60 years ago, and owns a small logging company with his son Karl.



Suchovsky

He manages 500-plus acres of forest land and leases out several hundred acres of farmland. He was the state’s first landowner to achieve the Forest, Wetlands and Habitat System verification under the Michigan Agriculture Environmental Assurance Program. He serves as treasurer of the Michigan Forest Biomaterials Institute, and has served on the board of directors and as an officer of the Michigan Association of Timbermen, and as chair of Michigan Farm Bureau’s Forestry Advisory Committee.

With a bachelor’s degree in Dairy Management from Michigan State University and a master’s degree in Agricultural Economics from North Carolina State University, Suchovsky has long been involved in policy development for government and various organizations. His participation in numerous leadership and boardsmanship trainings has also helped to prepare him for his new position with MTA.

Glenn Rowley, District 13 Director Supervisor, Bangor Charter Township (Bay Co.)

Glenn Rowley, who now represents MTA District 13, comprised of Bay, Gladwin and Midland Counties, is serving his second term as supervisor of **Bangor Charter Township** (Bay Co.).

Rowley hopes to make a positive impact on the statewide organization serving Michigan’s 1,240 townships, as he has been fortunate to do while serving his own township for the past seven years. “I have always served my community



Rowley

through committees and boards, but my current role allows me to do so as my full-time occupation, and to make a positive difference each and every day to those I serve,” he said. As a member of the MTA Board, Rowley says he aims to “help educate, inform, enlighten and assist others to be able to better serve their communities, and to ensure that local government is a strong voice in Michigan government.”

In addition to his current role on the township board, Rowley also serves on the township downtown development authority and was a member of the township zoning board of appeals. He has long been dedicated to community service, with leadership roles including vice president of the Bay County Township Officers Association and secretary to its roads committee, vice president of the Bay County Water System Advisory Council and vice chair of the Lead & Copper Testing Advisory Committee.

Rowley has also served on the Bay County Chamber of Commerce Gateway Corridor Beautification Committee, vice chair of the Bay Area Water Transmission System, treasurer of the Bay Area Storm Water Authority, and vice chair of Bay City Area Transportation Study Commission.

Nancy Heck, District 14 Director
Treasurer, Winsor Township (Huron Co.)

Representing MTA District 14, which includes Huron and Tuscola Counties, **Nancy Heck** brings decades of local government experience to her new role helping to lead the largest municipal association in the state. She served as **Winsor Township** (Huron Co.) deputy supervisor for a decade, beginning in 1975. She worked in the Huron County Treasurer’s Office for seven years, and was elected township treasurer in 2000.



Heck

In addition, Heck was township assessor for 15 years, until 2020, and has served on the Pigeon District Library Board since 1999, where she has held the roles of secretary, vice president and president. She is also secretary of the Huron County MTA Chapter.

Calling “working with people in the community” the most rewarding aspect of her township experiences, Heck says she hopes that she can further give back to townships through her involvement on the MTA Board.

Tom Hawkins, District 24 Director
Supervisor, Raisin Charter Township (Lenawee Co.)

After serving two terms as **Raisin Charter Township** (Lenawee Co.) trustee, **Tom Hawkins**—representing MTA District 24, which encompasses Hillsdale, Jackson and Lenawee Counties—was elected supervisor in 2020.



Hawkins

With deep ties to the community and to public service, he is a pastor at New

Song Community Church and served in the U.S. Air Force for 10 years. He is a 2016 graduate of MTA’s Township Governance Academy, a credential program that aims to allow township officials to bring heightened leadership and guidance to their community.

Hawkins has brought his passion for good governance to his township, and says that he views his primary responsibility as supervisor as being available to serve all residents and setting the “gold standard” in public service. He will carry that commitment with him to his service on MTA’s Board.

“I love hearing new ideas to make our community a better place,” he said. “I am looking forward to networking with my fellow MTA Board members from around the state to increase my knowledge of township governance, and to helping encourage education and legislation that benefits townships.”

In addition to his service on the township board, Hawkins previously also served as the township board representative on the budget committee and zoning board of appeals. Hawkins is president of Living Water Mission, a 501(c)3 organization, which he also serves by helping drill water wells in Kenya, and is a board member for the local Kiwanis chapter located in Tecumseh.

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

ROSATI | SCHULTZ
JOPPICH | AMTSBUECHLER

RSJALAW.COM | 248.489.4100



2021 Board of Directors



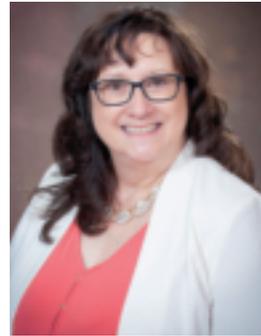
2021 MTA President
Peter Kleiman,
Harris Township
(Menominee Co.)



2021 MTA Immediate Past President
Jeff Sorensen,
Cooper Chtr. Township
(Kalamazoo Co.)



MTA Past President
Ken Gauthier,
Sanborn Township
(Alpena Co.)



MTA Past President
Diane Randall,
Roscommon Township
(Roscommon Co.)



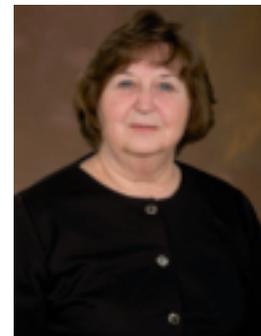
District 1
Mary Segalin,
Ironwood Chtr. Township
(Gogebic Co.)



District 2
Jim Nankervis,
Ishpeming Township
(Marquette Co.)



District 3
Warren Suchovsky,
Lake Township
(Menominee Co.)



District 4
Marilyn Strickland,
Newton Township
(Mackinac Co.)



District 5
2021 MTA Secretary
Harold Koviak,
Burt Township
(Cheboygan Co.)



District 6
Sharon Schultz,
Torch Lake Township
(Antrim Co.)



District 7
Ken Lobert,
Ossineke Township
(Alpena Co.)



District 8
Marvin Radtke, Jr.,
Green Lake Township
(Grand Traverse Co.)



District 9
Steve Ebels,
Clam Union Township
(Missaukee Co.)



District 10
Kimberly Anderson,
Whitney Township
(Arenac Co.)



District 11
2021 MTA Treasurer
Connie Cargill,
Golden Township
(Oceana Co.)



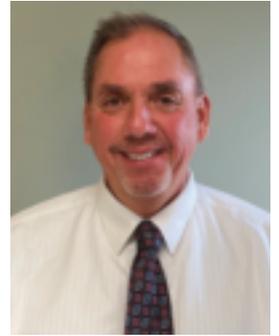
District 12
Yulanda Bellingar,
Morton Township
(Mecosta Co.)



District 13
Glenn Rowley,
Bangor Chtr. Township
(Bay Co.)



District 14
Nancy Heck,
Winsor Township
(Huron Co.)



District 15
Greg Golembiewski,
Blendon Township
(Ottawa Co.)



District 16
*2021 Executive Committee
Member-at-large*
Kevin Beeson,
Pine River Township
(Gratiot Co.)



District 17
Joanne Boehler,
James Township
(Saginaw Co.)



District 18
*2021 MTA 1st Vice
President*
Bill Deater,
Grant Township
(St. Clair Co.)



District 19
Bret Padgett,
Comstock Chtr. Township
(Kalamazoo Co.)



District 20
Patti Jo Schafer,
Eagle Township
(Clinton Co.)



District 21
*2021 MTA 2nd Vice
President*
Pauline Bennett, Addison
Township (Oakland Co.)



District 22
Malinda Cole-Crocker,
Buchanan Township
(Berrien Co.)



District 23
Don Rogers,
Coldwater Township
(Branch Co.)



District 24
Tom Hawkins,
Raisin Chtr. Township
(Lenawee Co.)



District 25
Diana Lowe,
Genoa Chtr. Township
(Livingston Co.)

MTA launches ‘Red Book Ready’ learning series

For many township officials, election to township office is their first foray into public service. After they take office, they become aware of just how vast and complex the rules, roles and requirements are for Michigan townships.

Even after years of service, with constant law changes and new state and federal mandates, it can be difficult to be aware of the full scope of programs, services and statutory requirements that township officials—as well as appointed officials, personnel and even volunteers—should know about the local government they serve.

“One of the hardest concepts for people to understand about townships is the fact that they are ‘public entities,’” said MTA Staff Attorney Catherine Mullhaupt. “Most of us spend our work and personal lives in the private sector. You may have owned a business or had special training in a discipline or profession—or even worked in another public field—but few people come to township government understanding that it is very likely different from anything else you have ever done.”

That’s where MTA’s new “Red Book Ready” learning journey begins.

A powerful tool

MTA’s ever-popular guidebook *Authorities & Responsibilities of Michigan Townships* (perhaps better known as the “Little Red Book”) is a very powerful tool and, for many officials, is *the go-to* guide about Michigan township government. MTA thinks so, too—and we’ve designed a blended learning journey to take that learning even further. Our “Red Book Ready” classes offer the same practical advice as our best-selling publication, in a scenario that allows you apply the knowledge to your own township.

The classes build off the book’s guidance, and allow us to further delve into each topic and help you develop broad awareness of township roles and responsibilities, while also reflecting changing times and circumstances. Said MTA Executive Director Neil Sheridan, “Governing and professionally serving your township grows more complex each year. We urge you to take these courses to nail down the most essential information you need.”

Noted Mullhaupt, who authored the 2020 complete revision of *Authorities & Responsibilities*, “The ‘Little Red Book’ and this Red Book Ready learning series are designed to be your initial road map in taking this journey—and help you give the best public service you can to your township.”

Valuable for new officials—and seasoned leaders

Anyone who plays a role in helping to lead their township will find these courses valuable for both their own public service, and to the benefit of their community. “Red Book Ready” courses allow you to go in-depth on specific, important township topics with Michigan’s leading municipal experts—from the fundamentals needed to perform in your role, to a deep dive into more advanced guidance that will help build your competence and confidence,” Sheridan said. “This series will help many board members gain confidence to speak with authority at meetings and cement your decision-making skills. Those preparing to step up from a deputy or staff role can certainly use the courses to build a strong foundation of knowledge.”

‘Ready’ to get started?

Each *Authorities and Responsibilities* chapter corresponds with a class (or two!) that takes you deeper into the topics covered within that chapter. Classes vary in time and depth—from 75 minutes to several hours—so you may need to take more than one to get the job done. Some classes may cover an entire chapter, or more, depending on the scope of what is being covered. Enrollment in the program is absolutely FREE. Once you’ve signed up, we’ll provide your road map, and even help you track your progress.

You don’t have to wait until we can return to in-person learning to take part in the program—almost every webcast in our Online Learning Center helps you earn credit. Our newest online offering, *Board Authorities, Responsibilities and Roles*, covers Chapters 1 and 7 AND offers partial credit for Chapters 3, 4, 5, 8 and 16! If you took that class when it debuted at our Virtual Conference, you’ve already taken a huge step. Enroll today and we’ll start tracking your credits. Missed that class? An on-demand version is available. When we’re able to return to in-person learning, those sessions will qualify, too. Look for the Red Book Ready icon (*at right*) to easily identify qualifying courses.

“Ready” to learn more? Visit <http://bit.ly/RBReady> today or use the form at right to begin your journey.





RED BOOK READY



Are you “Red Book Ready”?

Do you find yourself referring to MTA’s *Authorities & Responsibilities of Michigan Townships* (perhaps even better known as the “Little Red Book”) as **your go-to resource**, the first thing you reach for when you need guidance on your authority and responsibilities in service to your township?

Then you may be interested in MTA’s new “Red Book Ready” learning series!

The variety of statutory authorities of townships can be fascinating and confusing. Our “Red Book Ready” classes will take you **beyond the book**, offering the same practical advice, in a scenario that helps you apply the knowledge to your township. Using the “Little Red Book” as a guide, we’ve designed a blended learning journey to help you **develop a better understanding of township government** and give the best public service you can to your community. Each chapter corresponds with an educational session (or two) that takes you deeper into the topic to help **enhance your knowledge and build practical application**.

You don’t have to wait until we can return to in-person learning—you can **embark on your journey today!** Many of our online classes qualify for chapter credits, including our newly added series **Board Authorities, Responsibilities and Roles**. What are you waiting for? Enrollment is absolutely **FREE!**

Are you “Ready” to get started? Learn more OR enroll yourself now by visiting <http://bit.ly/RBReady> or complete the registration form below.

Look for the Red Book Icon shown here to quickly identify qualifying courses. 

Did you attend MTA’s 2021 Virtual Conference & Expo in April? Then you’ve already earn four elective credits! Missed the Virtual Conference? You can still watch the sessions and get Red Book Ready credit! Turn to page 25 for details and a registration form on our recorded Conference On Demand package, or visit <http://bit.ly/MTA21CONF> to purchase now.

RED BOOK READY Registration Form

Township _____ County _____

Name _____ Title _____

Email Address _____ Telephone Number _____

Send your completed registration form to MTA, PO Box 80078, Lansing, MI 48908-0078, or fax to (517) 321-8908. Or register online at <http://bit.ly/RBReady>

What we know now about the American Rescue Plan

Every township has been impacted in some way by the COVID-19 pandemic. Maybe it has created strain on your emergency services, revealed the true impact of lack of broadband access or the need to update your facilities, or changed how your township is providing services.

To help turn the tide on the pandemic, address its economic fallout, and lay the foundation for a strong and equitable recovery, every township will receive federal COVID-19 relief funding through the American Rescue Plan Act of 2021 (ARPA). Michigan is expected to receive \$10.3 billion—including an estimated \$1.46 billion for municipalities—through the Coronavirus State and Local Fiscal Recovery Funds program, authorized by ARPA.

While additional guidance was released in May by U.S. Department of Treasury with instructions and details on usage of ARPA funding, many questions remain on the overall process and how townships will receive and can use the funding.

Who gets what—and how

Although Michigan counties and larger municipalities will receive the funding directly from the federal government, **all but eight of Michigan's 1,240 townships are considered "non-entitlement units" (NEUs)**. NEUs—communities under 50,000 population—will receive funding through the state of Michigan. Just prior to *Township Focus* press time, U.S. Treasury released guidance on distribution for NEUs.

Before distributing the funds to townships and other NEUs, the state must request payment from the federal government, calculate allocations and collect documentation—including a current DUNS number (*see next page for details on DUNS numbers*), contact and financial institution information, and the unit's *total* budget. Allocations are based on relative population counts with a maximum amount based on 75% of the local government's budget—both general fund and all other funds—as of Jan. 27, 2020 (pre-pandemic annual budget).

The state will have 30 days after receiving the funds to distribute them to NEUs, though it can apply for extensions. The state will receive funding in two tranches, with the second made no earlier than 12 months after the initial payment.

According to the U.S. Treasury guidance, NEUs will have to request funding from the state. The state Department of Treasury had not released the application process as of press time; MTA will share information as it becomes available.

Townships will have to submit periodic reports to the state on the use of the funds. The first report will be due on Oct. 31, 2021; reporting guidelines have yet to be released.

The initial NEU guidance, and estimated allocations and summaries are available on www.michigantownships.org/covidrelief.asp. Allocations are subject to change. If your township includes a village, the village allocation may be included in your township's allocated amount.

Michigan is also expected to receive \$250 million in ARPA funds for a Critical Infrastructure Projects Program, to be used for projects that would directly enable work, education and health monitoring in response to COVID-19, such as water, sewer and broadband. Unrestricted ARPA funding for the state level potentially benefit local programs, projects or initiatives as well.

Broad latitude for using the funding

U.S. Treasury guidance outlines broad eligible uses for the funding, as well as examples under each category. The guidance specifically notes that it is not an exhaustive list and recipients have flexibility in its use, as long as it meets the objectives of responding to the impacts of COVID-19.

Not all of the uses outlined in the guidance, however, are lawful expenditures for Michigan townships under state statute. At this point, MTA is awaiting additional guidance from Treasury and legal analysis to offer more concrete advice on whether certain allowable uses noted in the guidance are applicable to Michigan townships. If you are making plans now, please reach out to your township attorney for advice.

There is no need to rush; **townships should take some time to determine how to best put the funding to use for your community**. Funds must be "**obligated**" by Dec. 31, 2024, but the "period of performance" does not end until Dec. 31, 2026. Primary funding uses include:

Replace public sector revenue lost due to the pandemic

- Townships can use APRA funding to replace "general revenue" lost as a result of the pandemic. A

formula—comparing actual pandemic-era revenue to an estimate of revenue if the pandemic had not occurred—must be used to determine the amount of lost general revenue.

- To determine estimated revenue, townships may use either a formula based on their average annual revenue growth OR 4.1%, whichever is higher. Any loss using this formula is presumed to be due to the COVID-19 emergency; there is no need to demonstrate that reduction in revenue is due to the pandemic.
- There is broad latitude to use funds to provide local services, like maintaining or building new infrastructure, modernizing cybersecurity, environmental remediation, or providing public safety services like police and fire.

Provide premium pay for essential workers

- Premium pay—up to \$13 an hour or \$25,000 per worker—can be paid to essential workers performing essential functions in the pandemic, including township public safety and emergency services staff.
- Essential work is defined as work involving regular in-person interactions or regular physical handling of items that were also handled by others. Workers who worked from home are not eligible.

Invest in water, sewer, and broadband infrastructure

- Broadband investments must be in currently under- and unserved areas.
- Consider working with cooperatives and nonprofits that own, operate or are affiliated with broadband networks.
- There is “wide latitude to identify investments in water and sewer infrastructure that are of the highest priority for their own communities.”
- Eligible uses align with project types eligible to receive U.S. Environmental Protection Act Clean Water State Revolving Fund or Drinking Water State Revolving Fund assistance—such as constructing, improving and repairing wastewater treatment plants, control non-point sources of pollution, creating green infrastructure.

Respond to the public health emergency or its negative economic impacts

- Rehire township staff and rebuild capacity to pre-pandemic levels, including payroll, benefits and other costs.
- Improving efficacy of programs addressing negative economic impacts, including improvements to data or technology infrastructure.
- COVID-19 vaccination programs.
- Adaptations to public buildings to implement COVID-19 mitigation tactics.
- Payroll and covered benefit expenses for public safety employees, to the extent that their services are devoted to mitigating or responding to the COVID-19 emergency

According to U.S. Treasury guidance, townships may also transfer fund to authorities, such as fire authorities and sewer and water authorities.

Ineligible uses

Prohibited ARPA expenditures include deposits in pension funds; offset revenue loss due to a tax cut; paying interest on principal on outstanding debt; replenishing rainy day funds or financial reserves; and non-federal match for other federal programs if the program bars the use of federal funds to meet matching requirements.

Preparing now

If your township has not already done so, you must ensure that you have a current DUNS number, which tracks how federal money is allocated. **This is a requirement to request ARPA funding from the state.** If your township does not have a valid DUNS number, visit <https://fedgov.dnb.com/webform/> or call (866) 705-5711 to register.

All townships also must have a current SAM.gov registration, and the state Department of Treasury recommends securing that **now**, or as quickly as possible after receiving the funding. SAM is the government-wide database to register with to do business with the U.S. government. SAM registration must be renewed annually. Visit [SAM.gov](https://sam.gov) to begin the registration or renewal process, which can take up to three weeks.

If your township has received other federal funds, including Coronavirus Relief Funds, you may already have this information. DUNS and SAM.gov registrations are both free of charge; we have been made aware of scams or companies approaching townships offering to secure these for a fee. Townships may register themselves for both numbers for free, and do not need to pay for another such services.

A time for recovery

ARPA relief funding represents an enormous opportunity for townships to shore up, create or expand programs or services to the benefit of their community and residents following one of the most uncertain and chaotic times in recent memory. Answers and information will continue to be released over the next months. Meanwhile, townships can take time to analyze, ask and assess the best way to put these dollars to work for your community.

—*Information for this article came from the National Association of Towns and Townships Special Report on Eligible Uses for the American Rescue Plan, and U.S. Treasury Interim Final Rule*

ARPA resources and updates

Watch for ARPA details, as they become available, in *Township Focus*, *Township Insights*, MTA eblasts and on our social media channels. We've also created a **American Rescue Plan Act webpage**, www.michigantownships.org/covidrelief.asp, that is updated regularly with information and links to state and federal resources, including guidance, fact sheets, FAQs, eligible uses and more.

Mark your calendars for **June 17** for a state **Department of Treasury webinar for non-entitlement communities**. Watch MTA communications for registration information. A recorded version will also be posted on our ARPA webpage, if available. MTA will also hold free Q&A webinars to provide members with information and the ability to ask questions.



A resident would like to make a cash contribution to our township's recreation program, and wants to receive a tax deduction on his individual income tax return. Is this possible?

Yes, contributions to townships are deductible on an individual's personal income tax, if they are used for a "public purpose."

The amount deductible is subject to certain limitations based on an individual's adjusted gross income. It is recommended that township officials refrain from giving tax advice, but rather refer donors to IRS Publication 526 for guidance. Information is available on www.irs.gov.



Are there specific IRS-required receipts that we must issue for these contributions?

There are specific acknowledgement procedures for monetary donations and donations of property that the IRS requires in order for individuals to receive a tax deduction. For cash contributions, which includes cash payments, checks, credit cards and payroll withholding, the following documentation must be provided by the township:

1. The documentation must be written, and include the amount of cash contributed, and whether the township gave the donor any goods or services as a result of the contribution, other than certain token items or donor benefits.
2. The donor must receive the receipt on or before the earlier of the date the donor files the return for the year of the contribution, or the due date, including extensions, for filing the return.

These are necessary for the donor to receive a tax benefit on their income tax return, for cash contributed in excess of \$250.



We would like to have a fundraiser to raise funds for park equipment. Will registration fees be tax-deductible?

IRS regulations require that a charitable organization make a "good faith" effort to value the benefits a donor receives as a result of a donation, and to disclose a description and amount to the donor. While this sounds simple, in practice it can require judgment calls and estimates, and can be a time-consuming process.

Donor benefits may consist of tangible or intangible benefits. Intangible benefits might include admission to a museum or other facility, invitations to purchase tickets to events not available to the general public, discounts on purchases, parking in a reserved lot on football Saturdays, etc. Tangible benefits can include food/meals, mementos, pictures, shirts, etc.

These valuations are not based on the cost of the event to the organization (e.g., the township), but on the value the donor receives. For example:

A golf tournament is held to raise funds for park equipment. Donors receive a round of golf with a cart, a boxed lunch, a gift bag, and dinner and two drink tickets. Entry fees are \$175 for an individual, \$700 for a four-person team, and hole sponsorships are \$2,000, which includes a four-person team.

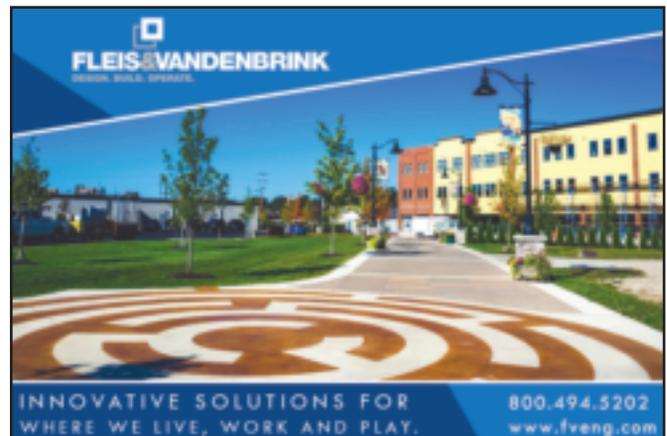
The club normally charges \$55 for a round of golf, but is only charging \$35 for the tournament. The box lunch is \$8. A gift bag contains donated items, which are valued at \$60. The dinner is catered in the township hall, at \$44 per person. The bar is sponsored, though drink tickets are valued at \$10 each.

Tallying the above benefits, the donor benefit for a \$175 registration is \$177. There is no charitable component of the benefit. If a prize drawing is held, the balance of the ticket over the value of tangible benefits received is considered the value of the chance to win a prize and there is no gift for the donor/purchaser. The event sponsors' payments of \$2,000 are recorded as gifts with a \$700 benefit (four tickets at \$175 each) and a \$1,300 gift.

This information must be conveyed to event participants of the event, often on the event ticket or acknowledgement of sponsorship.

Thanks to Auburn University Foundation for the use of their materials.

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.





MTA's Online Learning Center boasts a wide variety of webinars designed with township officials in mind. From assessing to zoning, you're sure to find something for every member of your township team. If you haven't already tried it, what are you waiting for?! Online learning is a convenient, cost-effective way for you to get the knowledge you seek when and where YOU choose, without travel and lodging expense. But don't take our word for it, here's what some of your fellow officials are saying.

Having the ability to attend online and choose between a multitude of different topics has been a wonderful option. The videos are very easy to access and user friendly. I love that I can start and stop them at any point and that the handouts are available to be downloaded. Also, since I am a Township Governance Academy candidate, it has been a great resource to get some classes completed. I would definitely recommend trying online classes to any township officials.

**Carie Milburn, Clerk
Roscommon Township (Roscommon Co.)**

The convenience of watching from home or the office is great. We love having the opportunity to listen more than one time in case we missed a part or want clarification, and the cost savings from travel has improved the participation in our township.

**Maye Rood, Treasurer
Hayes Township (Clare Co.)**

At MTA, we strive to make online learning even better, in content and pricing! Our township-wide annual subscription program, **MTA Online**, offers three different learning packages. When your township purchases an annual subscription *everyone* in the township hall gets access to ALL of the recorded courses included in that package—with no additional “per person” fees.

Each package offers access to recorded courses that qualify for credit in our new **Red Book Ready** learning series, but only the **Premium Pass** includes nine of our **Township Governance Academy** courses. In addition to recorded content, **Premium** subscribers get free access to our live monthly webinar series, **Now You Know**, a 20% discount on all other live online events and even on in-person learning, like our upcoming **Professional Development Retreats** and **2022 Educational Conference & Expo**.

Descriptions of what's included in each package were sent to your township last month, along with an enrollment form. You can also learn more on www.michigantownships.org (select “Annual Subscriptions” under the “Training” tab) or visit learn.michigantownships.org to browse our online learning library shelves.



Learn how to unlock the savings in MTA's extensive library of online courses at www.michigantownships.org/mtaonline.asp.

Online learning center sponsored in part by **Michigan CLASS**



MICHIGAN TOWNSHIP PARTICIPATING PLAN



Municipal Office



- Largest Public Act 138 program in Michigan Providing tailored Property/Casualty insurance coverages for public entities
- Underwritten by an A+ rated insurance carrier
- Supervised by a Michigan board of directors elected from the membership, by the membership
- Administered by Tokio Marine HCC Public Risk providing in-house underwriting, risk control and claims administration
- Servicing over 1300+ Michigan public entities
- Risk Reduction Grant Program
- Scholarship Reimbursement Program
Citizen Planner & Zoning Administrator
- Dividend Program



For more information please call 1-800-783-1370 or visit our website www.theparplan.com

SERVING MICHIGAN PUBLIC ENTITIES SINCE 1985

