

Michigan Township Focus

MARCH/APRIL 2019

OFFICIAL PUBLICATION OF THE MICHIGAN TOWNSHIPS ASSOCIATION

Cybersecurity: Protecting your township

Articulating values,
establishing ethics
are core board
obligations
page 3

2019 MTA
Conference keynoter
shares the power
to influence
page 16

MTA's proposed
Policy Platform,
and Bylaw, Articles
of Incorporation
amendments
page 30



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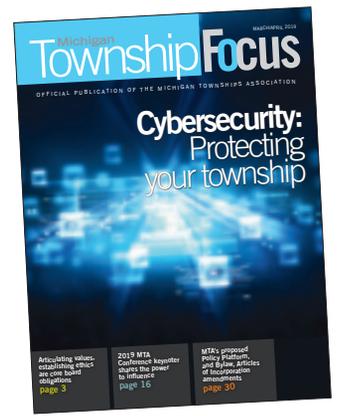


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contents

March/April 2019 | Volume 7, Number 3



21



16



30

featured articles

16

The power to influence

Erick Rheam believes that everybody wants to achieve some level of significance and impact in their life. This can be especially true for today's township leaders. Rheam gives a sneak peek into the insights and inspiration he'll share as MTA's 2019 Annual Conference keynote.

21

Cybersecurity: Protecting your township

No township can afford not to take their cybersecurity seriously. Your township holds residents' valuable information that attracts cyber criminals. As elected officials, it's your job to make sure that information is protected.

30

MTA's 2019 Proposed Policy Platform, and articles of incorporation and bylaw amendments

Coming before delegates at MTA's 2019 Annual Meeting will be the Association's legislative platform for the year, as well as amendments to MTA's Articles of Incorporation and Bylaws.

in this issue

- 3 Local View
- 5 News & Notes
- 12 Hello, MTA ... ?
- 14 Inside Lansing

- 15 Capitol Close-up
- 27 Knowledge Center
- 28 Financial Forum
- 29 Around the State

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Michigan Township Focus, Issue 3 March/April 2019 (ISSN 2330-9652), is published monthly, except for a combined March/April issue. MTA membership provides a subscription to township board members, the manager/superintendent, planning commission chairperson and township attorney. Member counties also receive subscriptions for elected officials, the equalization director and road commission chairperson. Annual membership dues include \$33 for a one-year subscription to *Michigan Township Focus*. Additional member subscriptions are available for \$33 per year. Subscription rate for residents and firms in member townships is \$44 per year (schools and libraries may subscribe for \$33 a year).

Michigan Township Focus is a publication of the Michigan Townships Association, 512 Westshire Dr., Lansing, MI 48917-9757. Phone: (517) 321-6467; fax: (517) 321-8908; Web: www.michigantownships.org. Periodicals postage paid at Lansing, MI. POSTMASTER: Send address changes to: *Michigan Township Focus*, P.O. Box 80078, Lansing, MI 48908-0078.

Direct all display and classified advertising inquiries to Ashley Maher at (517) 321-6467. Member rate for a classified ad in either the magazine or on the MTA website on a monthly basis is \$1 per word. Call MTA for non-member rates. Deadlines for display and classified ads in the magazine are five weeks preceding the publication date. Send ads to: P.O. Box 80078, Lansing, MI 48908-0078; phone: (517) 321-6467, ext. 254; fax: (517) 321-8908; or email: ashley@michigantownships.org.

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Articulating values and establishing ethical standards are core township board obligations

James Madison commented on the need for government to regulate not only the conduct of people, but also to regulate itself:

If men were angels, no government would be necessary. If angels were to govern men, neither external or internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed; and in the next place, oblige it to control itself." Federalist 51 (Feb. 6, 1799)



Ethics policies are formally adopted sets of morals or values intended to define or direct officials and employees to the right choices. Establishing behavior standards for township officials and employees is a core governance function for township boards. However, about four out of 10 Michigan townships have no ethics policies, according to a 2014 survey conducted by

the University of Michigan's Center for Local, State and Urban Policy (CLOSUP). Many ethics policies are also likely overdue for a fresh look; in 2014, 75 percent of township officials said their township should have restrictions on gifts and honoraria but only about 20 percent had addressed their concerns in policies.

Most township officials rate their governments as "very ethical." But do public officials turn a blind eye to self-dealing because, "We aren't paid much"; to nepotism and favoritism because, "Everyone in our community is related to someone else"; or to taking gifts from vendors because, "Everyone does it"? Community apathy, weak or nonexistent standards, and poor accountability can lull watchdogs on the township board into a false sense that all is well.

Absent ethical standards, how does an official declare the township as "very ethical"? Eventual exposure of public-sector unethical misconduct is inevitably followed by shock and surprise on the part of those expected to establish and enforce ethical standards. Perhaps some township officials have a misconception that state laws adequately address all matters of public-sector ethics. Statutes prohibit conflicts of interest, incompatible offices and impose transparency, but state laws leave many ethical matters for local elected officials to resolve.

MTA has not attempted to recommend "model" ethical behavior as we believe township ethical standards should reflect local values. The MTA member website offers guidance to township officials to develop or update their township ethical standards aligned with the values of other communities. The Institute for Local Government, a California-based nonprofit, also has excellent worksheets to guide local officials in developing appropriate ethics policies (<https://www.ca-ilg.org/post/developing-local-agency-ethics-code-process-oriented-guide>).

MTA often hears from township officials their frustration at not having the legal tools to hold other elected officials accountable for violations of ethical standards or their fiduciary duties. MTA Legal Counsel Rob Thall suggests that the liberal powers conveyed to township boards extend to adopting ethical standards as ordinances rather than mere policies, enforceable by civil infraction penalties and court decrees. Consult your township attorney for specific guidance and advice.

Whether addressed in policy or ordinance, township officials should anticipate the kinds of specific ethical dilemmas officials and employees might face. The Institute for Local Government recommends that ethics code be built on shared values:

- Integrity and honesty
- Putting the community's interests foremost
- Compassion and fairness
- Respect for fellow officials, staff and the public
- Stewardship and wise use of public resources
- Loyalty
- Vision

Ethical lapses do not inevitably result in legal consequences, but they damage public confidence and erode respect toward government at all levels as well as public officials. Strong ethical standards start at the top, with the township board setting an appropriate example for others to follow.

Turn the page for a detailed list of potential ethical policy topics.

Potential ethical policy topics

- Duty to disclose corruption to appropriate authorities (whistleblower protection).
 - Accepting gifts, services or special considerations because of your township position.
 - Voting when your independent judgment is compromised due to conflicting loyalties.
 - Insisting that hiring employees and awarding contracts be based on merit.
 - Refrain from participating in decisions when personal financial interests are affected.
 - Model leadership and civility.
 - Making deliberately misleading statements.
 - Refraining from using township information for personal advantage.
 - Not represent third-party interests before township planning commission, zoning board of appeals, board of review, or the township board.
 - Support the public's right to know.
 - Impartiality in making decisions, regardless as to relationships.
 - Promote non-discrimination.
 - Promote public participation in the democratic process.
 - Treat all persons, claims and transactions fairly and equitably.
 - Share important information with other board members and staff.
 - Make decisions based on the merits of the issue.
 - Treat persons with patience, courtesy and civility, even when disagreeing.
 - Focus discussions on the merits of the issue, not personalities, character or motivations.
 - Come to meetings prepared, offer comments that will move discussion forward.
 - Make decisions based on knowledge, research and facts, based on goals.
 - Promote clarity in the roles of board and staff.
 - Keep others informed and respond in a timely fashion.
 - Be approachable, open minded and open to discussion.
 - Engage in two-way communication by listening carefully, asking questions and responding appropriately.
 - Support a positive work environment in the township.
 - Avoid personal campaign attacks on issues unrelated to fellow candidates' abilities to perform duties of the job you both seek.
 - Recognize that government has responsibilities to society's less fortunate.
 - Make the public's interaction with the township as stress-free as possible.
- Convey care for and commitment to township residents.
 - Attuned to, and care about, the needs and issues of citizens, public officials, and township employees and volunteers.
 - Make wise use of township resources.
 - Promote efficiency and economy in township resource utilization.
 - Do not use township staff, equipment, supplies or facilities for private gain or personal purposes.
 - Promote policies and procedures for efficient decision-making.
 - Consider the financial impacts to the township from decisions.
 - Respect confidentiality of personal information regarding the township's property, personnel or legal affairs.
 - Represent the township board's positions accurately, when authorized.
 - Clarify personal positions from those of the township board.
 - Be proactive and innovative.
 - Think "outside the box."
 - Consider broader regional or statewide implications of the township's decisions.

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ON THE RISE

Michigan's population continues to grow

Michigan's population grew for the seventh straight year, according to data released by the U.S. Census Bureau earlier this winter.

The Census numbers showed that, as of July 2018, Michigan's population increased by 19,468 residents to 9,995,915. The state's population peaked at 10,055,315 in 2004, according to Census data.

The state's growth, which was 0.2 percent, still lags the nation at 0.6 percent.

The data also showed more residents moving in than leaving this year, with net migration at 4,649 people. That makes it at least two straight years that Michigan has seen positive migration numbers in the annual releases, according to the state's demographer Eric Guthrie.

Guthrie also released analysis of five-year estimates from the U.S. Census American Community Survey. The survey represents the most current and comprehensive data available on a variety of socioeconomic and housing characteristics, which can help local communities make informed, data-driven decisions.

Included in Guthrie's data analysis was internet access across the state. Data shows that in Michigan, nearly 19 percent of households lack internet access, though the number is far higher in regions with the most serious access issues. The counties with the highest proportions of households without access to the internet are in the more rural areas of the thumb, northern Lower Peninsula and the Upper Peninsula.

However, Guthrie observed, this is not strictly a rural/urban divide, as urban areas such as Detroit and Flint also fall into this grouping of areas with limited internet connectivity. He further noted that as the internet will be the primary platform for response to the 2020 Census, plans will have to be implemented to ease the response burden in areas where a significant proportion of the population lacks access. Watch MTA publications in 2019 and 2020 for continued information about the 2020 Census.

WORKPLACE POSTINGS

Updated wage and hour, sick leave posters now available

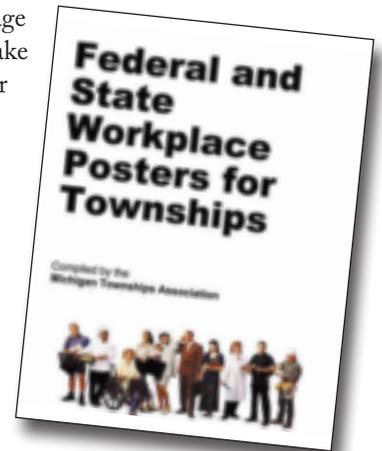
Michigan's new minimum wage and paid medical leave laws take effect on March 29—and your township's labor law posters must be updated, too. As employers, townships must comply with federal and state regulations that require certain workplace postings to inform employees of their rights under the law.

A reminder that letters or emails predicting fines and penalties if you don't buy an advertising company's laminated labor posters are **false**. Employers are not required to purchase labor law posters from private vendors to be in compliance with federal and state laws.

Federal and state law does require notices to be posted prominently and conspicuously where they can be readily seen by both employees and applicants for employment.

Individual posters meeting federal and state requirements are free from the various regulatory agencies responsible for their enforcement. MTA highly recommends updating workplace posters annually.

Townships can download required posters from MTA's "Workplace Posters" Web page. After logging in to the members-only section of www.michigantownships.org, click on "Index of Topics" under the "Answer Center" tab. Call MTA at (517) 321-6467 with questions.



Retirement

Bonnie Rumley, Dryden Township (Lapeer Co.) clerk for 40 years.

In memoriam

Judi Reynolds, Fort Gratiot Charter Township (St. Clair Co.) treasurer for 14 years.



OUT OF THE ASHES

Township rebuilds after fire destroys hall

On the night of March 1, 2017, there was a fire at the **Ovid Township** (Branch Co.) hall. The cause of the fire is still unknown and remains under investigation by the FBI and Michigan State Police. An explosion was heard shortly after 11 p.m. by a neighbor, though no sign of fire was seen until about 20 minutes later when flames were leaping from the roof of the 12-year-old building. Although fire departments from just south of the hall, as well as from a neighboring city, fought the fire for hours, the building was a total loss.

March 1 is the day after the winter tax deadline, and luckily for the township, Treasurer **Shelly AcMoody** had saved all tax records and her QuickBooks files on a drive prior to leaving that evening, so most records were safe.

Mother Nature also helped that night, with a strong, cold northwest wind that helped spare the rooms on the north end of the building. Those rooms—where records dating as far back as 1840 were stored—saw only smoke and water damage. All presidential election ballots were also saved.

During the incident, the township’s flag was somehow knocked over, and covered with ceiling tiles, insulation and about three feet of burned roofing. It was retrieved by a state police investigator the next morning—unscathed—and now resides in a new showcase in the newly finished hall.

Insurance, weather and construction delays slowed the rebuilding process, and officials operated out of a contractor’s trailer for quite a while. In November 2018, the new hall was completed. The wait, said Supervisor **Greg Gemmill**, has been worth it.

“Our new building is even more than we’d hoped for and offers a more inviting look to our residents,” Gemmill said, noting the building’s LED lighting, metal roof, and much more efficient HVAC system. “It’s a terrible way to remodel, but the result is better than we could have imagined.”

The township invited the public to the new hall for the first time for the Nov. 6 mid-term election, and held its first board meeting in the new building on Nov. 12.

The interior of the new hall will be decorated with historic pictures of life in the township. Officials hope to display a few of the salvaged records and old newspaper clippings, along with pictures from the fire, and photos of the small farming community and the township’s various lakes.

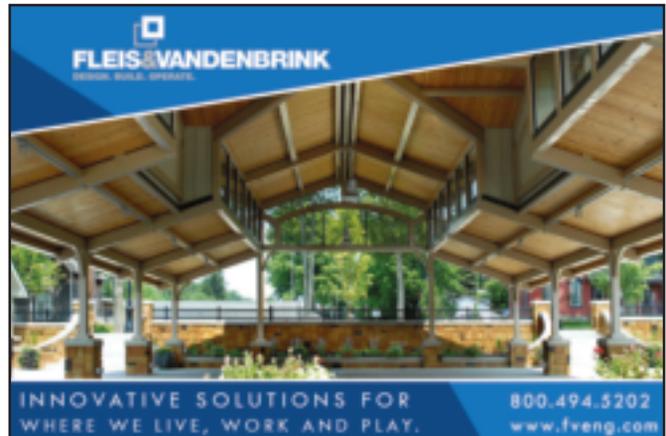
Gemmill noted, “It seemed like forever from March 2016 to November of 2018, but now that it is all behind us, the reward of a new building seems like a small price to pay. The fact that the fire happened after hours so no one was injured or killed is something to be thankful for.”

Prior to the fire, Gemmill said, officials felt there was no real need for a security system in their quiet little corner of southern Michigan. But one has been added to the new hall, and the township’s officials will sleep much better at night knowing that they are protected from a similar disaster.

Gemmill offered his thanks to township Clerk **Robbi Omo** for her diligence working with the insurance company, attorneys and contractors, especially through an election, to make the whole thing happen, and added, “Our board was unfailing in working with the community while facing terrible odds.”

—Submitted by Ovid Township

Share your township’s story with MTA! Send information to *Township Focus* editor Jenn Fiedler at jenn@michigantownships.org or call (517) 321-6467.



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ANSWER ON PAGE 25



Bollin honored for service on MTA Board

Now-State Rep. **Ann Bollin** (R-Brighton Chtr. Twp.) was honored at the December MTA Board of Directors meeting in Lansing for her time on the MTA Board and her service to the Association and Michigan's townships.

Bollin received an MTA Service Award from 2018 MTA President **Ken Gauthier** (*pictured above*), recognizing her time representing MTA's District 25, encompassing Livingston, Monroe, Washtenaw and Wayne Counties.

Bollin was first elected to the Board in 2017. She served as **Brighton Charter Township** (Livingston Co.) clerk for 15 years until she was elected to represent the 42nd House District in November 2018. Prior to her position as clerk, Bollin was a township planning commissioner from 1993 to 2002, and was the township planning commission's first female chairperson.

Bollin was also active in her Livingston County MTA Chapter, is former president of the Greater Brighton Area Chamber of Commerce, and was a member of the Livingston County Municipal Clerks Association and Michigan Association of Municipal Clerks. She was a 2018 honoree of the Brighton Area Women's History Roll of Honor.

Announcements

MTA office closed for Annual Conference—The MTA office will be closed April 1-5, 2019, while MTA staff is at the Annual Educational Conference at DeVos Place in Grand Rapids. You may call the MTA office and leave messages for staff at (517) 321-6467. The office re-opens on Monday, April 8.

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

profile



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MTA's Robinson Scholarship available to students in your township

Help ensure that today's youth become involved in local government tomorrow! Encourage students in your community to apply for MTA's Robert R. Robinson Memorial Scholarship by May 31, 2019. The scholarship is a one-time award determined on a competitive basis by the applicant's academic achievement, community involvement and commitment to a career in local government administration.



Applicants must be a junior, senior or graduate student enrolled in a Michigan college or university and pursuing a career in local government administration. The following materials are required to apply:

1) a letter of recommendation from a professor or instructor, 2) a copy of a resolution of support from a Michigan township board, and 3) a short essay on an important issue facing local government.

Application materials must be submitted to The Robert R. Robinson Memorial Scholarship Fund, c/o Michigan Townships Association, PO Box 80078, Lansing, MI 48908-0078.

Ensure students in your area know about the scholarship! Include information in your township newsletter or post a link on your township website to www.michigantownships.org/scholarship.asp. Need more information? Call (517) 321-6467.

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

Districts 19 and 25 caucus elections slated for MTA Conference

Two caucus election will be held on April 2, during the 2019 MTA Annual Educational Conference & Expo, to elect new District 19 and 25 directors to the MTA Board of Directors.

District 19 encompasses Allegan, Barry and Kalamazoo Counties, and District 25 encompasses Livingston, Monroe, Washtenaw and Wayne Counties.

Elected officials from MTA-member townships in Districts 19 and 25 are eligible to run for the MTA Board. Officials who wish to run for district director can campaign for the position before the caucus, though there are no requirements for prior announcement of candidacy.

Only elected township officials from Districts 19 and 25 may vote at the caucus meeting; appointed officials and township employees are not eligible to vote. All votes must be cast in person.

Additional information, including specific caucus locations and a facility map, will be published in the Conference program booklet received on-site.

Help us honor township Service & Leadership for a Vibrant Michigan at MTA's 2019 Annual Conference. Learn more at www.michigantownships.org/conference.asp, or turn to pages 16-20 of this issue of Township Focus.

mta events | March

- | | |
|------|---|
| 1-31 | "March Madness" sale—50 percent off MTA webcasts throughout March. Use promo code: madness |
| 5 | Last day to obtain early-bird registration rate for MTA Annual Conference. Join us at DeVos Place in Grand Rapids, April 1-4. |
| 8 | Last day to obtain Conference housing at discounted rates in MTA room blocks. Contact Amy at (616) 785-6027, ext. 34 with housing questions. |
| 19 | Last day to obtain regular MTA Conference registration rate; on-site rate applies after this date. |
| 19 | Last day to register for MTA Conference to have a confirmation sent to you. All attendees must still check in at the MTA Registration Center. |

mta events | April

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Registration brochures will be mailed to all officials this spring. Online registration and downloadable forms will also be available on our website at www.michigantownships.org.

Save \$50 off full-program rates by registering your deputy, manager/superintendent, a fellow trustee, or member of your planning and zoning team! Discount applies to second registrant who is attending the same Retreat.

NEW!

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July 11 & 12

Clerks' Retreat
July 17 & 18

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July 26 & 27

MARCH

By 1 County treasurer commences settlement with local unit treasurers. (MCL 211.55)

County property tax administration fee of 4 percent added to unpaid 2018 taxes and interest at 1 percent per month. (MCL 211.78a(3))

Local units turn over 2018 delinquent taxes to the county treasurer. (MCL 211.78a(2)) On March 1 in each year, taxes levied in the immediately preceding year that remain unpaid shall be returned as delinquent for collection. However, if the last day in a year that taxes are due and payable before being returned as delinquent is a Saturday, Sunday or legal holiday, the last day taxes are due and payable before being returned as delinquent is on the next business day and taxes levied in the immediately preceding year that remain unpaid shall be returned as delinquent on the immediately succeeding business day.

4 On or before the first Monday in March. The 2019 assessment roll shall be completed and certified by the assessor. (MCL 211.24)

5 Tuesday after the first Monday in March. The assessor/supervisor shall submit the 2019 certified assessment roll to the board of review. (MCL 211.29(1))

Organizational meeting of township board of review. (MCL 211.29)

11 The board of review must meet on the second Monday in March. This meeting

must start not earlier than 9 a.m. and not later than 3 p.m. The board of review must meet one additional day during this week and shall hold at least three hours of its required sessions during the week of the second Monday in March after 6 p.m. (MCL 211.30) *Note:* The township board may authorize an alternative starting date for the second meeting of the March board of review, which can be either the Tuesday or Wednesday following the second Monday in March. (MCL 211.30(2))

15 Within 10 business days after the last day of February, at least 90 percent of the total tax collections on hand must be delivered by the local unit treasurer to the county and school district treasurer. (MCL 211.43(3)(b))

By 23 Clerks shall electronically transmit or mail (as requested) an absentee voter ballot for May 7 election to each absent uniformed services or overseas voter who applied for an absentee voter ballot 45 days or more before the election. (MCL 168.759(a))

Absentee voter ballots for May 7 election must be available for issuance to voters. (MCL 168.714)

28 through April 6. Precinct inspectors appointed by local election commission for May 7 election. (MCL 168.674)

31 Deadline for municipalities to notify state Department of Treasury of any errors identified in the 2016, 2017 or 2018 personal property tax reimbursements by providing substantiating documentation. (MCL 123.1358(4))

APRIL

1 School districts or intermediate school districts must reach agreement for summer tax collection with township if there is a summer school levy. (MCL 380.1613)

Treasurers make final adjustment and delivery of the total amount of tax collections on hand no later than April 1. (MCL 211.43(3)(c))

Last day to pay all forfeited 2016 delinquent property taxes, interest, penalties and fees, unless an extension has been granted by the circuit court. If unpaid, title to properties foreclosed for 2016 real property taxes vests solely in the foreclosing governmental unit. (MCL 211.78k)

Assessors must annually provide a copy of Form 5278 *Eligible Manufacturing Personal Property Tax Exemption Claim, Personal Property Statement, and Report of Fair Market Value of Qualified New and Previously Existing Personal Property (Combined Document)* and Form 5277 *Affidavit to Rescind Exemption of Eligible Manufacturing Personal Property Defined in MCL 211.9(m) and 211.9(n)* and other parcel information required by the state Department of Treasury in a form and manner required by the department no later than April 1 of each year. (MCLs 211.9m and 9n)

Separate tax limitations voted after April 1 of any year are not effective until the subsequent year. (MCL 211.205i(2))

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

2 Each downtown development authority, tax increment finance authority, local development finance authority, corridor improvement authority, water resource improvement authority and neighborhood improvement authority shall send a copy or an electronic mail link of its currently adopted development plan or its currently adopted tax increment finance plan, if separate from the development plan, to the state Department of Treasury. (MCL 125.4912)

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



Assessor shall file Form 606 (L-4021) *Assessment Roll Changes Worksheet* with the county equalization department, and Form 607 (L-4022) *2018 Report of Assessment Roll Changes and Classification* (signed by the assessor) with the county equalization department and the State Tax Commission (STC), immediately following adjournment of the board of review. (STC R 209.26(6a), (6b))

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

By 8 Notice of voter registration for May 7 election published. One notice required. (MCL 168.498)

Clerk shall post and notify the Secretary of State of hours the clerk's office will be open on the Saturday or Sunday or both immediately before the May 7 election to issue and receive absentee voter ballots. (MCL 168.761b)

Clerk shall post and notify the Secretary of State of any additional locations and hours that the clerk will be available to issue and receive absentee voter ballots for May 7 election, if applicable. (MCL 168.761b)

15 Allocation board meets and receives budgets. (MCL 211.210)

22 Last day to register for May 7 election in any manner other than in-person with the local clerk. (MCL 168.497)

23 through May 7. In-person registration for May 7 election with local clerk with proof of residency. (MCL 168.497)

26 Write-in candidates for May 7 election file declaration of intent forms by 4 p.m. (MCL 168.737a)

By 30 Notice of May 7 election published. One notice required. (MCL 168.653a)

MAY

1 Deadline for filing a *Principal Residence Exemption (PRE) Active Duty Military Affidavit* (Form 4660) to allow military personnel to retain a PRE for up to three years if they rent or lease their principal residence while away on active duty. (MCL 211.7dd)

Last day of deferral period for winter (Dec. 1) property tax levies, if the deferral for qualified taxpayers was authorized by the county board of commissioners. (MCL 211.59(3))

Deadline for filing Form 2599 *Claim for Farmland (Qualified Agricultural) Exemption from Some School Operating Taxes* with the local assessor if the property is NOT classified agricultural or if the assessor asks an owner to file it to determine whether the property includes structures that are not exempt.

By 2 Public accuracy test for May 7 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)

3 Electors may obtain an absentee voter ballot for May 7 election via first-class mail until 5 p.m. (MCL 168.759)

6 Electors may obtain an absentee voter ballot for May 7 election in person at the clerk's office until 4 p.m. (MCL 168.761)

First Monday in May. Deadline for assessor to file tabulation of taxable valuations for each classification of property

with the county equalization director on STC Form 609 (L-4025) *Report of Taxable Valuations Including Additions, Losses and Totals as Approved by the Board of Review* to be used in "Headlee" calculations. (MCL 211.34d(2))

7 New registrants may obtain an absentee voter ballot for May 7 election in person in the clerk's office. (MCL 168.761)

Emergency absentee voting for May 7 election until 4 p.m.. (MCL 168.759b)

Election.

9 Boards of county canvassers meet to canvass May 7 election by 9 a.m. (MCL 168.821)

15 Deadline for assessors to report the current year taxable value of commercial personal property and industrial personal property as of May 10, 2019, to the county equalization director. (MCL 123.1353(3))

20 Deadline for payments to municipalities from the Local Community Stabilization Authority: For underpayment of a prior personal property tax reimbursement and remaining balance of Local Community Stabilization Share revenue. (MCL 123.1357(8)(d))

29 After May 28 but before June 1. Last day for allocation board hearing (not less than eight days or more than 12 days after issuance of preliminary order). (MCL 211.215)

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

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

Deadline for assessors to file Form 5403 *Personal Property 2019 Taxable Value for Expired Tax Exemptions* with the county equalization director and state Department of Treasury. (MCL 123.1353(6))

Deadline for assessors to file Form 5429 *Personal Property 2019 Taxable Value for Expired/Expiring Renaissance Zone* with the county equalization director and state Department of Treasury. (MCL 123.1353(6))

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How many members should the township's planning commission have?

The Michigan Planning Enabling Act requires that the township's planning commission shall consist of five, seven or nine members. Unlike zoning boards of appeal, there is no statutory authority for alternate members on a planning commission.



Who appoints members to the planning commission?

The township supervisor appoints members to the planning commission, subject to approval by a majority vote of the members of the township board elected and serving.



How long are the terms of office of the members of the planning commission?

The Michigan Planning Enabling Act provides that terms of office are three years for members of the planning commission. When first initiated, member terms may be staggered so that they do not all come due for reappointment at the same time. Vacancies on the planning commission are filled for the unexpired term, so as to continue the staggering of appointments. Thus, a member who leaves after two years on a three-year term will be replaced for the remaining one year of the leaving member's term.



Are there requirements for certain members to be on the planning commission?

The membership of a planning commission shall be representative of important segments of the community, such as the economic, governmental, educational and social development of the local unit of government, in accordance with the major interests as they exist in the local unit of government, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry and commerce. The membership shall also be representative of the entire territory of the local unit of government to the extent practicable.

Under the Michigan Zoning Enabling Act, one member of the planning commission is also to be on the zoning board of appeals. This person is sometimes referred to as the

"mutual member." One member of the planning commission must be a member of the township board. Except for this person, no other employees or officials of the township may be on the planning commission.



If a planning commissioner moves out of the township, are they off of the planning commission?

Generally, a person who moves out of the township will resign as a member of the planning commission. The Michigan Planning Enabling Act provides that members of the planning commission shall be qualified electors of the township, except that one person who is not a qualified elector of the township, but is a qualified elector of another unit of local government may be appointed to the planning commission. Some communities use this provision to seat an owner of large tracts of agricultural property who nevertheless does not reside in the township. Additionally, if there is not already a person appointed under this provision, a person who moves out of the township into another municipality may be appointed as this non-resident member of the planning commission.



Can the township planning commission be asked to review and comment on police power (non-zoning) ordinances?

The planning commission's main focus is the zoning ordinance and those activities authorized thereunder—usually site plan review, text amendments, special exception use review and approvals, and the like. While it may be tempting for a township to request the planning commission's input on every ordinance that it enacts, there is no requirement for the planning commission to review police power ordinances. It is suggested that police power ordinances should not be reviewed by the planning commission as the planning commission has no authority with regard to adoption or enforcement of these ordinances.



What if a member of the planning commission has an application pending before the planning commission?

A planning commission is required to have bylaws, which should at a minimum contain procedures for the election of

officers of the planning commission and a conflicts statement. The township board may have adopted an ordinance defining what constitutes a conflict of interest, but most have not. A member of the planning commission will certainly have a conflict and must refrain from voting if they are also the applicant.

Planning commission bylaws (in absence of an ordinance) outlining what constitutes a conflict of interest are invaluable for guidance in this area. For example, the bylaws may indicate that a shared property line with the applicant constitutes a conflict of interest. The bylaws may also provide for a level of familial interest that would constitute a conflict of interest.

The Michigan Planning Enabling Act provides that “(b)efore casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the planning commission. The member is disqualified from voting on the matter if so provided by the bylaws or by a majority vote of the remaining members of the planning commission. Failure of a member to disclose a potential conflict of interest as required by this subsection constitutes malfeasance in office. Unless the legislative body, by ordinance, defines conflict of interest for the purposes of this subsection, the planning commission shall do so in its bylaws.”



Can the township board remove a member of the planning commission?

The Michigan Planning Enabling Act provides that the township board may remove a member of the planning commission for misfeasance, malfeasance or nonfeasance in office upon written charges and after a public hearing. As referenced previously, voting in a situation in which there is a clear conflict of interest constitutes malfeasance in office.



Can the township board member serve as the chairperson of the planning commission?

The Michigan Planning Enabling Act does not allow the township board member to be the chairperson of the planning commission.

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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Legislative lowdown

A quick look at critical bills that MTA is following as they move through the legislative process.

SB 2: Asset forfeiture—Requires a criminal conviction before proceeding with forfeiture or disposition of property. *MTA monitoring.*

SB 14: Drinking water standards—Provides for maximum PFAS contaminant levels allowed for drinking water standards. *MTA monitoring.*

SB 19: Public employees and officers—Modifies population thresholds for contracts of public servants serving as public safety officers. *MTA supports.*

SB 26, HBs 4025 & 4047: Property tax—Requires Michigan Tax Tribunal determinations to consider all three methods of appraisal in assessment disputes and prohibits deed restrictions on valuation of property. *MTA supports.*

SB 28: Motor fuel tax—Requires motor fuel tax to be dispersed to county where fuel is pumped. *MTA monitoring.*

SBs 31-32: Recreation passport—Expands recreation passport program

to include trails and state forest campgrounds. *MTA monitoring.*

SB 39: Property tax assessments—Excludes private deed restrictions from being considered by MTT when highest and best use of property considered subject to an assessment dispute. *MTA supports.*

SB 46: Property tax assessments—Clarifies valuation of wind energy systems. *MTA supports.*

SBs 47-48: Alternative energy personal property—Provides personal property tax exemption for alternative energy systems up to specific threshold. *MTA monitoring.*

SB 54 & HB 4100: Historic preservation tax credit—Restores the state historic preservation tax credit program. *MTA supports.*

SB 62 & HB 4119: Township libraries—Provides for the reestablishment of free public libraries in certain circumstances. *MTA supports.*

SB 78: Elections—Requires ballot instructions to be printed on ballot. *MTA monitoring.*

SB 79: Elections—Revises procedure for returning absentee ballots for military personnel. *MTA monitoring.*

SB 104: Open Meetings Act—Allows additional remedies for noncompliance to include attorney fees and allows a one-year window during which civil actions may be brought. *MTA opposes.*

HB 4030: Special assessment—Allows special assessment financing to be based on frontage or other equitable manner agreed upon between township board and property owners within special assessment district. *MTA supports.*

HB 4035: Local preemption—Prohibits local regulation of dogs based on breed or perceived breed. *MTA opposes.*

HB 4046: Zoning preemption—Limits local zoning regulation of vacation rentals and short-term rentals. *MTA opposes.*

HB 4055: Land use—Requires tax payment certification prior to approval of land division. *MTA supports.*

HB 4095: Land use/zoning preemption—Preempts local zoning authority for child foster care institutions for a state licensed facility up to 10 children. *MTA opposes.*

HB 4101: Downtown development authorities—Modifies downtown development authority board membership. *MTA supports.*



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Sen. Jim Runestad (R-White Lake Chtr. Twp.)

Jim Runestad knows all too well the challenges facing local government. Throughout his 12 years on the Oakland County Board of Commissioners, he saw firsthand how the state increasingly expected more from local services—while funding was stagnant at best.

Today, in his first term as a state senator, he hasn't forgotten that challenge. In fact, he named it as the single biggest issue facing local governments today. With the help and input of elected officials and his constituents, he's ready to roll up his sleeves and help townships navigate the problems posed by decreasing revenue.

"This must be addressed through a statewide evaluation of local challenges and opportunities for statewide collaboration, funding and support," he said.

Runestad is no Lansing newcomer. After three terms on the Oakland County Board of Commissioners, he's spent the last four years serving in the state House of Representatives. He also brings with him a strong insurance background from running his company, Runestad Financial Associates. The married father of five also has a creative side—as a child, he spent his spare time painting, sculpting and sketching. One day, he hopes to return to his beloved pastime.

As a state representative, Runestad led the House Judiciary Committee, where he saw more than 50 eventual public acts voted out with bipartisan support. He spent countless hours working through his fellow committee members' concerns and hashed out bills that he believed made a meaningful impact on Michigan, such as protections for children in foster care having age-appropriate access to their personal records and expansion of the mental health courts for juveniles.

Now, as the Senate Finance Committee chair, he has a new set of priorities. Already, he's introduced legislation to restore tax credits for charitable donations. He also hopes to support innovation and opportunities for synergy and efficiency at the local level.

As a senator, Runestad has a new district to familiarize himself with and new township officials to meet. He's already working to set up a meeting with township supervisors in his district, with the hope of developing a productive exchange.

"I'm eager to work with my new communities as I get to know the elected officials throughout the Senate district," Runestad said. "As we identify legislative initiatives with local impacts, I'll be looking to my local officials for immediate feedback, which I will proactively share with my colleagues."

Not only does Michigan need to invest in its local units of government, it must also invest in its infrastructure, Runestad



Throughout his 12 years on the Oakland County Board of Commissioners, Sen. Jim Runestad (R-White Lake Chtr. Twp.) saw firsthand how the state increasingly expected more from local services—while funding was stagnant at best. Today, in his first term as a state senator, he hasn't forgotten that challenge.

said. Our state needs a comprehensive plan to fund its infrastructure that also accounts for the upcoming realities of autonomous vehicles and other emerging technologies.

When he was first became a lawmaker, Runestad's primary goal was maintaining his integrity and commitment to what he believes are foundational principles of the republic, while also working to improve the lives of Michiganders. Since then, he's scaled back to more realistic expectations of specific legislation, but his goals haven't changed.

"My commitment to integrity, sincere dialogue and educational debate has not wavered," he said. "Above all, I hope to be remembered for my integrity as a legislator and, secondly, for my steadfast commitment to defending our personal liberties and protecting families."

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The power to influence

What makes a person successful? What does it take to have a meaningful impact—on another person or an entire community? Erick Rheam has wondered the same thing—and as MTA’s 2019 Conference keynoter, will share his insights on leading a life of influence and significance. Here’s a sneak peek.

You're talking to our members about becoming a person of influence. How did this come to be such an important topic for you?

I watched my parents succeed and I was always fascinated by that. What does it take to be successful? I realized at the end of the day, everybody wants to achieve some level of significance in their life. It doesn't matter how big of an impact, you just want to know that your life meant something. I believe everybody wants to have some level of impact in their life.

Here's the kicker: If you want to lead a life of significance, you're going to need the help of others. There's no example in the history of the world of any man or any woman achieving any level of significance by themselves. You're going to need a team. You're going to need people to support you.

You are where you are because someone in your life edified you, supported you and helped you get there. In order to do that, you need the ability to influence other people to want to support you, to buy into you, to want to be on your team. It's so foundational for success. If you don't have influence, then you're not going to have a team. And if you

have no team, you won't reach significance. I think the worst feeling in the world is to get to a point in your life realizing you have no impact or purpose. I just don't want that for people. So, I travel around the country helping people unlock how to influence others.

How can the power to influence others help MTA's members every day in their jobs as township officials?

Township folks, those are my people, because I grew up in a small community. My dad was a chief of police in Anderson, Indiana, a small town. My father-in-law was a small-town mayor. I also worked for the City of Loveland in northern Colorado. I used to watch local government TV for fun. You don't know what's going to happen at a town hall meeting.

I love these small communities—that's really what America is built on. Our communities like that, they need to thrive. And they're led by the folks who will be at the MTA Conference. If you have the ability to influence others, and motivate others to move to action, then everybody benefits from that. It's important to have at least an inkling or an idea on how you can move others to action to unify them to get where we want to go. That's what we're going to talk about.

Do you think influence is a natural skill, or something that can be learned?

I think it's natural as well as learned. Everyone has a natural ability to influence others. But, are you doing it in a positive or negative way? The positive way is what can be learned.



and calling, so they can lead, and live, with purpose. Township Focus asked the West Point graduate and former military police

Our 2019 Conference Keynoter Erick Rheam has a vision to help busy men and women—like today's township officials—rediscover their passion

officer to share a bit of his thoughts on how he helps inspire and motivate others to serve with significance. Learn more from Rheam at MTA's 2019 Annual Conference this April in Grand Rapids.

When you walk into a room, the entire temperature of the room changes because you're in it, and you bring a vibe or emotion with you. The question is, is it a positive or is it a negative? And do you have the self-awareness to know the difference? Some folks don't have the awareness of how they affect others and how they can influence them. I think it can be learned by understanding what you bring to the table and leveraging that in a positive way.

How can someone harness the power of influence if they aren't naturally outgoing?

Influencing is not synonymous with extrovert. That's not what influence is. All influence is, is guiding the levers of change. You can do that in many different ways. It doesn't have to be vocal. It can be how you correspond through email. It can be through body language, which, by the way, we're going to cover in my MTA Conference breakout session. You don't have to be an extrovert. It's how you leverage what it is you have in a way to influence others positively. For instance, if I sit in the back of a room with my arms crossed and a frown on my face, I'm influencing you that whole time without saying a word. There are all kinds of ways in which you communicate with one another that you have to be aware of.

How does adding value relate to influence?

Value is the perception of benefit to the user. If you and I are working together on a project, and I think I'm adding value to you by doing something for you, but it means nothing to you, then I'm adding no value at all. You have to perceive it as value.

What I always tell people, when you want to add value, the key is you have to get really good at asking good questions. Think about someone in your life who when you see that person approach you, you immediately feel the energy leave your body. You know it's going to be a negative interaction. Then, think about the person who when you see them or when they call you, you feel a smile come across your face because you know it's going to be a great interaction. What's the difference between the person who sucks the energy out of you and the person who gives you energy? The difference is, the person who sucks the energy out of you, it's all about them. However, the person who gives you energy is the person who makes it all about you.

If I become curious about you and want to learn more about you, I'm going to learn about what makes you tick, what gets you excited. Then, if I really want to connect with you, I can connect with you in a way that I've learned that you see as a value.

Adding value is very simple: Become curious about everybody else around you. Get to know them. Ask questions. And then, provide for them in ways that, based on what you've learned, you know will be a benefit to them.

When I talk to successful people, the thing that's most common is they always ask good questions. That's something a lot of us just don't do. We're so fast-paced that we don't slow down enough to ask questions, like, why do you think that way? Why is that important to you? What can I do better for you in this situation? Getting good at asking questions will take you down the path of becoming an influencer.

Who has influenced you on your journey?

My mother is a high school graduate from Arkansas, dirt poor, and she started a business in Home Interiors and Gifts, a multi-level marketing company. She got to the point where she was deep in debt. She almost committed suicide. She turned it all around and became No. 1 in the entire country in Home Interiors. She and my dad live a great lifestyle. But my mom is probably the humblest person you will ever meet. If you hung out with her, you would never think she's this powerhouse. That's the beauty of who she is. She makes it about everybody else around her, so you don't even realize that she's influencing and leading you. She asks good questions, she cares about you.

She did that so many times that, before I knew it, she had this big empire of other women with whom she worked. And, they all wanted to be around my mother because all she did was encourage. If all you do is just encourage people, you will be amazed at how opportunity will always find you.

At the end of the day, people won't remember who you are or what you do, but they will always remember how you made them feel. My mom taught me a lot when it comes to that. My dad has been a big influencer as well.

What do you hope our members take with them when they leave your keynote address?

I just hope people walk away feeling encouraged about humanity, and that everybody has the power to influence others in a really positive way. Everybody has the power to lead a life of significance and have an impact.

There are different ways to the mountaintop. Your journey will be different from mine, but we're all going to get there eventually. If you apply some basic principles, you'll be well on your way to having that significance and impact in your life.

Listen to our full conversation with Erick Rheam on MTA's "Township Talk" podcast, available on www.michigantownships.org, or on Google Play and iTunes. Learn more from Rheam at the General Session of MTA's 2019 Annual Educational Conference & Expo on Wednesday, April 3. Rheam will share additional insights in his breakout session, Lead Without Speaking, being held later that day, from 10:15 to 11:30 a.m. For more about the Conference, turn to pages 18-20, or visit www.michigantownships.org/conference.asp.



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2019 Conference at-a-glance

Monday, April 1

9 a.m. to 12:15 p.m.

Creating a Vision for Your Township*
Includes continental breakfast.

Course B-103 in MTA's Township
Governance Academy 

9 a.m. to 5:15 p.m.

Auditor Institute*
Includes continental breakfast & lunch.
Approved for CPE credits

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

Legal Institute for Township Attorneys*
Includes continental breakfast & lunch.

10 a.m. to 5 p.m.

Assessor's Renewal:
Assessment Administration of
Agricultural Properties*
Includes lunch.

Approved by the State Tax Commission
for six hours of Assessor Elective Credit.

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

MTA Registration Center, Ticket
Xchange & MTA-PAC booth open
Ticket Xchange sponsored by
Vortex Aquatic Structures

1 to 4:15 p.m.

Linking with the Community*
Includes lunch.

Course B-106 in MTA's Township
Governance Academy 

1 to 5 p.m.

After "Emily": FOIA from A to Z*
Includes lunch.

2 to 4 p.m.

EduTour: Plainfield Charter Township
Water Treatment Plant*

5 to 6 p.m.

MTA Volunteer Training Reception
(by invitation only)
Sponsored by Miller Canfield

8 p.m. to Midnight

"3-D" Welcome Reception
Sponsored by Bendzinski & Company,
Municipal Finance Advisors

*A separate registration fee is required to attend.

Tuesday, April 2

7 a.m. to 4 p.m.

MTA Registration Center, Ticket
Xchange & MTA-PAC booth open
Ticket Xchange sponsored by
Vortex Aquatic Structures

8:30 to 9:45 a.m.

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

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

MTA Expo and MTA Bookstore open
Chair massage sponsored by
Fahey Schultz Burzych Rhodes, PLC;
indoor "yard" games sponsored by General Code

10:15 to 11:30 a.m.

Concurrent Educational Sessions

- Common Public Road Issues
- Community Policing
- Insights from the Capitol
- Oh Sh...oot!
How Do We Undo THAT?!
- Preserving Michigan's Barns
- Special Assessments:
Financing Infrastructure Projects
or Police and Fire Needs
- Website Wish List:
Accessibility, Mobility, Security
- What Does THAT Mean?
Understanding the Language
of Assessing
- Zoning for Solar & Wind Energy

11:45 a.m. to 12:15 p.m.

MTA Caucus Elections
(MTA Districts 19 and 25 only)

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

TGA Graduate "Class of 2019"
Luncheon
(by invitation only)
Sponsored by ITC Holdings Corp.

1 to 2:15 p.m.

Concurrent Educational Sessions

- Be Stress Free:
Create it, Live it, Enjoy it
- Best Practices for Your
Elections Webpage

- Community Reaction to
Land Use Changes
- Holding Your Police &
Fire Chiefs Accountable
- Is Your Assessing Compliant?
- Managing Employee Tweets,
Facebook Live and Snap Chats
- Tax Increment Financing:
Is Your DDA in Compliance
with the New Law?
- The Little Red Book LIVE!
- Townships Too

2:45 to 4 p.m.

Concurrent Educational Sessions

- Ask the Experts: Township
Question-and-Answer Forum
- Building a Strong Case
for Collaboration
- Data & Cybersecurity
- Elections Update
- Environmental Financing and
Program Management for
Small, Rural Townships
- Keeping Your Personnel
Decisions Out of the
Headlines—And Court
- Local Codes and State
Regulations for Development
in Your Township
- Parliamentary Procedure
at its Worst
- Sticks & Stones: Surviving
Social Media Attacks
- What Your Township Auditor
Wishes You Knew

4:30 to 5:15 p.m.

Informational Sessions

- Introduction to MTA's
Township Governance
Academy 
- Social Networking
with MTA 
- The Inside Scoop on
County Chapters

6 to 9 p.m.

Par-Plan "Nashville Nights"
Fun Night
Sponsored by Michigan Township
Participating Plan

Wednesday, April 3

7 to 11 a.m.

MTA Registration Center, Ticket Xchange & MTA-PAC booth open
Ticket Xchange sponsored by Vortex Aquatic Structures

8:30 to 9:45 a.m.

General Session
Sponsored in part by Consumers Energy; projection screens sponsored by Hubbell Roth & Clark, Inc.

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

MTA Expo and MTA Bookstore open
Chair massage sponsored by Fahey Schultz Burzych Rhodes, PLC; indoor "yard" games sponsored by General Code; caricatures sponsored by Giffels Webster

10:15 to 11:30 a.m.

Concurrent Educational Sessions

- Ethics Boot Camp
- Event Barns: Avoiding the Pitfalls
- Examining Firefighter Compensation
- Fighting the Opioid Epidemic
- Insights from the Capitol
- Lead Without Speaking
- Medical vs. Recreational Marijuana: Clearing the Air
- Qualified Voter File Refresh Update & Help Desk
- Township Fraud: Lessons Learned
- What the Heck is an Open Meeting?

Noon to 1 p.m.

 *Township Business Solutions Sessions*

- Cyber Liability Insurance 101 & Risk Transfer
- FOIA: Freedom is Not Free. Charging for What You Know
- Health Care Planning
- Legal Landscape
- Special Assessments from A to Z
- We're Glad You Asked That!

1:30 to 2:45 p.m.

Concurrent Educational Sessions

- Five Ordinances Your Township Needs to Succeed
- Get the Lead Out

- Leadership for Elected Officials
- Reviewing Michigan's Broadband Roadmap
- Servant Leadership: Flipping the Pyramid
- Squeaky Wheel: Gathering Resident Input
- What's New in the Proposed MTA Policy Platform?
- What the Heck Are These FOIA Requests for Records?
- What the Heck is an SAD?

3:15 to 4:30 p.m.

Concurrent Educational Sessions

- ABCs of IFTs
- Contamination Crisis: Plainfield Charter Township's Response to PFAS
- Is Michigan's Paid Sick Leave Law Making Your Township Queasy?
- Examining Board Relations
- Eye in the Sky: Township Use and Regulation of Drones
- Planning for Healthy Communities
- SERV Your Residents
- Stump the Treasurer
- The Future of Assessing
- What the Heck Goes in the Minutes?

5:30 to 6:30 p.m.

VIP Reception

*(additional charge; pre-registration required)
Sponsored in part by Waste Management*

6:30 to 9 p.m.

MTA Banquet

Entertainment sponsored in part by Burnham & Flower Insurance Group; caricatures sponsored by Giffels Webster; projection screens sponsored by Hubbell Roth & Clark, Inc.

9 p.m. to Midnight

Afterglow Reception

Sponsored by Burnham & Flower Insurance Group

Thursday, April 4

9 to 11 a.m.

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



There's still time to register!

Two words perfectly describe Michigan's 6,500-plus local township officials: **service and leadership**. As public servants, you give of yourself to help better your community, offering guidance, vision and leadership to ensure your residents and businesses can be proud of the place they call home. **MTA's Annual Conference will honor, inspire and excite today's local leaders**—whether you've been serving for decades or are brand-new to office.

Join us April 1-4 at DeVos Place in Grand Rapids for our 66th Annual Educational Conference & Expo. Early-bird registration rates end March 5. Rooms are still available in MTA room blocks at discounted rates at downtown Grand Rapids hotels. Visit www.michigantownships.org for more information or to register.

See you in Grand Rapids!

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for a vibrant Michigan
2019 MTA Conference & Expo | April 1-4, Grand Rapids

2019 Conference Sponsors

Exhibitor List*

Visit these exhibitors at the MTA Expo, April 2 & 3, held in conjunction with the MTA Annual Educational Conference.

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Cougar Mountain Software
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Michigan CLASS
Michigan Election Resources
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Authority
Michigan Township Participating Plan
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Systems
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Cybersecurity: Protecting your township

It starts with an innocent-looking email—perhaps from your township’s bank, or a computer operating system vendor. Your brow furrows as you read the message. “Your invoice has not been paid,” it says. “Please submit payment or your service will be discontinued.” You wonder what bill you forgot to pay as you click on the link.

Suddenly, a black box pops up, blocking your computer screen. “All your files are encrypted,” it announces in ominous red letters. Your heart beats faster as you read on—if you want your files back, the township will have to pay a hefty fee.

“That would never happen to me,” you might say to yourself. “I know better than to click on a fake link. Besides, no one would try to steal our township’s information. Our budget isn’t that big, and hackers wouldn’t pay attention to our little township.”

The threat, however, is all too real. In 2018, a hacking group effectively shut down the City of Atlanta, holding its files hostage unless it agreed to pay a \$51,000 ransom. Municipal employees couldn’t turn on their computers for five days while officials and security experts scrambled

to recover the city’s networks. Shortly after Atlanta was hacked, Baltimore’s 911 system was completely locked by a ransomware attack.

While no blockbuster attacks have been reported in Michigan, it’s likely a matter of time. And experts say most local units of government aren’t doing enough to prevent it. Sometimes, the reason stems from officials who either aren’t aware of the threat’s severity or don’t believe it could happen to their township. Others might point to their budgets, saying they don’t have the money or manpower.

The reality, however, is no township can afford not to take their cybersecurity seriously. Experts agree that at one point or another, your township will experience a cyber breach, if



Your township holds your residents' valuable information that attracts cyber criminals. As elected officials, it's your job to make sure that information is protected.

it hasn't already. It's likely not a question of if—it's when. Your township holds your residents' valuable information that attracts cyber criminals. As elected officials, it's your job to make sure that information is protected.

"If you don't have a secure computer network, it doesn't matter what your budget is because you're going to have problems," said Terrence Weadock, president and CEO of Dominant Systems Corp. "It's sort of like saying we can't afford doors and locks for the township building."

A growing threat

In today's information age, doing business online is a way of life. More and more taxpayers don't want to make a trip to the township hall to pay their sewer bill or write a check for their summer property taxes. They expect their township to provide a way to pay online. Meanwhile, new laws have paved the way for more townships to move to electronic tax rolls rather than printed.

While going digital has made life more convenient, it has also opened the floodgates for cybercriminals. *Governing* magazine reported that each year, Michigan's cybersecurity efforts block 2.5 million web browser attacks, 179.5 million HTTP-based attacks and 5.2 million intrusions.

The Michigan State Police (MSP) had been involved in computer crimes since 1999 but moved to a formal

approach in 2013. When former Gov. Rick Snyder called for an initiative to increase Michigan's cybersecurity heft, the Michigan Cyber Command Center was born, dubbed MC3 for short. Operated through the MSP, the center investigates network breaches and hacks while also providing free training to businesses, local governments and other organizations.

Townships with an information technology staff might already be well-positioned to keep cyber criminals at bay. Others without that ability might see cyber protection as a luxury they can't afford.

"They don't have the big bucks that some of these big corporations have to invest in putting together a fancy system and processes," said Jennifer Puplava, attorney at Mika Meyers PLC. "There's a tension there, because the information is really important, and there are ways to protect it, but municipal employees are becoming more aware that something needs to be done. That's a great first step."

What's at risk?

No matter how big or small, every township has something hackers want: information. As more services go online, local governments increasingly store personal information on their taxpayers, such as names, addresses and possibly even Social Security numbers. This data is a major prize for criminals hoping that a person's information is the key to their bank account. Some townships have customer payment information, from residents paying their taxes or utility bills. Even seemingly harmless information, such as a taxpayer's occupation or former address, can be used by a hacker to gain trust from the individual in a future hacking attempt.

While stealing Social Security numbers won't impact your township's day-to-day operations, it's a breach of public trust. Members of the public count on your township to guard their identities and keep them out of the hands of hackers. A data breach can seriously damage the public's faith in your township.

"They need to recognize that citizens are relying on them to do what is needed to protect their information," Puplava said.

The majority of hackers tracked by the MC3 are working in foreign countries, where U.S. laws don't apply to them and Michigan police can't reach them. They aren't the scary men in ski masks you might see in commercials for companies angling to protect your personal information. Unfortunately, a hacker can be anyone connected to the internet who does a little research.

Many times, hackers are interested in personal information about your taxpayers. They could even learn about an upcoming contract and pose as a company to trick the township into sending them money.

Common threats

Phishing emails are one of the most common ways criminals hack into computer networks, MSP Information Technology Specialist Luke Thelen said. Most people have received some sort of scam email posing as someone trustworthy attempting to gain critical information, whether through their personal or business account. Today's threats have evolved past the easy-to-spot emails from a "Nigerian prince" asking for money. Cybercriminals often pose as well-known companies alerting recipients that they need to change their password or provide sensitive information. Some scroll through online employee lists and send emails targeting specific employees, using personal information to convince the employee it's safe to provide information. They might even impersonate someone you know and do business with.

Even if every employee resists the bait of phishing emails, your network can still be compromised by point-of-sale programs or other contracted entities your township counts on to make its daily operations easier.

A common threat is ransomware, a type of malicious software that locks the owner out of a computer network until a ransom is paid. It's the type of attack used in well-known breaches such as Atlanta and Baltimore, but it's even been used to target individual computer users.

“Think about all the sensitive information we have in the township. What if somebody were to hack people’s tax bills and get information about people’s identities? It’s kind of scary.”

**—Paul Pirrone, Supervisor
Bedford Township (Monroe Co.)**

A breach might not mean your entire network is crippled. Hackers also target electronic fund transfers (EFT), duping a user into transferring money to a fraudulent account.

Bedford Township (Monroe Co.) could easily have been the victim of a breach—Supervisor **Paul Pirrone** knows the township's cybersecurity system has stopped several in their tracks.

Bedford Township doesn't take cybersecurity lightly. With the help of an information technology company, the township has prevented several hacks that easily could have allowed criminals to access taxpayer information. Securing township information isn't a one-time fix—Bedford Township makes sure its security system is continually updated to address new threats.

While cybersecurity has always been important to the township, it took on a new weight when Pirrone was approached by a resident interested in forming a cybersecurity hub in the township. He saw the growing threat as an opportunity for young people to receive training and secure jobs fighting hackers and breaches. The more Pirrone learned about cybersecurity while helping to get the hub off the ground, the more he took it seriously.

“You think about all the sensitive information we have in the township,” he said. “What if somebody were to hack people’s tax bills and get information about people’s identities? It’s kind of scary.”

First steps

Before you can protect your data, you need to know what you have. Do you have only employee data, or do you also have residents' Social Security numbers? Townships should make an inventory of everything they have in place.

Then, analyze your data for its importance to township operations. What would happen if the data was encrypted and could not be accessed? Think through how critical it is that your township access that information.

You'll also need a list of your township's IT assets—in other words, its computers, copiers, phones and any place data is transmitted or stored. Then, take a step back. What are your risks, and what can you do to protect it?

“Unless you're a highly regulated institution, there isn't a law that tells you how to protect things,” Puplava said. “You have the flexibility as a local government unit to look at what you have to say, ‘What would be a reasonable thing to do, and what can we afford to do to protect all of these assets?’ That is often different for every municipality.”

Protect yourself

At a minimum, every township, whether it has two computers or 200, needs two layers of protection, Weadock said. First, township networks need up-to-date firewalls to stop cryptoviruses from encrypting your files—often the result of clicking on a bad link from a phishing email. Then, each computer, tablet or cellphone needs antivirus software that searches for and stops viruses in their tracks if they make it past the firewall. They're also designed to attack viruses spread from an infected USB key.

Whatever brand of protection you choose to use, Weadock recommends taking a multi-brand approach. If a hacker knows how to break past one vendor's system, they might not be familiar with the other.

“It's sort of like having two different types of locks,” Weadock said. “If somebody can break into one, they might not be able to break into the other.”

Once your data is protected, make sure it's backed up so you can access it in case of an emergency. Storing it on another server is an option, as well as the cloud—it just needs to be a place you can get to quickly.

Don't just assume your layers of protection are working. Whether you use a cybersecurity vendor or have an



No matter how big or small, every township has something hackers want: information. As more services go online, local governments increasingly store personal information on their taxpayers, such as names, addresses and possibly even Social Security numbers.

information technology staff, have someone test your defenses each year at a minimum. They can also conduct a phishing test, where they send a fake email to township employees and compile a report on who clicked on the bad link. Then, those employees are sent for further training.

Weadock also recommends running a system recovery test, where your township recreates its network with its backup data. He compares the practice to a fire drill. The last thing you want is to discover you don't have what you need when a crisis strikes.

The human element

The single greatest threat to your township's cybersecurity could be the humans on its network.

A rushed work environment is the perfect breeding ground for even the most conscientious officials and employees to click on links in phishing emails. The need for speed may push an otherwise careful employee to break with the policy to call the other party before transferring money. That split-second decision in the name of efficiency could ultimately result in a data breach.

"We're all expected to move and work so fast, so that we inadvertently become a little more careless with how we do things," Thelen said. "Instead of paying attention to that email, we instantly click the link to see what's there just because we've got to get things done, and we may falter that way."

Experts peg a lack of training as one of the biggest mistakes townships make when it comes to cybersecurity. Every employee, official or anyone with access to the township's network needs to understand the warning signs of a phishing email and what to do if they receive one. All it takes is one person to click on one malicious link for the entire system to be compromised, MSP D/Sgt. Matt McLalin said.

MSP D/Lt. Aric Dowling recommends regular, re-occurring training to keep employees up to date on the latest trends and new developments in the cyber world. MC3 offers free training and other resources, and MTA periodically offers cybersecurity workshops, including at the upcoming MTA Annual Conference. You don't need to wait to get hacked to reach out. MC3 offers cyber assessments and offers advice before anything bad happens.

We were hacked! Now what?

A cybersecurity breach is not the time to take a do-it-yourself approach, Weadock said. First, unplug the infected computer—and if it's a laptop, turn it off. If the virus has already spread to the server, unplug it. Then, call a professional immediately. Now isn't the time to try to handle the situation yourself.

Every township needs a procedure in place in case of a breach. Every employee and official should know what to do with their machine and who to contact. If your township is large enough, each computer or group of computers should have the ability to be cut off from the network so that the malware doesn't spread to everyone. This ensures that your township isn't brought to its knees with one phishing email.

"It is constantly evolving," Dowling said. "These criminals are constantly evolving their tactics. One of our missions is to help Michigan be more secure. Our team is constantly taking phone calls and investigating hacks all over Michigan."

Spotting a phishing email

Even the best filters won't stop every possible attack. Anyone with an email address must stay vigilant and keep an eye out for suspicious emails. Cyber criminals are creative and often design their emails to look official. Emails that look legitimate on the surface might have spelling or grammar errors when read closely. Check the sender's email address—a fake address might have one incorrect letter separating it from a legitimate sender. For example, a hacker posing as a government official might have an address ending with "michigann.gov" instead of "michigan.gov."

Any email asking for a financial transaction should be viewed with suspicion. Don't automatically transfer the money—call the sender instead. Make sure you look up the phone number yourself or use a number you have on record rather than calling the number listed in the email. Hackers have been known to list a fake number and vouch for themselves when called, Dowling said. And whatever you do, don't just hit reply. If you do converse with the sender and

receive an angry response pressuring you to take action, it's typically sign that you're dealing with a hacker.

When you receive an email asking you to change a password or update other personal information, don't click the link. Use your internet browser to visit the website yourself and log in. Then, if the legitimate website prompts you to update the information, you can do so with confidence. Weadock recommends holding your cursor over the link in the email, right clicking to copy the link and pasting it into a word processing document. Chances are, if the link isn't legitimate, you'll see red flags, such as misspelled words or long, complicated URLs.

Some phishing emails can appear to come from a friend or colleague in your email contacts. Criminals are known to hack into email accounts and send links to everyone in that person's address book. If you receive an email that contains nothing but a link, don't click on it—report it.

If you open a phishing email, don't panic. Simply viewing a fraudulent link on an email or on a social networking website doesn't put you at risk, as long as you don't click on it.

"Whether it's social media or a news story that peaks people's interest, that's what will increase the chance of a breach, but it's a moving target," Thelen said. "If you try to block those things on the fly, you're going to be playing whack-a-mole. It's very inefficient."

Phishing emails are the easiest way to break into a network, but they're not the only way, Thelen said. A determined hacker can still break into your server without anyone clicking a link. Thelen has also seen breaches resulting from someone finding a USB flash drive and plugging it into their computer.

Change your password

Township employees should regularly change their passwords—after all, hackers still break into systems by guessing a user's password. Weadock recommends setting up your township's system to require users to change their password every three months. Don't just keep the same password and change a number or character at the end. That's too easy to guess. Pick a brand-new password.

Passwords as you know them are on their way out—passphrases are the future, Thelen said, and the longer, the better. The traditional eight-character password with an uppercase and lowercase letter isn't secure, and a random jumble of numbers and letters is too difficult to remember. Thelen recommends thinking of a phrase and jamming the words together into one easy-to-remember passphrase that's difficult for criminals to guess.

Then, when it's time to update your password, pick a different phrase to keep your account secure. Dowling discourages the common practice of keeping your password but tacking a number on the end.

Experts also urge taking advantage of two-step authentication, which is available through many email servers, banking websites and other pages. While waiting for a code to be sent to your phone might require a moment or two of waiting, the result will be added protection to your online information.

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Not just an IT issue

As townships rethink their cybersecurity, Puplava urges them to stop putting the issue in the IT box. Cybersecurity goes far beyond computers and phones—it should be part of your township’s planning. Chances are, your township will experience a breach sooner or later. The time to plan is now, not when you’re scrambling to recover your data.

While the best solution likely isn’t free, Weadock points to the cost of inaction. If your network is hacked, how much would it cost to recover? The cost of investing today is far less than the benefit of protecting your township.



Bethany Mauger,
MTA Staff Writer

Learn more about cybersecurity and what your township needs to know to protect itself at MTA’s 2019 Annual Educational Conference, held April 1-4, at DeVos Place in Grand Rapids. Among the 60-plus educational sessions held during the event will be “Data and Cybersecurity,” slated for 2:45 to 4 p.m. on Tuesday,

April 2, and taught by Attorney Jennifer Puplava, with Mika Meyers, PLC. Turn to pages 16-20 to learn more about the Conference, or visit www.michigantownships.org for more information or to register online.

63

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Introduction to Planning & Zoning

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

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

Registration and dinner begin at 4 p.m.; class is held from 5 to 8 p.m.

Dates and locations are:

May 16: Ramada Inn, 2650 South I-75 Business Loop, Grayling, (989) 710-2399

May 23: The Shack Country Inn & Conference Center, 2263 W. 14th St., White Cloud, (231) 924-6683

May 30: Holiday Inn, 2696 Bob McClain Dr., Jackson, (517) 789-9600

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

Discounted book package available: Participants can pre-purchase MTA's Planning & Zoning Book Package, which includes *The Township Guide to Planning & Zoning* and *Planning & Zoning Decision-making*, for \$72. The *Township Guide to Planning & Zoning* provides a detailed look at the planning process and outlines elements of a successful planning program, while *Planning & Zoning Decision-making* aims to help planning and zoning officials reach defensible, effective decisions and build a strong community based on sound planning principles and procedures. Books will be distributed at check-in. A limited number of publications will also be available to purchase on-site while supplies last.

Cancellation, Substitution & Switching Policy: Written cancellation requests received at the MTA office by May 2 will receive a full refund. No refunds will be issued thereafter. You may switch workshop locations at no charge if you notify MTA of the change at least one week prior to the workshop; otherwise, a \$25/person fee will be assessed. You may substitute another individual from your township without incurring a charge; please notify MTA of the change.



Introduction to P&Z Registration Form

_____	_____
Township	County
_____	_____
Telephone	Email

Name & Title	Purchase P&Z book package? <input type="checkbox"/> Yes <input type="checkbox"/> No

Name & Title	Purchase P&Z book package? <input type="checkbox"/> Yes <input type="checkbox"/> No

Name & Title	Purchase P&Z book package? <input type="checkbox"/> Yes <input type="checkbox"/> No

Name & Title	Purchase P&Z book package? <input type="checkbox"/> Yes <input type="checkbox"/> No

Which location will you attend?

- May 16:** Ramada Inn, Grayling
- May 23:** The Shack, White Cloud
- May 30:** Holiday Inn, Jackson

REGULAR rate*: \$113 For paid registrations received after May 2.

EARLY-BIRD rate*: \$91 For paid registrations received by May 2.

_____ (# registered) x \$ _____ (rate*) = \$ _____

_____ (# of book packages) x (\$72/package*) = \$ _____

AMOUNT ENCLOSED = \$ _____

*Rate applies to MTA members. Non-members, call for rates.

Save time, register online!
www.michigantownships.org

NOTE: Payment must accompany form in order to be processed.	
<input type="checkbox"/> Check enclosed (payable to MTA)	
<input type="checkbox"/> Charge to: (circle one) MasterCard VISA	
_____ - _____ - _____	_____ / _____
Card #	Expires
Print Card Holder's Name	Signature



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



Q Our auditor informed us that it is not sufficient to simply adopt the budget before we begin spending the money. Can you clarify this?

The Uniform Budgeting and Accounting Act requires not only the approval of the budget, but also the actual appropriation of the amounts budgeted before any expenditure can lawfully take place. (MCL 141.436)

To adopt the budget, the township board must pass by roll call vote a budget resolution known as the general appropriations act for the general fund and all special revenue funds. The general appropriations act must include the amounts appropriated by the township board to defray expenditures and meet liabilities for the ensuing fiscal year, plus a statement of estimated revenues, by source, in each fund for the ensuing fiscal year.

Q Toward the end of the fiscal year, our township board reviews all of the township's cost centers. If a cost center has exceeded its budget during the year, we prepare a budget amendment to correct the situation. Our auditor informed us that it is not proper to wait until year-end to make budget amendments. Is this correct?

Yes, your auditor is correct. The Uniform Budgeting and Accounting Act requires the township board to prepare a budget amendment as soon as it becomes apparent that a deviation from the original budget is necessary and the amount can be determined. The amendment must indicate each intended alteration in the purpose of each appropriation item affected by the amendment. (MCL 141.437)

Q Some of our cost centers have expenditure needs over the amounts budgeted for them. Do we need to have unused amounts in a contingency cost center to amend the budget?

While many townships budget an amount in a contingency cost center, that is not the only resource available for a budget amendment. Amounts can also be transferred from a cost center that has expenditures significantly below the amounts budgeted.

In addition, when revenues appear to be coming in significantly higher in a particular category, the overall integrity of the original budget can be maintained by amending both the specific budgeted revenue as well as the cost center appropriation with a pending overexpenditure.

Finally, a cost center expenditure budget can be amended by reducing the fund balance expected to be carried forward to the subsequent fiscal year.

Q Are enterprise funds required to have an annual budget?

State law does not require annual budgets for enterprise, internal service, debt service and capital project funds. However, townships may have ordinances that require budgets for all township funds. Additionally, townships with enterprise funds should consider adopting operating and capital budgets to help with rate setting and long-term planning.

Q We are a charter township with a December fiscal year-end. When do we have to adopt our annual budget?

Charter townships have the following timetables relative to budget adoption:

- 150 days prior to year-end, township officers/department heads submit budgets to township supervisor. (MCL 42.24)
- The supervisor prepares a complete itemized budget proposal and submits it to the township board not later than 120 days prior to the commencement of the fiscal year. (MCL 42.24)
- The public hearing on the proposed budget shall be held not later than Dec. 15 and adopted not later than Dec. 31, in the year preceding the calendar year covered by the budget. (MCL 42.27)

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.

aroundthe**state**

townships in the spotlight



Berlin Charter Township (Monroe Co.) was formerly a part of **Ash Township**, which formed in 1837 out of **Frenchtown Township** and became an independent township in 1867.



The township, with a population of more than 9,200 as of the 2010 Census, is classified as part of the Metro Detroit region. The Detroit River Light is within the township's water boundaries, although the lighthouse station is under the jurisdiction of the U.S. Coast Guard. The Jefferson Avenue-Huron River Bridge spans the Huron River, connecting the township to **Brownstown Charter Township** (Wayne Co.).

The village of Estral Beach and South Rockwood are located within in the township. Estral Beach is in the southeastern-most portion of the township along Lake Erie. South Rockwood, the largest community in the township,

is in the northern portion bordering Wayne County. Newport is an unincorporated area in the southwest portion of the township with no legal boundaries or demographic statistics of its own.



The township celebrated its sesquicentennial two years ago. As the township board is constantly looking for toward the future, the board is very supportive of two residents who formed a nonprofit historical society to maintain and preserve area history from the past 150 years. The society gathers historical documents, photos, and other township artifacts and memorabilia to preserve them for future generations.

The township board worked closely with the society to find community members who were interested in joining the society and preserving local history. "The more the merrier" is the idea behind growing the society. The more photos, artifacts, documents and people helping, the more of the history of the township can be promoted.

The historical society has been actively engaging the community. Recently, it held its first fundraiser at a craft show, selling ornaments to help fund future preservation projects. The society promoted awareness of township history at a local festival, and encouraged community members to submit potential titles and historical stories for the newsletter.



2019 MTA proposed policy platform

As adopted by delegates at MTA's Annual Meeting, April 4, 2019, at DeVos Place in Grand Rapids, these proposed policies will become the platform from which legislation is sought in the coming year.

Purpose

The Michigan Townships Association Policy Platform is a member-adopted plan that identifies the Association's primary legislative policy objectives. It provides broad policy guidance to the MTA Board of Directors and staff in responding to legislation in a manner that reflects the values and preferences of the MTA membership. It offers instruction as to the issues that the membership desires the Association to bring to the attention of policymakers and for which the Association is to effectively advocate. The Policy Platform also identifies positions on issues that the Association's membership pledges its active support, including engaging in grassroots advocacy consistent with the Policy Platform objectives.

The legislative process requires compromise and accommodations to alternative perspectives. As such, the Association will pursue legislative outcomes that most closely achieve the spirit and intent of the Policy Platform, but cannot be bound to premise its position on the precise wording of its Policy Platform.

The Policy Platform delineates issues into six broad issue areas:

- Assessment and Taxation
- Elections
- Environment and Land Use
- Intergovernmental Relations
- Township Operations
- Transportation and Infrastructure

The issues addressed in a particular subject area may have implications for issues addressed in other subject areas and should be interpreted such that the broad policy objectives of all affected areas are accomplished.

MTA Annual Meeting Deliberation and Adoption Process

Member officials are strongly encouraged to review the Policy Platform prior to the MTA Annual Meeting and, if they have questions regarding the purpose or intent of any of the specific policy objectives, to attend the *What's New in the Proposed MTA Policy Platform* session on Wednesday, April 3 from 1:30 to 2:45 p.m. in Grand Gallery Overlook E/F (Upper Meeting Level).

The MTA president will present the Policy Platform, focusing discussion and deliberation on the policy objectives in each of the six policy areas. Following discussion, debate and potential amendments, a vote will be taken to adopt a resolution of support for the entire Policy Platform. Amendments may include striking (removing) a policy objective. If a policy objective is removed from the Policy Platform at the Annual Meeting, it will be construed by the Board of Directors that it is the membership's intent that MTA refrain from engaging in any advocacy regarding that particular objective.

Amendments. Members who desire to amend a policy will be required to do so in a manner consistent with *Robert's Rules of Order (RONR (11th ed.)* section 12, pages 130-162). Amendments are permitted to any policy submitted at the Annual Meeting provided the purpose of the original policy remains unaltered. (MTA Bylaws, Article IV. C.3)

Amendments can take one of three forms:

- **Add content.** This is accomplished by the following: *"I move to amend the proposed policy by adding the words ' _____ ' to the policy objective beginning with the words ' _____ ' in the section under current consideration."* The president will ask for a second, which is required for the amendment to be discussed, and will restate the policy objective with the new wording. After restating the amendment, the president will ask for debate on the amendment. One secondary amendment, on the new language under consideration only, is in order. Once debate has finished, the president will ask for a vote. If a majority of the membership votes in favor of the amendment, the wording of the original policy objective is changed accordingly.
- **Substitute content.** This is accomplished by the following: *"I move to amend the proposed policy by substituting the words ' _____ ' for the words ' _____ ' to the policy objective beginning with the words ' _____ ' in the section under current consideration."* The same procedures that apply to adding content apply to substituting content.
- **Strike content, including eliminating an entire policy objective.** This is accomplished by the following: *"I move to amend the proposed policy by striking the words ' _____ ' to the policy objective beginning with the words ' _____ ' in the section under current consideration."* If the intent is to strike the policy objective entirely, the proper amendment would be, *"I move to amend the proposed policy by striking the policy objective beginning with the words ' _____ ' in the section under current consideration."* The same procedures that apply to adding and substituting content apply to striking content. If an entire policy objective is struck (removed), the Association will not advocate for that objective.

Added and substitute content must be in compliance with the MTA Bylaws, Article IV. C.1 and 2, such that it is germane to the purpose of the original policy and does not constitute a new purpose to the policy.

Robert's Rules of Order Regarding 'Tabling' a Motion (properly referred to as 'Lay on the Table')

The motion to "lay on the table" enables the Annual Meeting to lay the pending question aside temporarily, when something else of immediate urgency has arisen. It is in order if the intention is to resume deliberations after the urgent issue has been resolved, but "... is out of order if the evident intent is to kill or avoid dealing with a measure." (*Ibid*, section 17, pages 206-207) It can be applied to a main motion, such as the adoption of the entire Policy Platform, but cannot be applied to a specific policy objective of the Policy Platform. (*Ibid*, page 208) A motion to table must be seconded and is not debatable. If adopted, a motion to take from the table would be in order at any time. (*Ibid*, section 17, pages 209-210)

Policies from the Floor. Pursuant to the MTA Bylaws, Article IV. C.2.a-c, policies from the floor shall be submitted to the MTA Headquarters Room not later than 12:00 noon the day prior to the Annual Meeting. The Legislative Policy Platform Committee shall review the wording and legality of such policies. No policy shall be accepted from the floor unless a petition signed by at least one hundred (100) registered delegates to the Conference accompanies the policy. The policy sponsor shall furnish sufficient copies of the policy to be distributed to all delegates at the beginning of the Annual Meeting.

Special Rules. The Board of Directors submits to the Annual Meeting the following special rules, pursuant to *Robert's Rules of Order (RONR (11th ed.))*, section 2, pages 15-17):

- There is a time limit of three minutes per delegate on debatable issues the first time that a delegate addresses the Annual Meeting membership on an issue, and one-and-a-half minutes the second time that a delegate addresses the Annual Meeting on the same issue.
- The chair shall have discretion in further limiting the time of debate considering the overall limitation of time.

Vision Statement

The Michigan Townships Association envisions a 21st Century Michigan where:

- Townships have statutory authority and state financial support sufficient to provide high quality services and infrastructure consistent with community needs and expectations, and to enable full compliance with ever-expanding state-imposed mandates without cutting local spending priorities
- Elections are accurate, fair and a high percentage of registered voters participate
- Townships are valued and respected for solving local and regional challenges through visionary, ethical leadership and collaboration

- Natural resources are developed from townships in a manner consistent with township regulations that protect public safety and property values
- There is clarity of roles and responsibilities among township officials essential for efficient and effective services to the public
- Townships retain authority to protect and regulate the public rights-of-way and other land uses in the interest of the public
- State laws recognize that township officials are elected by and accountable to their residents for the township's governance, financial position, programs and services consistent with community values

Assessment and Taxation

The Michigan Townships Association supports property tax fairness, equity, and efficient assessment and collection by public servants who are accountable to township officials to ensure public trust and locally accessible information and assistance. Valuation should be based on sound assessing principles. Local governments should be reimbursed by the state for property tax revenues lost due to statutory exemptions. State government should provide local governments with education and technical support to develop and defend their assessment rolls.

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

- Valuation of big box stores should be determined using the same assessing methodology as other commercial properties and prohibit the consideration of private deed restrictions or covenants imposed to reduce the value of the property or exclude competitors of the grantor from the market
- Oppose expansion of property tax exemptions and support the state assuming administration and funding of disabled veteran's property tax exemption
- Raise the current charter township 10 mill tax limitation to allow charter townships, with voter approval, to address legacy costs, meet demands for expanding services, and offset millage rollback requirements
- Recodify Michigan township statutes to include clarification that assessors are accountable to the township board when the supervisor is not certified to perform assessing functions
- Increase the specific tax on mobile homes located in licensed parks and levy fees on park owner rather than individual occupied dwelling owners
- Exempt minimal personal property tax obligations resulting from minor property improvements on mobile home lots such as small decks, stairs and porches

proposed MTA policy platform

Elections

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

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

- Preserve authority of townships to convey information on ballot proposals to their residents
- Preserve the authority of townships to place millage and bond proposals before voters at any election

Environment and Land Use

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

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

- Statewide septic system maintenance standards to reduce septic system failures that create serious public health threats and expose townships to being required to build expensive public sewer systems
- Preserve landfill capacities by directing appropriate materials to waste utilization facilities and support an increase in the state tipping fee to a rate competitive with other states
- Preserve local authority on zoning issues that are strictly local in nature
- Increased funding for state environmental protection programs to address issues such as brownfield redevelopment, water contamination threats and invasive species

Intergovernmental Relations

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

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

- State laws should allow township officials to solve local issues in a manner consistent with local values, priorities, and needs rather than impose a one-size-fits-all approach
- Full funding to townships for payments-in-lieu-of-taxes, commercial forest program and the swamp tax program
- Expand the number of townships eligible for statutory revenue sharing and grants
- A local government consolidation process that continues to require voter approval

Township Operations

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

- Modernizing state laws to clarify the governance role of township boards to establish policy direction for townships
- Appropriate, cost-effective training requirements for township planning commissioners, and zoning board of appeal members to reduce costly lawsuits and improve township decision-making by key appointed boards
- Authority for township board to change township name with voter approval

- Authority for township to create special assessment districts for the eradication and control of vermin, including but not limited to mosquitos, moths, ash borers, and rodents
- Granting township supervisors discretionary authority to perform marriages

Transportation and Infrastructure

The Michigan Townships Association concludes that Michigan’s road system will continue to require more funding than is currently anticipated in law to ensure that county primary and local roads are safe and convenient for travel. As townships are major financial contributors to road maintenance and construction costs, the Michigan Townships Association supports the inclusion of township officials in transportation policy discussions at all government levels. Michigan has also under-invested in other infrastructure necessary to remain economically competitive and protect the health, safety and general welfare of residents. The Michigan Townships Association supports the State of Michigan working with

township officials in planning, funding and delivering infrastructure needed by every community to be economically viable and free of environmental threats and risks.

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

- Additional funding above current statutory levels for primary and local roads and increased state funding for water, sewer and communications infrastructure
- Allow townships to create special assessment districts for high-speed internet
- Expand township special assessment authority to include replacement of privately-owned sewer leads
- Encourage county road commissions or departments to provide matching funds for township road construction and maintenance projects to be spent at the township’s discretion

proposed amendments to MTA’s articles of incorporation

The MTA Board of Directors recommends the following amendments to the Association’s Articles of Incorporation, pursuant to the Michigan Nonprofit Corporation Act (Public Act 162 of 1982), for the purpose of indemnifying the members of the MTA Board. The amendments will be presented to delegates for adoption at the MTA Annual Meeting, held April 4 in Grand Rapids.

Amendments to the Michigan Townships Association Articles of Incorporation to add the following:

ARTICLE X

A director or volunteer officer shall not have any liability to the corporation or its members for money damages for any action taken or any failure to take action as a director or volunteer officer, except liability for any of the following:

1. The amount of a financial benefit received by a director or volunteer officer to which he or she is not entitled.
2. Intentional infliction of harm on the corporation.
3. A violation of section 551 of the Michigan Business Act.
4. An intentional criminal act.
5. A liability imposed under section 497(a) of the Michigan Business Corporation Act.

ARTICLE XI

The corporation assumes the liability for all acts or omissions of a volunteer if all of the following conditions are met:

1. The volunteer was acting or reasonably believed he or she was acting within the scope of his or her authority.
2. The volunteer was acting in good faith.
3. The volunteer’s conduct did not amount to gross negligence or willful and wanton misconduct.
4. The volunteer’s conduct was not an intentional tort.
5. The volunteer’s conduct was not a tort arising out of the ownership, maintenance, or use of a motor vehicle for which tort liability may be imposed under section 3135 of the Insurance Code of 1956, 1956 PA 218, MCL 500.3135.

proposed MTA bylaw amendments

The MTA Board of Directors adopted various amendments to the MTA bylaws at its Dec. 7, 2018, meeting. Pursuant to Article XI of the MTA bylaws, bylaw amendments may be made by the board of directors subject to the right of the voting membership at the next Annual Meeting to reject the same by a majority vote of the membership present and voting on the same. This notice is given pursuant to MTA Bylaw Article XI, that provides that the Board shall give written notice to each township official member of any such bylaw amendment not less than 10 days prior to the next following Annual Meeting of the Association.

Bylaw amendment overview

- **Article IV—MEETINGS (Section H) and Article V—OFFICERS Section B.** Alignment of Annual Meeting rules with state statute.
- **Article V—OFFICERS (Section F.a.) and Article VI—BOARD OF DIRECTORS (Sections C and I) and Article VII—COMMITTEES (Sections A.1.a and 4.a-b.) and Article VII—COMMITTEES (Sections A.1 and 4.a-b.)** Replace current Nominating Committee with a Leadership Development Committee authorized to recommend the Executive Committee member at-large to the Board of Directors (*instead of the current process initiated by the incoming president, selected by the Executive Committee and approved by the Board of Directors*). The new committee's membership is prescribed and would also have the responsibility to recommend the officers to be nominated by the Board of Directors to the Annual Meeting of the membership and be required to use a merit-based selection process.
- **Article VI—BOARD OF DIRECTORS (Section A.1.)** Eliminates language in conflict with subsection 3 that provides that officers, except the president, simultaneously serve as district directors.
- **Article VI—BOARD OF DIRECTORS (Section F. Caucus Rule 1.a)** Eliminates reference to Annual Educational Conference Committee.
- **Article VI—BOARD OF DIRECTORS (Section F. Caucus Rule 1.c)** Allows for a member of the Board of Directors to serve as the temporary chair of a caucus in the absence of a Board member from that caucus.
- **Article VI—BOARD OF DIRECTORS (Section F. Caucus Rule 3.b)** Eliminates reference to District Meetings and suggestion that persons interested in being candidates for the Board of Directors announce their intentions.
- **Article VI—BOARD OF DIRECTORS (Section G.1)** Adds "regional" to meetings at which a special caucus can be held to fill a vacancy on the Board of Directors.
- **Article VI—BOARD OF DIRECTORS (Section G.3)** Clarifies that a person elected at a special caucus held at either a regional meeting or the Annual Educational Conference serves for the remainder of the term.
- **Article VI—BOARD OF DIRECTORS (Section I)** Removes current provision that at-large member is elected at the organizational meeting. The intent is for this position to be approved by the Board of Directors at the regular meeting immediately preceding the organizational meeting.
- **Article VI—BOARD OF DIRECTORS (Section O.3)** Aligns the procedure to remove a Board member with state law.
- **Article VII—COMMITTEES (Section B)** Adds "task forces" to ad hoc committees that may be created by the Board of Directors.

ARTICLE IV—MEETINGS

H. Notice. Notice of the Annual Meeting, or special meetings of the Association, shall be given by first class mail, or by electronic transmission as defined by MCL 450.2106, to each township official member as per the latest official mailing list on file at the MTA Headquarters not less than ten (10) nor more than sixty (60) days prior to the date of such meeting or conference. Notice of special meetings shall indicate briefly the object or objects thereof and no action shall be valid at any special meeting unless the object of the meeting has been stated in the notice. At the Annual Meeting, any subject appropriate to the purpose of the Association may be considered, provided that prior notice of such business has been given to the Board of Directors at least 150 days prior to the Annual Meeting. Any such proposed business at the Annual Meeting shall be noticed to the membership in the same manner as legislative policies provided for in Article IV.C.1. The Annual Meeting advance notice requirements for proposed business may be waived by the consent of ~~two-thirds (2/3)~~ A MAJORITY of the members present at the Annual Meeting.

ARTICLE V—OFFICERS

B. President. The President shall BE THE CHAIRMAN OF ~~preside over~~ all the meetings of the Board of Directors and of the members and shall be responsible for the integrity of the Association's governance. THE PRESIDENT and shall see that all orders and resolutions of the Board are carried into effect, shall serve as Chairman of the Executive Committee, and shall be ex-officio member of all standing and special committees; and shall appoint all standing and special committee members subject to the approval of the Board of Directors.

F. Nomination of Officers. At each Annual Meeting, nominations for each of the offices of the Association shall be made by the ~~Nominating Committee~~ of the Board of Directors. Additional nominations shall also be accepted from the floor at the meeting. The LEADERSHIP DEVELOPMENT committee shall submit its report for review and approval at the regular board meeting immediately prior to the Association annual meeting.

a. At such time as a director has been nominated to the office of President by the BOARD OF DIRECTORS ~~Nominating Committee~~, the nominee's district shall hold a caucus prior to the Annual Meeting to elect a new director.

b. In the event that a qualified director, other than a director nominated by the ~~nominating committee~~ BOARD OF DIRECTORS, is elected President, the person elected by the caucus to fill the vacancy created by said nomination shall be seated as the district director. A person elected as a district director to replace a sitting President shall remain on the Board through the remainder of the current four-year term for district directors.

G. Vacancies on the Executive Committee and Order of Succession.

In the case of removal of the President from office or the President's death, resignation, or disqualification, the Vice Presidents shall move up in order. When a resulting vacancy occurs in any other office, as established above, or in the At Large Member position on the Executive Committee, the Executive Committee shall select a qualified Board member to fill the vacancy, with the approval of the Board of Directors, from a list of three (3) candidates submitted by the President.

ARTICLE VI—BOARD OF DIRECTORS

A. Number and Term. The affairs of this Association shall be governed by a Board of Directors composed of:

- 1. One or more District Directors elected from each of the MTA Districts of the State of Michigan as established by the Board, except for THE District represented by an THE PRESIDENT. Officer.

C. Immediate Past President. The President shall qualify for the office of Immediate Past President upon the expiration of the term in the office of President. The term of this office shall not exceed one year and the Immediate Past President shall be a member of the LEADERSHIP DEVELOPMENT Nominating Committee during such year. Full and complete voting rights shall be enjoyed while serving as Immediate Past President.

D. Past President. The Immediate Past President, upon the expiration of the term in office as Immediate Past President, shall assume the position of Past President for a term of three (3) years. Full voting rights shall be enjoyed while serving as Past President. A position of Past President shall terminate if the Past President is not a township official member.

CAUCUS RULE 1.

a. Caucus Meetings. District Caucus Meetings shall be held DURING THE ANNUAL EDUCATIONAL CONFERENCE for the purpose of electing the director(s) of MTA Districts, except for districts represented by an Officer who will continue to represent his or her respective district during his or her tenure as an officer. Said meetings shall be held during the Annual Educational Conference of MTA; schedules and facilities shall be arranged by the Annual Educational Conference Committee of the MTA Board of Directors.

c. Temporary Chairperson. The director of a single-director district or the director who has served the most time on the Board of Directors of a multiple-director district shall call the caucus to order. In the event that two or more directors have served an equal amount of time on the Board of Directors, the director with the most time as a township board member shall preside. In the absence of a director, any person of the caucus OR MEMBER OF THE BOARD OF DIRECTORS may serve as Temporary Chairperson.

CAUCUS RULE 3

b. Announcement of Candidacy. Since nominations for the position of Director can be made from the floor at caucus meetings called for such purpose, there can be no requirements for prior announcement of candidacy. However, it is suggested that qualified persons interested in being a candidate for Director make their intentions known at the Annual District Meeting sponsored by the Michigan Townships Association.

G. District Director Vacancies

1. At the discretion of the President, vacancies in district director positions on the Board of Directors may be filled by appointment made by the remaining directors, or by a SPECIAL caucus held at the next district OR REGIONAL meeting held in OR NEAR the district where the vacancy occurred, or at the next Annual Educational Conference.

3. When a vacancy is filled by appointment by the Board, the person appointed shall serve until a successor is elected at a caucus held at the next Annual Educational Conference. A person elected at a special caucus held at a district meeting or Annual Educational Convention shall serve through the remainder of the term.

I. Organization Meeting of the Board. The Board of Directors, as constituted upon final adjournment of the Annual Meeting of the Association, shall convene forthwith for the purpose of organizing and transacting any other business properly brought before it, including approval of the Executive Committee at-large member recommended by the Executive Committee pursuant to Article VII.A.1.A.

O. Powers of the Board.

3. Removal of a Member of the Board of Directors.

A. A member of the Board of Directors who serves as a member of the Board of Directors or as an Officer of any other organization connected with or supported by other local units or agencies of government which have goals or purposes in conflict and/or in competition with the goals and purposes of MTA may be removed from the Board of Directors. A member of the Board of Directors may also be removed from the Board of Directors for willful misfeasance, malfeasance or nonfeasance related to performance of Association duties. Removal of a member of the Board of Directors pursuant to this paragraph shall require an affirmative vote of a majority of the Board of Directors present and voting.

B. A member of the Board of Directors may be removed from the Board of Directors for failure to comply with a policy or policies duly adopted by the Board of Directors, or for failure to comply with other explicit directive(s) of the Board of Directors. Removal of a member of the Board of Directors pursuant to this paragraph shall require a two-thirds affirmative vote of the Board of Directors present and voting.

proposed MTA bylaw amendments

~~6. Removal of a member of the Board of Directors pursuant to Paragraphs A or B of this section may be initiated by any member of the Board of Directors upon filing of a written challenge to the President. Written notice shall be given to the Director in question and other members of the Board that the business of the next meeting will include the question of removal. No removal question shall be considered by the Board of Directors until it has been reviewed by the Executive Committee and a report filed with the Secretary of the Board within sixty (60) days from the receipt of the complaint. DIRECTORS MAY BE REMOVED FROM THE BOARD AS PROVIDED FOR IN THE MICHIGAN NONPROFIT CORPORATION ACT, 1982 PAT 162, AS AMENDED.~~

ARTICLE VII - COMMITTEES

A. Standing Committees. The Board of Directors shall establish and maintain the following standing committees:

1. Executive Committee

a. Membership. The Executive Committee of the Association shall consist of the elected officers of the Association, the Immediate Past President of the Association, and one committee member-at-large selected from the Board of Directors. The at-large committee member for the following year shall be RECOMMENDED TO THE BOARD OF DIRECTORS BY THE LEADERSHIP DEVELOPMENT COMMITTEE AND selected APPROVED by the Executive Committee BOARD OF DIRECTORS prior to the organization meeting provided for in Article VI.I. ~~from a list of three Board members submitted by the first vice president. The at-large committee member selected by the Executive Committee shall be subject to the approval of the Board of Directors. The at-large member shall be an elected district director. If the at-large committee member resigns or is unqualified to serve, the position shall be declared vacant and shall be filled in the manner provided for in Article V, Section G. The President shall be the chairman of the Committee and all Committee members shall have a vote.~~

In the case of removal of the President from office or the President's death, resignation, or disqualification, the Vice-Presidents shall move up in order. When a resulting vacancy occurs in any other office, as established above, or in the ~~At-Large-Member~~ AT-LARGE position on the Executive Committee, the Executive Committee LEADERSHIP DEVELOPMENT COMMITTEE

~~shall select RECOMMEND TO THE BOARD OF DIRECTORS a qualified Board member to fill the vacancy. with the approval of the Board of Directors. from a list of three (3) candidates submitted by the president~~

4. Nominating Committee LEADERSHIP DEVELOPMENT COMMITTEE

a. MEMBERSHIP. THE LEADERSHIP DEVELOPMENT COMMITTEE OF THE ASSOCIATION SHALL CONSIST OF SIX (6) MEMBERS WHICH SHALL INCLUDE THE PRESIDENT, THE IMMEDIATE PAST PRESIDENT, IF ONE IS SERVING, ONE OTHER EXECUTIVE COMMITTEE MEMBER, AND THREE OTHER BOARD MEMBERS. IF NO IMMEDIATE PAST PRESIDENT IS SERVING, FOUR (4) OTHER BOARD MEMBERS SHALL SERVE ON THE COMMITTEE.

b. DUTIES. THE LEADERSHIP DEVELOPMENT COMMITTEE SHALL DEVELOP AND IMPLEMENT A MERIT-BASED SELECTION PROCESS, CONSISTENT WITH BOARD POLICY, FOR THE MTA OFFICERS AND THE AT-LARGE MEMBER OF THE EXECUTIVE COMMITTEE. THE COMMITTEE SHALL ALSO RECOMMEND TO THE BOARD OF DIRECTORS THE OFFICERS TO BE NOMINATED TO THE MEMBERSHIP AT THE ANNUAL MEETING AND THE MEMBER-AT-LARGE OF THE EXECUTIVE COMMITTEE SELECTED BY THE BOARD OF DIRECTORS.

B. Ad Hoc Committee AND TASK FORCES. The Board of Directors may establish ad hoc committees AND TASK FORCES from time-to-time to handle special concerns. The formation of such a committee OR TASK FORCE shall be recommended by the President and/or the Executive Committee.



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