

Michigan Township Focus

NOVEMBER 2014

OFFICIAL PUBLICATION OF THE MICHIGAN TOWNSHIPS ASSOCIATION

Preventing harassment in the workplace



Property tax
exemptions disrupt
local finances,
create unfairness
page 3

Delta Charter
Township is a
'Township of
Excellence'
page 26

Oh deer!
Townships,
hunting and
deer management
page 28



*You Serve Others.
We Serve You.*

Day in and day out, Michigan Township Officials, firefighters, police officers, and personnel representing parks and recreation, zoning, planning, elections and many more important areas work tirelessly to provide outstanding service to 1,240 townships in our state. As a public servant, you deserve the same treatment.

Burnham & Flower has been serving public entities for nearly 50 years. You can count on us to deliver the products, service and support you want and deserve. We won't settle for anything less than providing you with the best. It's just how we do business.

Serving Michigan townships since 1966

Burnham & Flower

INSURANCE GROUP

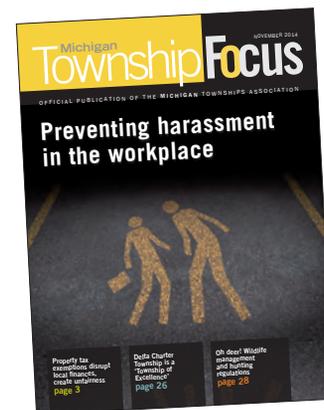
315 South Kalamazoo Mall
Kalamazoo, MI 49007
800.748.0554
www.bfgroup.com



Scholarship Sponsor

contents

November 2014 | Volume 2, Number 10



MTA Official Publication of the Michigan Townships Association
MICHIGAN TOWNSHIPS ASSOCIATION

mta officers

President

Doug Merchant, Supervisor
Arcada Township (Graftiot Co.)

First Vice President

Linda Preston, Supervisor
Pokagon Township (Cass Co.)

Second Vice President

Doug Mansfield, Supervisor
Union Township
(Grand Traverse Co.)

Treasurer

Diane Randall, Supervisor
Roscommon Township
(Roscommon Co.)

Secretary

Ken Gauthier, Supervisor
Sanborn Township (Alpena Co.)

Immediate Past President

Denny Olson, Supervisor
Breitung Charter Township
(Dickinson Co.)

past president

Bill Renn, Supervisor
Chandler Township (Huron Co.)

editorial & design

Publisher G. Lawrence Merrill
Editor Jennifer Fiedler
Advertising Manager Ashley Maher
Printer Foresight Group, Lansing

mission statement

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



featured articles

14 Preventing harassment in the workplace

Workplace harassment can happen in any township. What policies should a township have in place to address such situations? And how can officials help to establish a culture of trust and respect within the township?

26 Delta Charter Township is a 'Township of Excellence'

Delta Charter Township (Eaton Co.) is the second township to receive MTA's "Township of Excellence" distinction, which recognizes excellence in township governance, administration and service.



28 Oh deer! Townships, hunting and deer management

Explore considerations for townships related to hunting, and learn what one township is doing to help control the deer population within its borders.



in this issue

- | | | | |
|----|------------------|----|------------------|
| 3 | Local View | 12 | Inside Lansing |
| 4 | News & Notes | 22 | Knowledge Center |
| 9 | Financial Forum | 24 | HR 101 |
| 10 | Hello, MTA ... ? | 31 | Around the State |



mta board of directors

Steven Karpiak Jr., Osceola Township (Houghton Co.), Dist. 1
 William Luetzow, Richmond Township (Marquette Co.), Dist. 2
 Peter Kleiman, Harris Township (Menominee Co.), Dist. 3
 Marilyn Strickland, Newton Township (Mackinac Co.), Dist. 4
 Harold Koviak, Burt Township (Cheboygan Co.), Dist. 5
 William White, Elk Rapids Township (Antrim Co.), Dist. 6
 Ken Gauthier, Sanborn Township (Alpena Co.), Dist. 7
 Doug Mansfield, Union Township (Grand Traverse Co.), Dist. 8
 Steven Ebels, Clam Union Township (Missaukee Co.), Dist. 9
 Diane Randall, Roscommon Township (Roscommon Co.), Dist. 10
 Connie Cargill, Golden Township (Oceana Co.), Dist. 11
 Yulanda Bellinger, Morton Township (Mecosta Co.), Dist. 12
 Dennis Bragiel, Kawkawlin Township (Bay Co.), Dist. 13
 Lawrence Krohn, Oliver Township (Huron Co.), Dist. 14
 Joel Hondorp, Byron Township (Kent Co.), Dist. 15
 Kevin Beeson, Pine River Township (Griatiot Co.), Dist. 16
 Joanne Boehler, James Township (Saginaw Co.), Dist. 17
 Bill Deater, Grant Township (St. Clair Co.), Dist. 18
 Jeff Sorensen, Cooper Charter Township (Kalamazoo Co.), Dist. 19
 MTA Executive Committee member-at-large
 Patti Jo Schafer, Eagle Township (Clinton Co.), Dist. 20
 Pauline Bennett, Addison Township (Oakland Co.), Dist. 21
 Linda Preston, Pokagon Township (Cass Co.), Dist. 22
 Donald Rogers, Coldwater Township (Branch Co.), Dist. 23
 Al Boggs, Rome Township (Lenawee Co.), Dist. 24
 Lance Schuhmacher, Oeola Township (Livingston Co.), Dist. 25

To find your MTA District, visit
www.michigantownships.org
 or call (517) 321-6467.

postal requirements

Michigan Township Focus serves as the medium for the exchange of ideas and information for the elected and appointed officials of Michigan townships. The views expressed and the material presented by the contributors and advertisers are not to be construed as having the endorsement of the officers, board of directors, staff or membership of the Michigan Townships Association nor represent the views or positions of said parties unless specifically so stated.

Michigan Township Focus, Issue 10 November 2014 (ISSN 2330-9652), is published monthly, except for a combined January/February 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 \$30 for a one-year subscription to *Michigan Township Focus*. Additional member subscriptions are available for \$30 per year. Subscription rate for residents and firms in member townships is \$40 per year (schools and libraries may subscribe for \$30 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.

Michigan Township Focus, © 2014
 Michigan Townships Association, all rights reserved.

allied service provider index

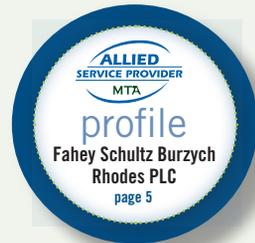


president's round table

Burnham & Flower Insurance Group
 315 S. Kalamazoo Mall
 Kalamazoo, MI 49007
 (800) 748-0554
www.bfgroup.com
See ad on inside front cover.

Municipal Employees' Retirement System of Michigan
 1134 Municipal Way
 Lansing, MI 48917
 (517) 703-9030
www.mersofmich.com
See ad on page 13.

Michigan Township Participating Plan
 1700 Opdyke Ct.
 Auburn Hills, MI 48326
 (248) 371-3657
www.theparplan.com
See ad on back cover.



leadership circle

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

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

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

Wightman & Associates, Inc.
 2303 Pipestone Rd.
 Benton Harbor, MI 49022
 (269) 927-0100
www.wightman-assoc.com
See ad on page 19.

Bauckham, Sparks, Lohrstorfer, Thal & Seeber, PC
 458 W. South St.
 Kalamazoo, MI 49007
 (269) 382-4500
www.michigan-townshiplaw.com

Fahey Schultz Burzych Rhodes PLC
 4151 Okemos Rd.
 Okemos, MI 48864
 (517) 381-0100
www.fsblawyers.com

Mika, Meyers, Beckett & Jones, PLC
 900 Monroe Ave. NW
 Grand Rapids, MI 49503
 (616) 632-8000
www.mmbjlaw.com
See ad on page 30.

BS&A Software
 14965 Abbey Ln.
 Bath, MI 48808
 (517) 641-8900
www.bsasoftware.com
See ad on page 7.

Foster, Swift, Collins & Smith, PC
 313 S. Washington Sq.
 Lansing, MI 48933-2193
 (517) 371-8100
www.fosterswift.com

Ted Hartleb Agency
 3717 S. Westnedge Ave.
 Kalamazoo, MI 49008
 (269) 385-5911
www.hartlebagency.com



keystone club

Axe & Ecklund, PC
 21 Kercheval Ave., Ste. 355
 Gross Pointe Farms, MI 48236
 (313) 884-9811
www.mfci.com

David Chapman Agency
 5700 W. Mt. Hope Hwy.
 Lansing, MI 48917
 (517) 321-4600
www.davidchapman-agency.com

Nickel & Saph, Inc. Insurance Agency
 44 Macomb Place
 Mount Clemens, MI 48043
 (586) 463-4573
www.nickelsaph.com

Tyler Technologies
 1194 Oak Valley Dr., Ste. 150
 Ann Arbor, MI 48108
 (800) 457-3863
www.tylertech.com

Burton & Associates
 2019 Fourth St., Ste. 1
 Jackson, MI 49203
 (517) 782-5320
www.burtonand-associates.com

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

Pontem Software
 215 Dexter
 Eaton Rapids, MI 48827
 (888) 472-2378
www.pontem.com

Wade Trim
 25251 Northline Rd.
 Taylor, MI 48180
 (734) 947-9700
www.wadetrिम.com
See ad on page 7.

Carlisle Wortman Associates, Inc.
 605 S. Main St., #1
 Ann Arbor, MI 48104
 (734) 662-2200
www.cwaplan.com
See ad on page 17.

EMC Insurance Companies
 5826 Executive Dr.
 Lansing, MI 48911
 (517) 394-2500
www.emcins.com

SAFEbuilt/LSL Planning, A SAFEbuilt Company
 3755 Precision Dr., Ste. 140
 Loveland, CO 80538
 (970) 292-2205
www.safebuilt.com

Miller, Canfield, Paddock & Stone, PLC
 150 W. Jefferson Ave., Ste. 2500
 Detroit, MI 48226
 (313) 963-6420
www.millercanfield.com
See ad on page 11.

Thrun Law Firm, PC
 2900 West Rd., Ste. 400
 East Lansing, MI 48823
 (517) 484-8000
www.thrunlaw.com

Participation in the Allied Service Provider program does not constitute or imply MTA's endorsement of the company or its products/services.

Property tax exemptions disrupt local finances, create unfairness among taxpayers

State policymakers continue the practice of exempting various interest groups and individuals from property taxes without confronting the consequences such as poorer schools, weakened local government public safety and other services, and higher millages paid by the rest of us to backfill the revenue holes.



It may be asking too much for lawmakers to resist gifting special property tax exemptions, but shouldn't the state, rather than local governments, bear the cost when the state provides that exemption?

There are a number of reasons why property taxes—the life blood of townships and other local governments—are a favorite target for lawmakers:

- Proposal A altered the Michigan Constitution, which had previously limited the scope of legislative tinkering with the property tax system. Among other objectives, Proposal A replaced equity principles with greater latitude for lawmakers to change the tax system to achieve political objectives such as expanding the types of properties remaining capped at lower taxable values in spite of a change of ownership.
- Revenue losses are spread among diverse tax-levying entities and absorbed by other taxpayers unaware of the greater burden shifted to them. Each exemption by itself may have minimal impact, and the cumulative effects are difficult to document. Due to the magnitude of the revenue losses and local officials' concerns, lawmakers addressed the revenue impacts of the personal property tax repeal, but there also were some lawmakers who made clear their antipathy to reimbursing local governments at all.
- The amount of revenue losses is difficult to predict. A few lawmakers, but not enough, are starting to question the wisdom of flying blind when changing the tax code, but the lack of a price tag appears to exacerbate legislative indifference to the local government revenue losses. Fiscal estimates are often iffy due to time constraints and lack of data. The estimated cost to the state from lawsuits filed

by businesses over their corporate tax liabilities was originally around \$36 million but ballooned to more than \$1 billion after the Supreme Court recently rendered a split decision. Given the magnitude of the loss and the potential impact to state financial support to local governments, the Michigan Townships Association, Michigan Municipal League and Michigan Association of Counties filed a brief with the Supreme Court asking for reconsideration.

- There's no end to the list of individuals and causes claiming to be worthy of property tax exemptions. Every exemption granted generates another group saying, "How about us?" Social clubs, veterans groups, Habitat for Humanity, conservation groups, foreclosures, unemployed—heck, how about local government associations while we're at it? How long until the property tax burden mimics the federal income tax code, with less than half of Americans actually paying taxes? Case in point: Is there a group more sympathetic for tax relief than disabled veterans? A well-meaning act of compassion by the Legislature has many township officials concerned with what appears to be a very low federal qualifying definition of "disabled" that enabled many gainfully employed veterans—some owning very high-end real estate—to no longer pay any property taxes whatsoever.

At a minimum, lawmakers should take the time to carefully research definitions that become embedded in law and make efforts to ensure that relief goes only to those intended. Exemptions could be more narrowly written to avoid unintended consequences because, once granted, they are politically difficult to fine-tune.

Because local governments remain skeptical of state assurances of reimbursed revenues, lawmakers should enable state income tax credits for taxpayers who they believe are deserving of property tax relief, such as was done decades ago with the homestead exemption for persons with high property taxes relative to annual income.

Michigan's local governments and their residents depend on state lawmakers acting in their best interests. Local fiscal stability and fairness to all taxpayers should matter more.

Larry Merrill

news¬es

a compendium of noteworthy items



ATTENTION TREASURERS

Reminder for tax collection office hours

The township treasurer must be in his or her office from 9 a.m. to 5 p.m. to receive tax payments on the last day taxes are due and payable before being returned as delinquent under MCL 211.55. (MCL 211.44(2)(b)) MCL 211.55 refers to the last day of February as the last day that taxes are due and payable before being returned as delinquent to the county treasurer, and provides for the unpaid taxes to be returned as delinquent to the county treasurer the next day.

In addition, the treasurer must be in his or her office from 9 a.m. to 5 p.m. one day between Dec. 25 and Jan. 1. However, the requirement to hold hours in December is waived if the township has an agreement with a local financial institution to collect taxes on behalf of the township, and the township provides timely notification to the taxpayers of their ability to pay their taxes at this financial institution.

In 2014, the available days for required December office hours are Thursday, Dec. 25 through Wednesday, Dec. 31. Treasurers **must** choose one day (unless a bank assists in collection). (MCL 211.44(2))

In 2015, the last day to pay 2014 property taxes without incurring any interest or penalty is Tuesday, Feb. 17. (Feb. 14 is a Saturday and Monday, Feb. 16 is Presidents Day). (MCL 211.44) Treasurers **may** choose to hold office hours. In 2015, the last day to pay 2014 property taxes before they are returned as delinquent is Monday, March 2 (Feb. 28 is a Saturday). (MCL 211.45) Treasurers **must** hold office hours.

Turn to page 22 for details on MTA's upcoming workshop, Treasurers' Guide to Tax Collection, coming to two locations in November. Additional resources are also available on MTA's Tax Collecting Web page, on the members-only section of www.michigantownships.org. After logging in, search for "tax collecting" or access the page via the "Index of Topics" under the "Answer Center" tab.

BOARD OF REVIEW MEMBERS

BOR appointments due Jan. 1

The General Property Tax Act (MCL 211.28(1)) requires township boards to appoint members to the township's three-, six- or nine-member board of review (BOR). BOR members serve for two years, beginning at noon on Jan. 1 of each odd-numbered year. Each BOR member must take the oath of office within 10 days after his or her appointment.

The appointments must be made and the oath taken no later than Jan. 10.

The oath is kept on file by the township clerk.

MTA will be scheduling numerous *Board of Review Training* workshops throughout the state in February to assist supervisors and board of review members in learning about their duties. Look for more information, including dates and locations, in the December *Township Focus* and on www.michigan townships.org.



Reminder: Alternate BOR members may be appointed

Under MCL 211.28, township boards may appoint not more than two alternate members for the same term as regular members of the board of review. An alternate member may be called to perform the duties of a regular BOR member in the absence of a regular member, or for the purpose of reaching a decision in issues protested in which a regular member has abstained for reasons of conflict of interest.

E-GOVERNMENT ACCOLADES

Michigan recognized as national leader in digital government

The state of Michigan has earned its third consecutive "A" grade in the Digital States Survey. The biannual survey, conducted by e.Republic's Center for Digital Government, examines best practices, policies and progress made by state governments in their use of digital technologies to better serve their citizens and streamline operations.

Michigan was one of only two states to earn As in three consecutive surveys, and one of three states to be recognized with top marks this year. The judges noted the state's significant investment to upgrade old technology systems and modernize processes as reasons for the high mark. The state's online dashboard and ability to track project costs and progress were also mentioned as contributing factors.

HONORING THE PAST

Township sites to receive historical markers

Three township sites will soon receive gold and green Michigan State Historical Markers, denoting their importance to local and state history, following Michigan Historical Commission approval this fall. The new historical markers include:

- **Sutherland-Wilson Farm, Pittsfield Charter Township (Washtenaw Co.).** Langford and Lydia Sutherland built a Greek Revival house in the 1850s to replace their 1832 log cabin in Pittsfield Township. The township and local historical society have partnered to restore the barn, house and outbuildings. The farm is listed on the National Register of Historic Places.
- **Kauffman Homestead, Presque Isle Township (Presque Isle Co.).** The Presque Isle marker commemorates Civil War veteran John C. Kauffman, whose unit aided in the search for President Abraham Lincoln's assassin. Kauffman—who served as township supervisor and postmaster—and wife Elizabeth built a log cabin on their 149-acre homestead near Grand Lake, moving it up a hill to its present site in 1876 because of heavy snow. The homestead is currently open as a museum/gift shop during the summer months.
- **Sts. Cornelius and Cyprian Church, Bunker Hill Township (Ingham Co.).** The church had its origin in 1845 when residents held mass in an immigrant's home in the township. A wood-frame church was built in 1863, and a brick veneer church was constructed and dedicated in 1899. After destructive fires in the early 1900s, the parish rebuilt church and rectory buildings, and also opened a large school.

These new markers will be added to the more than 1,700 familiar green and gold signs found across Michigan and in out-of-state locations. Townships play an important role in preserving Michigan's heritage, and help to chronicle the important people, places and events in the Great Lakes state.

LOCAL UPDATES FROM ACROSS MICHIGAN

Township happenings

Municipalities in Ottawa County—including **Grand Haven Charter** and **Spring Lake Townships**—are working together toward a collaborative parks and recreation plan for their community. Area residents are being asked for their input and visions for the regional effort.

West Bloomfield Charter Township (Oakland Co.) installed an electric vehicle charging station at its Civic Center Complex to promote green energy. Two parking spots are designated for electric vehicles and are marked with green signage and pavement markings.

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

profile



Advertorial

Fahey Schultz Burzych Rhodes PLC

Your Township Attorneys™

The 12 lawyers at Fahey Schultz Burzych Rhodes PLC, based in central Michigan, provide responsive, affordable legal expertise to more than 100 Michigan townships.

Experts. Led by Bill Fahey and Steve Schultz, Fahey Schultz Burzych Rhodes PLC has top-notch township experience. The firm's specialization in townships assures you the skill and knowledge you need to proactively solve any challenge you encounter.

Responsive. Township officials face many time pressures. The attorneys at Fahey Schultz Burzych Rhodes PLC know you need prompt attention, so they get back to you right away, day or night, weekday or weekend.

On Your Team. Fahey Schultz Burzych Rhodes PLC's commitment to teamwork, technology and communication allows its attorneys to work closely with you and with each other. They can be your principal township attorney, work with you on special projects, or help your local township attorney.

Affordable. Fahey Schultz Burzych Rhodes PLC understands your financial challenges. The firm has partnered with townships through tough economic times. Its efficient, well-trained staff and cutting-edge technology provide you superior service at a reasonable cost.

Keep up with township law. Receive Fahey Schultz Burzych Rhodes PLC's complimentary monthly *Township Law E-Letter*.

For more information, visit www.fsbrlaw.com or contact Bill Fahey at (517) 381-3150 or wfahey@fsbrlaw.com. Look for Fahey Schultz Burzych Rhodes PLC at MTA's 2015 Annual Conference in Grand Rapids!



ATTORNEYS AT LAW

Participation in the Allied Service Provider program does not constitute or imply MTA's endorsement of the company or its products/services. For more information, visit Fahey Schultz Burzych Rhodes PLC at Booth #1 at the 2015 MTA Expo, turn to the Allied Service Provider Index on page 2 or visit www.michigantownships.org/asp.asp.

Gov. Snyder appoints MTA Board member to new statewide council

MTA District 23 Director **Don Rogers** has been appointed by Gov. Rick Snyder to the Local Community Stabilization Authority Council.



Rogers

The five-member council is the governing body of the Local Community Stabilization Authority. The new authority replaces the existing METRO Authority, which had been responsible for coordinating access to public rights-of-way and the payment of maintenance fees by telecommunications providers to municipalities since 2002. In addition to the METRO Authority functions, the new authority will be responsible for distributing personal property tax replacement revenue to municipalities throughout the state according to specific statutory formulas.

The authority was created when Proposal 1 passed in August. Rogers will serve a four-year term, expiring in 2018.

Rogers has been **Coldwater Township** (Branch Co.) treasurer since 2000, and served as township trustee from 1988 to 2000. He served as a township planning commissioner from 1995 to 2007, and has been the township's water/sewer superintendent since 1995. He was first elected to the MTA Board in 2013, representing St. Joseph, Branch and Calhoun counties.

MTA welcomes new government relations coordinator

Michelle Hart has joined MTA as its government relations coordinator. In her new role, she will provide administrative support to the Government Relations Department as well as the MTA Political Action Committee.



Hart

"I am very excited to join the Government Relations team at the Michigan Townships Association and to work with such a talented, energetic group," Hart said.

Hart comes to MTA with more than 20 years of management experience. Most recently, she was a project coordinator and event planner for the United Dairy Industry of Michigan. She also has a background in merchandising and customer service.

Hart has lived in **Delta Charter Township** (Eaton Co.) for 21 years, where she resides with her husband and two children.

Reminder: Seeking info to update MTA's database

Ensure that your township's important MTA resources and information are coming to the correct person and address by helping MTA keep its database up-to-date with your current contact information. Were any new officials elected to your township board in the November election? Be sure to let us know!

MTA-member officials can directly update their profile information via our website, www.michigantownships.org. Simply log in to the members-only portion of the website using your email address on file with MTA and password. After logging in, select "My Profile" under the "My MTA" tab to get started.



Got a new township board member? The township clerk can make adjustments to the profile information—including adding a new official whenever a new township official joins the board, or marking a former official for removal from the database. *(When adding a new official, be sure not to overwrite the former official's information with the new official's name and information. Contact MTA with questions.)* These efforts will help ensure that the right information goes to the right person.

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

mta events | november

- 13 *Treasurers' Guide to Tax Collection* workshop, Gaylord
- 18 *Treasurers' Guide to Tax Collection* workshop, Lansing



Townships are a unique kind of community, and they need an engineer who knows how they tick.

P&N is the engineer of choice for nearly 50 Michigan Townships. If you're looking for someone who speaks your language, give us a call.

Prein&Newhof
www.preinnewhof.com (616) 364-8491



Township Focus editor Jenn Fiedler (left) and Advertising Manager Ashley Maher accepted a Gold Level award at the Diamond Awards ceremony.

Township Focus honored for excellence among association magazines

MTA's *Township Focus* magazine earned honors for excellence in association publishing, when it received a Gold Level honorable mention at the 13th annual Diamond Awards, from the Michigan Society of Association Executives (MSAE) this fall.

The MSAE Diamond Awards recognize outstanding achievements among associations. The awards are presented to state and national associations based in Michigan. MTA competes at the highest level against the largest associations in the state.

A completely redesigned—and renamed—*Township Focus* premiered in August 2014 as MTA's flagship publication, offering valuable information, analysis and updates to nearly 9,500 township officials, board and commission members and employees, as well as state and federal legislators, among others.

"We were thrilled to receive this award," said Jenn Fiedler, MTA communications director and editor of *Township Focus*. "It is our privilege to produce *Township Focus* each month, and our staff works very hard to ensure that we are providing our members with timely and critical information and insights as they endeavor to provide quality services to their residents and their communities."

MTA Board adopts new mission statement for Association

At its Sept. 19 meeting, the MTA Board of Directors adopted a new mission statement for the Association. The new mission more succinctly captures the essence of MTA's endeavors, vision and pursuits on behalf of township government.

The new mission reads:

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

Trusted professionals delivering America's infrastructure solutions

ALLIED SERVICE PROVIDER
MTA

WADETRIM

Engineering | Landscape Architecture
Operations | Planning | Sciences | Surveying

800.482.2864 | www.wadetrिम.com

2015 MTA Conference Sponsor

That's BS&A Software

- Unmatched Service and Support
- Value-Driven Innovation
- Industry-Leading Software

Software developed with Municipality Professionals in mind

Municipalities are being challenged to do more with less every day. Our software is designed with the features needed to perform tasks more easily and effectively. New features are added to our software suites regularly, many times in response to customer feedback, keeping our products at the leading edge of the industry. And though BS&A Software's fully integrated applications deliver cutting-edge solutions, our technology never compromises the ability to get things done.



For more information:
(855) BSA-SOFT
www.bsasoftware.com

TENMILE Creek
EXCAVATING, LLC

We are your full service Milling, Pulverizing and Stabilizing Contractor

We perform the "Full Depth Reclamation" process and take care of your cement/lime stabilization/foamed asphalt and milling needs.

Roads & Bridges/ARRA FDR Recycling
Award winner for 2012 and 2013

www.wecanmillit.com • 419-392-5056 - Mr. Jim Zibbel, Project Manager
407 East Fort Street, Suite 407 • Detroit, Michigan 48226

NOVEMBER

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

Deadline for filing for Foreclosure Entity Conditional Rescission of a Principal Residence Exemption to qualify for the winter tax levy. (MCL 211.7cc(5))

Deadline for filing the initial request of a Conditional Rescission of Principal Residence Exemption (Form 4640) for the winter tax levy. (MCL 211.7cc(5))

Electors who wish to receive an absentee voter ballot for the Nov. 4 general election by mail submit absentee voter ballot applications by 2 p.m. (MCL 168.759)

3 Electors qualified to obtain an absentee voter ballot for Nov. 4 general election may vote in person in the clerk's office until 4 p.m. (MCL 168.761)

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

By 5 Supervisor notifies treasurer of the amount of county, state and school taxes apportioned in township to enable treasurer to obtain necessary bond* for collection of taxes. (MCL 211.43(1))

5 Boards of county canvassers meet to canvass Nov. 4 general election. (MCL 168.821)

By 18 Boards of county canvassers complete

canvass of Nov. 4 general election; county clerks forward results to secretary of state within 24 hours. (MCLs 168.822 and 168.828)

By 24 Board of State Canvassers meet to canvass Nov. 4 general election. (MCL 168.842)

By 28 Treasurer gives county treasurer a bond* running to the county in the actual amount of county, state and school taxes. (MCL 211.43(2))

*May be handled by the county treasurer.

DECEMBER

1 County treasurer delivers to township supervisor a signed statement of approval of the bond and the township supervisor delivers the tax roll to the township treasurer.

2014 taxes due and payable to local unit treasurer are a lien on real property. (MCL 211.40)

Deadline for foreclosing governmental units to transfer list of unsold 2014 tax foreclosure parcels to the clerk of the municipality in which the parcels are located. (MCL 211.78m(6))

By 4 Post-general campaign statements filed. Books closed Nov. 24.

9 Special board of review meeting may be convened by assessing officer to correct qualified errors. (MCL 211.53b) The township board may authorize, by adoption of ordinance or resolution, an alternative meeting date during the week of the second Monday of December. (MCL 211.53b(7))

An owner of property that is a "principal residence" on May 1 may appeal to the December BOR in the year for which an exemption was claimed or in the immediate succeeding three years if the exemption was not on the tax roll. (MCL 211.7cc(19)) An owner cannot appeal to the December BOR if property was owned and occupied as a principal residence some time from May 2 to Nov. 1, but Form 2368 was not timely filed.

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

December BOR to hear appeals for current year poverty exemptions only, but not poverty exemptions denied by the March BOR. (MCL 211.7u)

December BOR must review affidavits for the Disabled Veterans Exemption. The final date for granting the Disabled Veterans Exemption for a given assessment year is the close of the December BOR for the assessment year in question. (MCL 211.7b)

15 Form 600/L-4016, Supplemental Special Assessment Report due to the State Tax Commission.

31 Tax day for 2015 property taxes. (MCL 211.2(2))

Deadline for an owner who had claimed a conditional rescission of a principal residence exemption (PRE) to verify to the assessor that the property still meets the requirements for the conditional rescission through a second and third year annual verification of a conditional rescission of PRE (Form 4640). (MCL 211.7cc(5))

Deadline for a land contract vendor, bank, credit union or other lending institution that had claimed a foreclosure entity conditional rescission of a PRE to verify to the assessor that the property still meets the requirements for the conditional rescission through the filing of an annual verification of a foreclosure entity. (MCL 211.7cc(5))

All taxes due and liens canceled for otherwise unsold 2014 tax foreclosure parcels purchased by the state or transferred to the local unit or the Michigan Land Bank Fast Track Authority. (MCL 211.78m(12))

To qualify for a Disabled Veteran's Homestead Property Tax Exemption, a veteran, surviving spouse, or legal designee of a veteran or surviving spouse must file annually an affidavit with the supervisor or assessor between Dec. 31 (tax day of the previous year) and the final adjournment of the board of review for each the tax year. (MCL 211.7b)





Q Our auditor informed us of significant upcoming changes in how we report our township's pension plan. What are these changes?

The Governmental Accounting Standards Board (GASB) issued Statements 67 and 68 to address the need for better measurement and disclosures of an employer's obligations to fund future retirement costs for *defined benefit pension plans*. In such plans, the employer promises to pay pensions (typically a monthly payment) to employees and their surviving spouses over their lifetimes. Defined benefit pensions are typically based on a percentage of an employee's "final average compensation." These pensions require an actuarial study to determine the contributions needed today to pay future pension costs.

The new pension standards only affect defined benefit plans, not *defined contribution plans*, since defined contribution plans have no unfunded obligations. The employer's responsibility is fulfilled upon funding the plan according to the "defined contribution"—usually a percent of pay. However, the new standards will impact the township's audit note disclosures—not calculations—of defined contribution plans.

The statements have different implementation dates and requirements:

GASB 67—Impacts defined benefit pension statements of stand-alone pension financials or statements included in employer statements. It is effective for years beginning after June 15, 2013, and changes presentation and disclosure requirements for these plans.

GASB 68—Makes sweeping changes in the calculation of employer liabilities. The key change is the shift from using actuarial calculations to *accounting calculations* to measure an employer's costs to be recognized in the employer's financial statements. These requirements are effective for years ending after June 15, 2014.

Q How are these calculations made?

A new concept called "*net pension liability*" will be used. The plan actuary will likely do two calculations, one in accordance with the plan, called Actuarial Accrued Liability (which have been disclosed in the past in notes and required supplemental information section of the audited financial statements and used by employers to fund the plan), and one required by GASB using more

standardized calculation method, where the discount rate is not based on assumptions, but on how well the plan is funded and other complex factors. Additionally, this obligation will be disclosed in the notes, AND shown as a long-term obligation of the employer on the full accrual (GASB 34) financial statements.

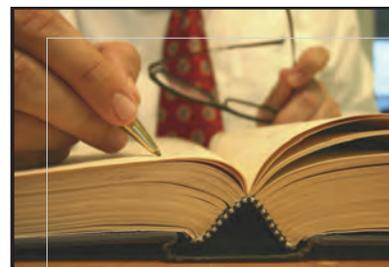
Q How will these requirements impact our township?

No changes will be made to the townships budgetary funds statements. The payments made under annual required contribution—the calculations made by the actuary in accordance with provisions of the plan—will continue to be recognized in the township's books and used for annual budgeting. However, the new net pension liability calculation will be recognized in the full accrual GASB 34 statements as a liability, and in any enterprise funds, such as Water and Sewer Funds, that use the accrual method in their financial reporting.

This statement will likely impact those townships with older plans that have larger unfunded liabilities due to inaccurate assumptions about rates of return on contributions and employment levels, and those that have shifted new employees to defined contribution plans.

While many of these employers have a game plan to deal with such legacy costs, the GASB was concerned that stakeholders, such as the financial markets and residents, were not getting the true picture of the local government's future financial commitments. Impacted municipalities may show a weaker financial position as a result of this standard.

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.



experience
knowledge
integrity

PSLZ, LLP
CERTIFIED PUBLIC ACCOUNTANTS

1034 West Ann Arbor Trail
Plymouth, MI 48170
Ph. 734.453.8770 Fax. 734.453.0312

Governmental Accounting
Auditing
Financial Consulting
Services



When do we have to post public notices for meetings?

Every township public body, including but not limited to the township board, planning commission, board of review and zoning board of appeals, is required by the Open Meetings Act (OMA), MCL 15.261, *et seq.*, to post a public notice stating the dates, times and places of its regular meetings within 10 days after the first meeting of the public body in each calendar or fiscal year. A public body can choose to use either the calendar year or its fiscal year as its “meeting year.”

If a change is made in the schedule of regular meetings, the public body must post a public notice stating the new dates, times and places of its regular meetings within three days after the meeting at which the change in the schedule is made.

Both regular and special meeting notices must always also include the name of the public body to which the notice applies, its telephone number if one exists, and its address.

In addition, when a regular meeting is rescheduled or a special meeting is called, the public body must post a public notice stating the date, time and place of the meeting at least 18 hours prior to the meeting. The notice must be visible to the public at all times during those 18 hours for the 18-hour requirement to be met. Also, if the township has a website that includes monthly or more frequent updates of public meeting agendas or minutes, a special meeting notice must be posted either on the homepage or on a separate Web page dedicated to public notices for special meetings and accessible via a prominent and conspicuous link on the website’s homepage that clearly describes its purpose for public notification of those special meetings. (MCL 15.265)

The OMA notice requirements do not bar a public body from meeting in emergency session in the event of a severe and imminent threat to the health, safety or welfare of the public when two-thirds of the members serving on the body decide that delay would be detrimental to efforts to lessen or respond to the threat.

What is the difference between a regular meeting and a special meeting?

Regular meetings are “regular” because they are on the schedule of meetings posted at the beginning of the year. The only reason a meeting is “special” is because it was not on the schedule of regular meetings posted at the beginning of the year and was scheduled later.

For a special meeting of a township board (not other public bodies), a special meeting notice must also include the purpose(s) for which the meeting was called. If all of the township board members attend the special meeting, then

the board may address the purpose(s) listed in the notice, plus any and all business that could lawfully come before the board. But if any of the township board members do not attend a special meeting of the township board, then the board may address only the purpose(s) listed in the notice for which the meeting was called.

Where should public meeting notices be posted?

The public notice for a meeting of a township public body must always be posted at the township’s principal office and any other locations considered appropriate by the public body. Note that “post” is different from “publish.” “Post” means to put up where people can see it; “publish” means to print it in the newspaper. An OMA notice must be posted where it can be seen by the public at all hours.

A township may also post public meeting notices on its website or cable television, in addition to (but not instead of) posting notice at its principal office.

If a township does not have a principal office, the public notice must be posted in the office of the county clerk.

Some of our meeting notices have to be published. How do we know whether we must post or publish?

Except for a notice of a meeting in a residential dwelling, the OMA does not require meeting notices to be published. But there are many types of meeting or hearing notices, mandated by laws other than the OMA, that are required to be posted and/or published in addition to the basic OMA meeting notice requirements.

For example, the Uniform Budgeting and Accounting Act requires the notice for a budget public hearing to be published. Notice of the March board of review meetings must be published, according to the General Property Tax Act (but not the July or December meetings). Zoning notices must be published, according to the Michigan Zoning Enabling Act.

The authorizing statute for the activity or type of application will usually identify any notice required in addition to the OMA notice.

Is a township required to post its meeting agendas?

No, a township is not required to post meeting agendas, although a meeting notice may include the meeting agenda.

But, in the case of a township board special meeting, the meeting notice becomes the agenda if any of the township board members are not present at the special meeting, because the board can only do or consider what was listed in the notice as the purpose(s) for which the meeting was called.

Q We received a request from a newspaper for an Open Meetings Act ‘subscription’ for our meeting notices. What does that mean?

Under the OMA, anyone (an individual, organization, firm or corporation) can subscribe to the meeting notices of a public body. (MCL 15.266)

If a township receives a written request from any Michigan media outlet (any newspaper published in the state, and any radio and television station located in the state) to receive future township meeting notices, the township must, at the same time a public notice of a meeting is posted pursuant to the OMA, send a copy of any notice by first-class mail to the media outlet, free of charge.

If a township receives a written request to receive future meeting notices from anyone else, the requesting person must

pay a yearly fee of not more than the reasonable estimated cost for printing and postage of the notices, and then the township must send to the requesting party by first-class mail a copy of any notice required to be posted pursuant to the OMA during the following one-year period.

Q Is it possible to recess a meeting to the next day?

Yes. If a meeting of a public body is recessed for 36 hours or less, no additional notice is required by the OMA—although MTA recommends that notice be posted of when the meeting will reopen.

But if a meeting is recessed for more than 36 hours, then it really becomes a new special meeting (called by the public body), and a special meeting notice must be posted at least 18 hours prior to the time the meeting will begin.

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.

2015 MTA Conference Sponsor



The Law Firm for Townships

From municipal bonds to innovative projects, collaborative agreements and tax increment financing, townships and their attorneys throughout Michigan rely on Miller Canfield’s 160+ years of collective wisdom and diverse expertise. We are where you are. Local firm. Global resources.



millercanfield.com/PublicLaw

- CAPITAL PROJECTS & INFRASTRUCTURE
- CONSTRUCTION AGREEMENTS & LITIGATION
- DOWNTOWN/ECONOMIC DEVELOPMENT
- ELECTIONS
- ENVIRONMENTAL & REGULATORY LAW
- INTERGOVERNMENTAL AGREEMENTS
- LABOR & EMPLOYEE BENEFITS
- LOCAL, STATE & FEDERAL TAX
- OMA/FOIA
- TAX INCREMENT FINANCING



DETROIT • ANN ARBOR • TROY • LANSING • KALAMAZOO • GRAND RAPIDS • CHICAGO

Fewer properties to be subject to 'pop-up' provision

Township revenue growth will take a hit due to a new law that slows future growth for some properties' taxable values. Public Act 310 of 2014, sponsored by Rep. Peter Pettalia (R-Presque Isle Twp.), was recently enacted to expand the transfers of property that are not subject to the "pop-up" provision.

Previously, when property ownership was transferred, the law allowed the transferred properties to be assessed at 50 percent of the true cash value. PA 310 eliminates the "pop-up" from occurring with transfers of ownership in certain situations—when the beneficiary is a family member of the owner or trust settler. Family relationships covered by the new law include a spouse, parent, sibling, child, grandparent, stepparent, stepchild, stepsibling, step grandparent, step grandchild, son-in-law, daughter-in-law or legal ward.

The Michigan Department of Treasury projects the new law will result in a \$1.1 million revenue loss for local units in the first year, with a maximum anticipated loss to local units of \$12 to \$15 million within a few years. As more homes transfer ownership, the impact would be cumulative. MTA opposed the legislation as it creates tax inequity on properties that benefit from assessment increases being artificially capped, and it does not restore the assessment to 50 percent of true cash value when property transfers occur. This results in taxpayers who do not benefit from such special treatment shouldering a disproportionate burden to pay for government services.

Firefighters can continue to volunteer in their off-hours

Full-time firefighters may continue to volunteer for, seek and accept part-time or paid on-call employment with another fire department during their off-hours. PA 323 of 2014, sponsored by Rep. Joe Haveman (R-Holland), was recently signed by Gov. Rick Snyder with immediate effect.

The new law addresses a situation in which a municipality's fire department used its collective bargaining agreement to ban its firefighters from accepting volunteer or paid on-call employment from another department. Under the new law, collective bargaining between a public employer and a bargaining representative of its employees cannot include the subject of a prohibition of an employee volunteering for or obtaining paid on-call employment with another fire department nor could local units adopt an ordinance, rule or policy conflicting with this right. As long as the secondary employment does not interfere with a firefighter's performance with his or her original department,



they can volunteer or accept paid on-call employment with another department.

MTA supported this bill as many townships have volunteer fire departments that may rely on assistance from full-time firefighters during their off-hours.

Governor signs collective bargaining bill

Police officers, firefighters and emergency personnel will now be allowed to receive retroactive pay increases after their contracts expire. Gov. Rick Snyder recently signed House Bill 5097—now PA 322 of 2014—sponsored by Rep. John Walsh (R-Livonia), which has immediate effect.

The new law amends a recent act—PA 54 of 2011—that requires wages and benefits for all public employees to be frozen when a collective bargaining agreement expires, until a new one takes effect. PA 322 creates an exception for police, firefighters and emergency service personnel—those public employees who are subject to compulsory arbitration of labor disputes under PA 312 of 1969.

Increased employee costs for maintaining insurance benefits after the collective bargaining agreement expired could not cause the total employee costs for those benefits to exceed the employee's share under the Publicly Funded Health Insurance Contribution Act. Retroactive wage and benefit increases would also be allowed for the exempt employees.

MTA opposed this legislation due to the negative budget impact it will have on some local units' budgets.

Ambulances may soon carry drug overdose medicine

New laws require all county medical authorities to include in their emergency medical protocols, within the next 12 months, requirements that life support vehicles be equipped with drug overdose medication. PA 312 of 2014, sponsored by Rep. Hugh Crawford (R-Nov), and PAs 311 and 313 of 2014, sponsored by Rep. Anthony Forlini (R-Harrison Chtr. Twp.), were signed into law in October by Gov. Rick Snyder and have immediate effect.

Together, the laws require that within the next year, a medical control authority's emergency medical protocols must include requirements that all life support vehicles have drug overdose medications, called opioid antagonists, and be staffed with personnel trained to use them. Medical control authorities may rescind this protocol three years after the law's effective date. This is expected to have a minor negative fiscal impact on both state and local governments.

The laws also offer criminal and civil immunity to those who prescribe, dispense or administer these medications in good faith. Similarly, PA 314 of 2014, sponsored by Sen. Tonya Schuitmaker (R-Antwerp Twp.), provides immunity under the Good Samaritan law for a person who

administers an opioid antagonist in good faith that a person is suffering from an overdose. This law was also signed with immediate effect by Gov. Snyder.

MTA monitored these bills out of concern for the possible cost increases townships will incur.

Law gives townships more time to issue securities

Townships can continue to save money for another year by issuing securities to pay for unfunded accrued liabilities (UAL) thanks to recently signed legislation. Senate Bill 922—now PA 297 of 2014—was sponsored by Sen. Jack Brandenburg (R-Harrison Chtr. Twp) and enacted with immediate effect on Sept. 30, 2014.

Previously, townships and other local units had until Dec. 31, 2014, to issue a municipal security to cover their cost of a UAL when they closed a defined benefit pension plan and implemented a defined contribution plan. This was also the case for paying the cost of a retiree health care UAL. The new law extends this date to Dec. 31, 2015.

The law also allows for a local unit to issue a refunding security after this sunset date if the refunding security does not have a final maturity date later than that of the security being refunded. The municipality must have a credit rating of AA or higher from at least one nationally recognized credit rating agency.

MTA supported this legislation as it provides townships with more time to save money with the fixed debt obligation.

Courts can recover operating costs

Courts may now charge convicted felons for the cost of the personnel, services and supplies to operate their court proceedings. Gov. Rick Snyder has signed PA 352 of 2014, sponsored by Rep. John Walsh (R-Livonia), with immediate effect.

The legislation was passed in response to a Supreme Court ruling, *People v. Cunningham*, earlier this year. Prior to this decision, local courts were allowed to recover reasonable costs from defendants. PA 352 restores this ability, preventing townships, counties and cities that operate court systems from facing budget shortfalls.

Reasonable costs include, but are not limited to, the salaries and benefits for relevant court personnel; goods and services necessary for the operation of the court; and/or necessary expenses to operate and maintain court buildings and facilities.

The law has a sunset provision allowing the costs to be charged for up to three years from the effective date of the changes. The Legislature must revisit this act at that time. MTA supported this legislation as it provides local courts the ability to recover operational costs.



REMEMBER THE LAST TIME ...

- ... You went dancing with a dragon?
- ... You went snowboarding with Sasquatch?
- ... MERS RAISED ITS GROUP LIFE & LONG TERM DISABILITY INSURANCE RATES?

IT'S NEVER HAPPENED.

While some things are less likely than others, it pays to be prepared for all of life's surprises. And thanks to the pooling power of MERS' membership, you can offer your employees Life, Short Term Disability and Long Term Disability through The Standard, all at discounted rates.

For a free quote, call us at 800.767.MERS (6377) or visit www.mersofmich.com.



Preventing harassment in the workplace

Macomb Township (Macomb Co.) had only a handful of personnel policies on the books when **John Brogowicz** was hired as human resources director.

Brogowicz came to the township in 2003 with the assignment of starting a human resources department from scratch. Board members wanted him to create a manual of policies to guide their personnel. And Brogowicz knew the first policy they adopted had to be about unlawful harassment.

He'd learned from his experience in the private sector that workplaces must take a proactive approach in heading off harassment. With the help of the U.S. Equal Employment Opportunity Commission's Detroit office, he wrote a comprehensive policy that has served Macomb Township employees for the last decade.

Every township—regardless of its size or budget—is an employer. Whether your township has 50 employees or just a few, a harassment policy tells employees what to do if an incident occurs and gives supervisory staff and the township board a procedure to follow. It also helps to ensure that the township is a positive place to work, where employees don't need to worry about being treated with anything but respect.

"It's important for employees to understand what the expectations are," Brogowicz said. "It sets people on the right path, and I think in a lot of cases it's preventive in nature."

The township board exercises the authority and responsibility of the township as the employer. As employers,

both state and federal law make townships responsible for creating a harassment-free workplace. This means boards shouldn't wait until they receive a complaint to address a problem. Their job is to create a culture where all employees know what's expected of them, the consequences if they don't meet those expectations and the procedure they should follow if they believe that they are a victim of harassment. In addition, the township needs to ensure that volunteers, appointed board and committee members, and even contracted workers know the conduct that is expected of them.

The best way to do this is by adopting a policy with clearly defined parameters and updating it on a regular basis to reflect current laws. Then, townships must make certain that every employee is trained on what's in that policy.

With the policy in place, it's up to the board to set an example. All complaints of unlawful harassment must be addressed immediately and thoroughly, and board members and supervising staff should demonstrate the kind of behavior they want to see from their employees.

The result is not only protection from potential lawsuits, but also a positive work environment.

What is harassment?

Suzanne Proksa quickly realized that few people understood the true definition of harassment when she became the human resources director of **Grand Haven Charter Township** (Ottawa Co.). She heard employees use the phrase "he's harassing me," when what they were really referring to was meanness. She decided that the township's existing policy was too long and complicated, and it left employees without a good idea of what constitutes unlawful harassment.

"It was a misunderstanding of what legal harassment really is," she said.

Essentially, unlawful harassment is a form of discrimination that happens at work. By state law, no discrimination is allowed in a workplace based on certain protected classifications, including race, color, religion, sex—including pregnancy—national origin, age, disability, height, weight and marital status. Federal discrimination laws apply only to employers with 15 or more employees. Michigan's Elliott-Larsen Civil Rights Act, however, applies to any entity with at least one employee.

Harassment can take two forms. One is "quid pro quo," or an exchange between two parties. This means the conduct is either an overt or understood condition of the working relationship. A common example of this is a subordinate who dates a supervisory employee and is threatened with being fired if the relationship ends.

The other form of unlawful harassment is creating a "hostile work environment," which can include verbal comments, practical jokes, emails, offensive posting of pictures, physical conduct and anything related to protected classifications that creates an environment so hostile that it affects a worker's employment.

Harassment's legal definition does not apply to a personality conflict, or even bullying. It does not prevent a



It's up to the township board to set an example. All complaints of unlawful harassment must be addressed immediately and thoroughly, and board members and supervising staff should demonstrate the kind of behavior they want to see from their employees.

township board or department head from disciplining or reprimanding an employee, and an angry comment from a co-worker or supervisory employee is not harassment. Claims must involve workplace discrimination based on a characteristic protected by law. For example, derogatory comments made to an employee about his or her religion could rise to the level of unlawful harassment.

A respectful work environment isn't about being politically correct or censoring employees. Generally, it's just common sense. Attorney Stephen Schultz, of the law firm Fahey Schultz Burzych Rhodes PLC, uses one simple guideline: If you wouldn't say it, do it or send it to your best friend's mother-in-law, it's probably inappropriate.

"We're talking about civil conduct," he said. "Everybody in the room knows what's appropriate and what's not. ... It seems fairly intuitive in this day and age, and yet sometimes, people don't think about their behavior."

Policy matters

Townships don't adopt harassment policies because they have a problem with discrimination. They adopt policies to prevent the issue from ever happening. Prevention is key because as employers, townships can sometimes be held responsible for their employee's behavior, even if the board didn't know about it. They may be liable if a supervising employee takes actions that affect a subordinate's employment or benefits, or if the township establishes or permits a hostile work environment. Townships with a well-crafted unlawful harassment policy are prepared to defend themselves against this potential liability.

The law requires employers—including township boards—to provide a workplace free from unlawful harassment. The focus is on providing a non-discriminatory workplace, instead of sitting back until a complaint is filed.

Some townships believe they don't need a harassment policy because they only have a handful of employees. Officials have told Schultz that their offices are so small, they would know if harassment was a problem. Yet, when he teaches MTA's Township Governance Academy course on employment issues, he points out that in any given room, everyone falls within one of the categories protected by law. And in townships, unlawful harassment can come from sources other than township employees. It could also come from board members, supervising personnel, and even the public. Any of them could create an atmosphere of unlawful harassment in the workplace, Schultz said. That's why having a policy is crucial, even for the smallest township with as few as one clerical employee.

To Brogowicz, having a harassment policy is just good management. If a township didn't have a policy to protect it from liability and was sued or charged a penalty, the money would come from taxpayer dollars. A harassment scandal could also become an embarrassment not just to the perpetrator and the victim, but the community as a whole.

Anatomy of a harassment policy

Though harassment is a complex issue, township boards should not try to specifically list every possible scenario that could arise. Instead, policies should be broad and instructive. Employees should be able to read the policy and understand what's unacceptable, what they should do if they're a victim of harassment and how the township will respond. Some townships choose to lump sexual harassment into unlawful harassment policy, and distinguish between the two by listing sexual harassment under a subheading. Others write separate policies for each.

Opening statement

A harassment policy usually includes a statement that sums up its goal and the township's commitment. Typically, this goal is to provide a work environment that is free from discrimination based on any protected characteristic.

When Schultz teaches classes about personnel policies, he gives participants a sample policy with the following opening language:

We strive to maintain a pleasant working environment free from intimidation, humiliation and insult.

The policy should explicitly state that harassment will not be tolerated, and the protected characteristics should be listed. These characteristics must include the classifications protected in Michigan's Elliott-Larsen Civil Rights Act, but townships can choose to include even more characteristics.

Oshemo Charter Township (Kalamazoo Co.) also protects individuals based on their veteran and familial status, and about a year ago, the board added sexual orientation and gender identity. Supervisor **Libby Heiny-Cogswell** said the board made the change after a business owner requested a township-wide non-discrimination ordinance. After several



The township board, human resources director, liability insurance firm or another agent should communicate to township employees that harassment is taken seriously and won't be tolerated.

meetings and months of discussion, the ordinance was adopted and the township employee handbook was brought into compliance with the ordinance.

Currently, sexual orientation and gender identity are not protected by the state, but legislation is pending in the state Senate that would add those characteristics to Michigan's anti-discrimination laws. Townships will need to update their policies with this wording if the bill becomes a law.

Definition

Once the protections are established, the policy should define what constitutes harassment. The definition should be general enough to apply to all cases of unlawful harassment, but should also include examples so that employees fully understand what could be considered harassing behavior. Macomb Township uses the following definition:

Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, national origin, age, marital status, disability, citizenship, protected activity or any other characteristic protected by law, and that

- *has the purpose or effect of creating an intimidating, hostile or offensive work environment;*
- *has the purpose or effect of unreasonably interfering with an individual's work performance, or*
- *otherwise adversely affects an individual's employment opportunities*

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group.

Schultz's sample policy clarifies that true harassment must be distinguished from conduct that may be unpleasant but is not inappropriate in the context of what is necessary for carrying out township responsibilities.

Procedure

A crucial piece for every policy is a procedure for reporting harassment. This should instruct employees to report a violation if they believe unlawful harassment has occurred, whether they are the victim themselves or have witnessed it happening. Some policies, such as that in Macomb Township, go so far as to say that employees have an obligation to report harassment. Others, including Grand Haven Charter Township, say that employees are encouraged to make a report. Townships may also choose to give employees a specific timeframe in which they should make their complaint.

Employees should be given multiple people to whom they can report harassment. They should have at least two choices in case one of the people they report to is the person committing the harassment, or if they just don't feel comfortable discussing it with someone. Any other preferences, such as whether complaints should be made in writing, should also be listed here.

Policies should also explicitly state that employees will not receive any retaliation for making a report. Employees need this reassurance in order to feel more comfortable reporting a violation of the policy.

Investigation

The township should state that all complaints will be investigated promptly, and the procedure for doing so should be outlined. There is no one way to investigate—this process can vary greatly from township to township. Oshtemo Charter Township simply states that an investigation will be done, while Grand Haven Charter Township explains its process in detail, including which staff is on the investigation team, who will be interviewed and how the team will present its findings.

Harassment should be kept out of public discussions out of respect for employees, Schultz said. Townships can't promise that they'll keep an incident confidential because the investigation requires talking to other people. But they should commit to keeping the investigation as confidential as possible and only involve those who are absolutely necessary.

As the employer, the board is responsible for managing employees and is in charge of determining consequences for violating the policy. Boards have the option to delegate the responsibility in the policy to another employee, such as the supervisor or human resources director. What's important is making sure someone takes the lead on enforcing the policy. "Somebody needs to take charge," Schultz said.

Macomb Township relies on its human resources department or its legal counsel to investigate cases of harassment. Once the investigation is complete, the results are reported to the board, which decides what the consequence should be.

As supervisor, Heiny-Cogswell is in charge of investigating claims for Oshtemo Charter Township, but she has the option to turn to the township's attorney for advice. She can also meet with the board's three-member personnel committee if she has any questions before taking action.

Grand Haven Charter Township takes a team approach and spells out who must be part of the investigation team

in its policy. When someone files a harassment complaint, it must be investigated by the director of administrative services, a member of the personnel committee and the township attorney. This allows for more accountability and guarantees that all sides of a complaint will be heard by people with different perspectives.

Consequences

If an investigation determines that a complaint is valid, the township must act to remedy the situation. A consequence is absolutely necessary to show employees that the township doesn't tolerate any form of unlawful harassment.

No disciplinary action will fit every situation, and townships must consider all the facts before deciding to reprimand an employee, require counseling or even discharge the person who violated the policy. A few corrective actions could be listed in the policy, but townships can cover their bases by saying that action will be taken up to and including termination.

For supervisory employees, a harassment violation is even more serious. The township may have strict liability if an employee in a supervisor capacity harasses a subordinate, and supervising employees could face more significant consequences. Some townships have a flat policy that supervisory employees found to have harassed subordinates will be terminated.

It's possible that a township employee could file a complaint about a township board member. If the complaint is proven, the board will need to decide how to remedy the

Zoning Administration Services

from  CARLISLE | WORTMAN
associates, inc.

Keep *small* zoning enforcement
mistakes from turning into *big*
DEVELOPMENT DISASTERS!



**COST-EFFECTIVE
TRAINED, CERTIFIED PROFESSIONALS
CONTRACTS TO FIT ANY SIZE COMMUNITY**

Get just what you need, just when you need it.

Contact Doug Lewan

734-662-2200 • dlewan@cwaplan.com



situation. The board could direct the official to refrain from interacting with the harassed employee when he or she is in the office. The employee should not be required to work with the harassing board member.

The board's authority is limited in cases where possible unlawful harassment is completely unrelated to the workplace. However, separating public and private life can be difficult for township officials. The board must determine what is related to the workplace and what isn't. Even if the harassment took place outside of the workplace, there could be fears of retaliation in the office as a result.

Employees could also file claims that a member of the public is creating a hostile work environment if the harassment is work-related. For example, if a member of the public harasses a township employee at a workplace, such as the clerk or treasurer's office, the township must investigate the incident once it's reported. Then, whoever enforces the policy must find a remedy for the situation that protects the employee, such as having another employee work with that member of the public, or even requiring that person to notify the township in advance before coming to the township hall. This is a delicate and difficult situation. The township has a legal obligation to have a workplace free from unlawful harassment, yet the public has a need to visit township offices for many reasons.

Once the investigation is over and the issue is resolved, the case is closed from the township's perspective. However, Macomb Township allows for an appeal to the township supervisor if the person making the complaint isn't happy with the resolution.

The more you know

Even the best harassment policies are of little good if employees don't know what they say. Education and training go hand in hand with adopting and updating a policy.

One day of training after a policy is adopted isn't enough. Employees will leave, and new ones will be hired to take their place. Unless the township regularly educates new officials and workers, they won't know about the policy and the procedure that's in place. Schultz suggests a training session every couple of years, but in addition, new employees should

be provided with the township's policies and the policy on unlawful harassment should be specifically pointed out.

He also recommends that the board consider having separate sessions with supervisory and rank-and-file employees. The duties imposed on employee supervisors and the liability that the township could face warrants a separate conversation.

"The policy is only as good as your employees' awareness that it exists," Schultz said. "If the township adopted an unlawful harassment policy 10 years ago, put it in a handbook and put the handbook on the shelf, their employees don't even know that the policy exists."

In Grand Haven Charter Township, a review of the harassment policy is standard for all new employees when they are hired. Then, all employees receive a mandatory refresher course every year, no matter how many times they've heard it before. Proksa has used a webinar in the past, and she's working on a new, updated PowerPoint presentation for next year's training. The township's fire department does its own harassment training by showing a video.

Heiny-Cogswell doesn't let the eye rolls from employees prevent her from training Oshtemo Charter Township employees every two to three years. She knows the frequent training is important, even for employees who have heard the information multiple times.

With the help of the township's liability insurance agency, she shows a video that educates the employees on everything they need to know about the policy. She schedules as many as three different training opportunities so that everyone, including the paid on-call firefighters, has time to attend.

"It's the type of training that an ounce of prevention is worth 10 pounds of cure," Heiny-Cogswell said. "It's a way to get the message out that it will not be tolerated, and it's a way to educate employees on what it is. I think the educational part is huge."

R-E-S-P-E-C-T

Creating a respectful culture starts with training. The township board, human resources director, liability insurance firm or another agent should communicate to township employees that harassment is taken seriously and won't be tolerated. They should explain the policy in detail and make sure that everyone understands the procedure in case they are ever a victim. And they should assure employees that if harassment occurs, they will take some kind of action to ensure that it doesn't happen again.

Then, townships must follow through with what they've promised. If an employee makes a complaint, those in charge should start their investigation swiftly.

"You need to do that in a very timely way," Schultz said. "If a township gets a complaint of unlawful harassment and doesn't start looking into it for two weeks, that sends a terrible message to your employees."



LANDPLAN
INCORPORATED

Rural Community
Planning & Zoning Services

Mark A. Eidelson, AICP
President

4211 Okemos Road, Suite 15
Okemos, MI 48864

517.347.2120
fax: 517.347.2234
landplanning@comcast.net

PO Box 1808
Traverse City, MI 49685-1808
www.landplan-eidelson.com

In Grand Haven Charter Township, Proksa focuses more on promoting respect than preventing harassment. She and the other members of the management team make a conscious effort to reflect positive characteristics that they want their employees to mirror.

In 2012, Proksa met with small groups of township employees to create a set of core values that they wanted to see in their behavior. She gave them examples, such as providing superior services to residents and promoting an enjoyable work environment, and asked employees what those values meant to them. She compiled her notes from each meeting and put together a presentation on her results. The employees agreed to work on the core values in the presentation and try to exhibit the positive behaviors.

Proksa believes these core values have prevented harassment from becoming a problem among township employees.

“We focus on being respectful, and then the other falls into place and we don’t have these issues,” Proksa said.

Always on the radar

A good harassment policy does not stay good forever. Each township should update, or at least review, its policy every few years. Boards should research current discrimination and civil rights laws to make sure that their policy reflects the latest state and federal statutes. They may also decide that other tweaks are necessary based on past experiences with handling harassment claims.

Brogowicz makes it a regular practice to review all Macomb Township policies, not just the harassment policy, every four years. That way if new board members are elected, they have a chance to raise questions and make changes.

“I’m a firm believer in having good policies, and I’m a firm believer in updating those policies as times change, and communicating the policies,” Brogowicz said.

An ounce of prevention

It’s possible that a township with a harassment policy and training program could never actually put the policy to use. This does not mean that the policy was pointless, or that it didn’t work. Townships that adopt and implement policies take a proactive approach to providing a harassment-free workplace.

The policies aren’t meant to catch and punish harassers, though they can certainly do so. Instead, they can help your township create a culture of respect—and stop harassment before it starts.



Bethany Mauger, MTA Staff Writer

For more information and resources, including sample policies, visit MTA’s “Employment Issues” Web page on the members-only section of www.michigantownships.org. After logging in, find the page through the “Index of Topics” under the “Answer Center” tab.

BUILDING COMMUNITIES.

Wightman & Associates, Inc. has delivered first-class engineering, architecture and survey solutions to a diverse collection of clients since 1946. During that tenure, we’ve earned our reputation as one of the most trusted firms in Michigan. We’ve made our mark by building strong, vibrant communities in Southwest Michigan and beyond.

www.Wightman-Assoc.com

WAI WIGHTMAN & ASSOCIATES, INC.
ENGINEERING • SURVEYING • ARCHITECTURE

Benton Harbor 269-927-0100 Portage 269-327-3532 Allegan 269-673-8465



DO YOU HAVE The Will to Lead?

This January, head to Grand Rapids for MTA's **62nd Annual Educational Conference & Expo**, Jan. 27-30, 2015, at the **Amway Grand Plaza & DeVos Place**.

Rediscover your **Will to Lead** at the ONLY event geared exclusively toward Michigan's township officials. Gather knowledge, insights and ideas from the foremost local government thought leaders and governance experts, as well as your fellow township officials, throughout this unparalleled event. You don't want to miss:

- **60-plus breakout sessions**, showing you how to successfully carry out your statutory duties and fulfill your role on the board. NEW this year is a targeted "Leadership Track"—with educational sessions designed to inspire and take your leadership skills to a new level.
- **Tuesday Track sessions**, including sessions on grant writing, conducted by renowned grants expert Dr. Beverly Browning, and on the fundamentals of assessment and taxation, along with MTA's Auditor and Legal Institutes.
- **Evening networking events**, including a Themed Dinner Party, preceded by a VIP Legislative Reception. Don't miss the "3-D" Welcoming Reception (*sponsored by Bendzinski & Co.*), Par-Plan Fun Night (*sponsored by Michigan Township Participating Plan*), and Afterglow Reception (*sponsored by Burnham & Flower Insurance Group*).

Check out the full schedule of events, including educational session descriptions, in the Conference registration brochure, which appeared in the October Township Focus.



2015 Conference reminders

Conference volunteers needed

MTA is seeking township officials to serve as sergeants-at-arms (SAA) or ambassadors during the Conference.

MTA members attending Conference are eligible. SAA duties include distributing session handouts and evaluation forms, monitoring classrooms, and collecting evaluation forms. Conference ambassadors assist with welcoming and directing attendees to registration upon arrival.

For details or to volunteer, call the MTA Knowledge Center at (517) 321-6467 or email kristin@michigantownships.org.

A volunteer sign-up form is also available online at www.michigantownships.org/ConfVolunteer.asp. Assignments will be sent in December.

Hop on the bus to Conference!

The Marquette County MTA Chapter is arranging a charter bus to bring township officials and their guests from the Upper Peninsula and northern Michigan to the Conference. For more information, contact **Bill Luetzow** of **Richmond Township** (Marquette Co.) at (906) 475-4180.

IMPORTANT: To ensure your seat, contact Luetzow by Nov. 26.

Upcoming dates and deadlines

Dec. 15 Early-bird registration deadline.

Jan. 6 Last day to obtain housing at special rates in MTA room blocks.

Jan. 8 Last day to register for Conference to have a confirmation sent to you. Attendees registering after this date must stop by the MTA Registration Center on-site.

Last day to obtain the regular registration rate; on-site rate applies after this date.

REGISTER TODAY!

Download a registration brochure or register online at www.michigantownships.org/conference.asp. Housing reservations are accepted at www.grandconnection.com/mta2015. Early-bird rates end Dec. 15.



November workshop tackles tax collection

Collecting property taxes is a highly visible function of the township treasurer's office. It comes with significant responsibility not only for the large amount of money collected but also for compliance with the General Property Tax Act. Whether you are a seasoned treasurer, newly elected or anything in between, MTA's November workshop, *Treasurers' Guide to Tax Collection*, is a must!



The day will include discussions on preparation of the tax bill, summer and winter taxes, accounting for and disbursement of collections, and more. In addition, we'll explore applicable laws and "best practices." This workshop is also appropriate for deputy treasurers and any employee who has some responsibility in the property tax collection process.

Join us in **Gaylord** on **Nov. 13** or **Lansing** on **Nov. 18**. Registration and continental breakfast begins at 8:30 a.m. Class is held from 9 a.m. to 4 p.m., and includes lunch served at noon. Registration forms appeared in the October *Township Focus*. Register online at www.michigantownships.org.

GIVE thanks

Get 50% off ALL MTA webcasts in November!

Promo code: thanks

MTA is offering a discount on all webcasts this month! This is just our way of thanking township officials for their dedication to professional development.

For a list of available webcasts, or to register for a webcast, visit MTA's Online Learning Portal at www.michigantownships.org (under "MTA Products & Training").



www.manniksmithgroup.com

Municipal Engineering ●

Parks & Cemeteries ●

Grant Assistance/Procurement ●

Water & Wastewater Design ●

Construction Management ●

Landscape Architecture & Sustainability ●

Transportation Planning ●

Archeological & Historical Services ●

Wetland Studies & Mitigation ●

Monroe

734.289.2200

Canton

734.397.3100

Lansing

517.316.9232

Detroit

313.961.9500

Traverse City

231.929.7330



TECHNICAL SKILL.
CREATIVE SPIRIT.

Law Offices of

**Seglund Gabe Quinn
Elowsky & Pawlak, PLC**



- General Municipal Services
- Zoning & Planning
- Public Improvements
- FOIA & Open Meetings
- Millages & Elections
- Special Assessments
- Litigation
- Certified Mediation

MAIN OFFICE:

28348 Beck Road, Suite 401
Wixom, MI 48393
(248) 869-0030

SATELLITE OFFICE:

36400 Woodward, Suite 220
Bloomfield Hills, MI 48304
(248) 712-4615

By Appointment Only

www.michlaw.biz

upcoming MTA workshop

REGISTRATION INFORMATION

New Officials Training

Welcome to Township Government!

Upon taking the oath of office as a township official, you are assuming multiple responsibilities, requiring a unique combination of leadership, decision-making and administration, as well as an understanding of statutory requirements.

How can you bring fresh perspectives to the board, while valuing the work of veteran board members and staff? What are the crucial functions you need to perform right now for your specific office? MTA's *New Officials Training* can help newly elected officials in your township learn how to start out on the right foot! Join us in **Gaylord on Dec. 3** or **Lansing on Dec. 10**. Registration and continental breakfast begin at 8:30 a.m. Class is from 9 a.m. to 4 p.m., and includes lunch served at noon.

A valuable refresher

Designed to help build on your abilities and understanding of township government, this program enables you to successfully represent and serve your residents while shaping your community's future. Get an overview of the "hows and whys" of township government, and explore the duties and responsibilities of a township board and of each individual board member. A helpful refresher for even a seasoned official or those changing office.



Add-on options

The publications offered in the Basic Starter Kit are an integral part of the training. If your township already owns current editions, bring them with you to the workshop. Individual books are also available for sale on-site, while supplies last.

OPTION 1: Basic Starter Kit

Guide to Township Government (specific to your office), *Authorities and Responsibilities of Michigan Township Officials, Boards and Commissions*, and *Introduction to Township Board Meetings* (\$70 discounted rate; regularly \$83)

OPTION 2: Essential Township Collection

Includes resources offered in the Basic Starter Kit PLUS *Building a Better Budget* (includes CD), *Introduction to FOIA*, *The Township Guide to Planning & Zoning* and *Township Planning & Zoning Decision-making* (\$180 discounted rate; regularly \$214)

Cancellations & substitutions

Written cancellation requests received at the MTA office by Nov. 19 will receive a full refund. No refunds will be issued thereafter. You may substitute another individual from your township for your registration at any time without incurring a charge; please notify MTA of the change.

New Officials Training Registration Form

Which location will you attend?

- Dec. 3: Otsego Club
696 M-32 E. Main St., Gaylord
- Dec. 10: Ramada Inn
7501 W. Saginaw Hwy., Lansing

Township _____ County _____

Daytime Telephone _____ Email (where confirmation will be sent) _____

Name & Title _____ Purchase books: Basic Essential

Name & Title _____ Purchase books: Basic Essential

Name & Title _____ Purchase books: Basic Essential

	Early-bird Rate*	Regular Rate*	# of People Registered	TOTAL
	For paid registrations received by Nov. 19.	For paid registrations received after Nov. 19		
Per person No books included	\$149	\$169	X	=
Per person Includes basic book package	\$219	\$239	X	=
Per person Includes essential book package	\$329	\$349	X	=

*Rates apply to MTA members; non-members, call MTA for rates.

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

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

Card #	Expires
Print Card Holder's Name	Signature



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.



Compensating fire chiefs

The August 2014 *HR 101* article provided an analysis of how firefighters are classified under the Fair Labor Standards Act (FLSA) and a township's ability to possibly exempt "bona fide" volunteer firefighters from the FLSA. Bona fide volunteers are firefighters who meet the standards set out in that article and are not subject to minimum wage and overtime.

The nature of the duties and authority of the fire chief position require that a fire chief be classified as an employee of the township for Internal Revenue Service (IRS) payroll tax purposes and not as a "bona fide" volunteer.

A fire chief is a township employee

The legal authority to provide fire protection comes from the Police and Fire Protection Act, Public Act 33 of 1951 (MCL 41.801, *et seq.*), which authorizes townships to own and operate a fire department. MCL 41.806 gives the township board the authority to "employ and appoint a police chief and fire chief and other police and fire officers, including detectives, required for the proper and efficient operation and maintenance of the police and fire departments and proper law enforcement."

The township board, as the employer, delegates to the chief responsibilities for carrying out the day-to-day tasks of running the fire department. Such tasks include supervising officers and firefighters at an emergency scene, and recruiting, training, and equipping them for their respective duties. Depending upon local needs, the chief may also be involved in fire prevention, fire inspection, disaster preparedness, emergency medical services, and related duties, as well as administrative duties such as budgets and personnel issues, research into safety and regulations, and liaison with other agencies.

A fire chief also has statutory authority to perform fire-related duties that is separate from the authority delegated by the township board to manage fire personnel and volunteers. The Fire Prevention Code Act, Public Act 207 of 1941, conveys certain specific authority and obligations on fire chiefs, and provides very broad authority to fire chiefs to abate dangerous conditions. (MCL 29.7a)

When viewed in light of the IRS factors for classifying employees, volunteers or independent contractors, the fire chief position must be classified as an employee, not as a volunteer. Depending on the specific duties and authority exercised by other fire officers in an individual department, those positions may also be required to be classified as an employee, not a volunteer.

A township has options for paying the fire chief

As an employee, not a volunteer, the fire chief is subject to the FLSA, which requires that most employees be paid at least the federal minimum wage for all hours worked and overtime pay at time-and-a-half the regular rate of pay for all hours worked over 40 in a work week, unless the position is "exempt." Exempt positions are those not subject to minimum wage and overtime requirements.

A township board is not required to make the fire chief or other officer positions exempt, but many do because there may be an overall cost savings to paying the chief by salary, without overtime, considering the hours that a fire chief position may require. To qualify for exemption, the job duties of a position must meet certain criteria and the position must be paid on a salary basis at not less than \$455 per week.

Section 13(a)(1) of the FLSA provides for several types of job categories that could be classified as exempt, but a fire chief position usually will be considered either an **executive** or **administrative** position. The specific determination of which category applies to an individual fire chief position will depend on the extent of the authority assigned in that township.

Executive positions: The primary duty consists of the management of the enterprise in which he or she is employed or of a customarily recognized department or subdivision of the business. The position will generally direct the work of two or more employees and may have the authority to hire and fire or make recommendations that are given particular weight in the hiring, firing and promotion of the employee.

Administrative positions: The duties must be primarily office or non-manual work that is directly related to management or general business operations and the position must exercise discretion and independent judgment with respect to matters of significance.

Q. What if the fire chief is not exempt from the FLSA?

Fire chief positions that do not meet the salary and duties test required to classify them as exempt from the FLSA may be classified as either a “non-exempt salaried” or “hourly” employee.

Non-exempt salaried employees essentially are hourly employees, except you pay them a flat rate each pay period. This rate can never fall below minimum wage based on the hours that they work. No overtime is calculated unless and until a non-exempt salaried employee has actually worked more than 40 hours in a work week. At that point, overtime rules are applied to each hour worked over 40 hours.

Hourly employees are paid an hourly wage of at least minimum wage for each hour worked. Hourly employees are subject to minimum wage and overtime for every hour worked more than 40 hours in a work week.

Q. Can a fire chief be paid a salary plus an hourly per run pay?

Yes, but there is little advantage to doing so, and it can create confusion that could lead to noncompliance with the FLSA.

Exempt salaried chief: Because a fire chief who is an exempt salaried employee is not subject to minimum wage or overtime requirements, there is no real benefit to paying run pay. None of the chief’s time can be considered as “volunteered” time, and there is no point in tracking hours, since there will be no overtime paid. A simpler approach is to set the salary at a level that compensates the chief for estimated potential fire run hours. Even if run pay is given, it really is just paid out and added to the total salary for payroll purposes.

Non-exempt salaried chief: A non-exempt salaried fire chief position must still meet minimum wage standards. If the position is also paid run pay the different rates for different duties (e.g., one rate for administrative duties

and one rate for fire runs) must still meet minimum wage standards. Not doing so would violate the FLSA.

Also, attempting to pay a non-exempt salaried chief additional run pay as a “bona fide” volunteer (at less than the current minimum wage of \$8.15 per hour) would be a violation of the FLSA. The FLSA states that an employee of a public agency may not volunteer to perform the same type of services they perform as an employee. Therefore, the township could not pay the fire chief a salary for their administrative duties and also compensate them as a “bona fide” volunteer for fire runs.

As with the exempt salaried fire chief option, it may be simpler to instead set the salary at a level that compensates the chief for estimated potential fire run hours.

The following examples illustrate how variations of pay for a non-exempt salaried fire chief may or may not comply with the FLSA:

Non-exempt Salaried Fire Chief			
Rates		Weekly Hours For Administrative and Fire Runs	FLSA Compliant
Monthly	Weekly		
\$1,000	\$250	30	Yes. \$250/30 hours = \$8.15 per hour, meeting minimum wage.

Non-exempt Salaried Fire Chief				
Rates for Administrative Duties		Weekly Hours	Fire Run Rate	FLSA Compliant
Monthly	Weekly			
\$250	\$62.50	7.5	\$25 for the first two hours, \$10 per hour for every additional hour.	Yes. The different rates of pay both meet the minimum wage.

Non-exempt Salaried Fire Chief				
Rates for Administrative Duties		Weekly Administrative Hours	Flat Rate Per Fire Run (regardless of hours)	FLSA Compliant
Monthly	Weekly			
\$250	\$62.50	7.5	\$13	No. Fire runs have to be paid at least \$8.15 per hour

Additional information is available on MTA’s “Minimum Wage” Web page, on the members-only section of www.michigantownships.org. After logging in, access the page via the “Index of Topics” under the “Answer Center” tab.

Delta Charter Township is a ‘Township of Excellence’



In Ken Fletcher’s mind, Delta Charter Township (Eaton Co.) was already excellent.

The township supervisor was proud of the board’s shrewd fiscal management, the hardworking staff and the quality of life improvements they’d made, such as the East West Pathway trail system. So when he and the board decided to pursue MTA’s “Township of Excellence” distinction, he thought that if the township didn’t qualify yet, it was at least close.

Fletcher was shocked to discover that earning the distinction was a far more rigorous process than he’d imagined. The intense application required information on everything from professional development and policies to emergency services and land use management. The board spent nearly two years scouring every aspect of the township government, identifying areas that needed improvement and finding ways to make those areas better. They made sure that new officials had the knowledge they needed to do their jobs by sending them to MTA training, and they put forth an even more concerted effort to engage the public in township decision-making.

Their work paid off this fall, when Delta Charter Township became only the second township to be named a Township of Excellence. It’s also the first charter township to earn the coveted title.

The township will be recognized for the honor on Wednesday, Jan. 28, at the Opening Session of MTA’s 2015 Annual Educational Conference & Expo in Grand Rapids.

Fletcher knew his community was a strong township before it went through the application process. Now, he’s confident the township has the policies and best practices to maintain the strong status for years to come.

“You as a community can be doing great things to improve the quality of life. You can be spending your money wisely and providing good services,” Fletcher said. “But at the same time, you may not have in place the policies and the procedures to help guarantee that that’s always going to be the case, no matter who is on the board.”

Going above and beyond

MTA started the Township of Excellence program in 2008 as a way to recognize townships for excellence in government. To qualify, townships must go above and beyond simply meeting state statutes. They must demonstrate that they have superior processes and outcomes in government, as well as adherence to best practices involving its statutory duties of financial stewardship, assessing, tax collection and election administration. If the applying township provides services in transportation, utilities, cemeteries, emergency services, land management and economic development, it must also demonstrate excellence in those areas. The program is meant to encourage townships to achieve excellence and create a sense of identity and community pride for residents.

Last year, **Spring Lake Township** (Ottawa Co.) became the first to earn the prestigious distinction. Other townships have been awarded certificates of excellence for meeting program standards in sections such as governance, financial stewardship, tax collection, election administration, emergency services and utilities.



This fall, Delta Charter Township (Eaton Co.) became only the second township to be named a Township of Excellence. It's also the first charter township to earn the coveted title.

Applying for the designation is a lengthy, labor-intensive process. It forces townships to scrutinize the way they operate every aspect of their government and look for ways to improve. MTA's goal is for townships to become even better at what they do by striving for a new level of excellence.

"The Township of Excellence award requires a township board and staff to commit to working together toward goals of excellence over a period of time," said Catherine Mullhaupt, MTA director of Member Information Services. "It cannot be achieved if only a few board members or departments participate. Getting that buy-in may be the hardest part of the process, but once it's achieved, it becomes a mark of excellence—and good governance. When a township comes together with that kind of engagement and 'can do' spirit, it is reflected in all the ways the township serves the community."

A focus on excellence

Delta Charter Township board members first heard about the Township of Excellence program while attending the MTA Annual Educational Conference & Expo in 2012. Fletcher and the board decided this distinction would allow them to tell their residents that the township was operating as effectively and efficiently as possible. Earning the honor became one of their top priorities.

Longtime township Manager **Richard Watkins**, who is retiring this year, met with each department head to assess what the township was doing well—and what needed to improve. Every staff member was asked to focus on making sure Delta Charter Township was providing the best service possible.

As they delved into their township operations, they realized the township's appointed officials might not be getting the training they needed to do the best possible job. Members of the planning commission and board review needed more information about their roles and expectations in order to be more successful.

Fletcher sent officials to MTA training events, where they learned from experts about how to do their jobs

more effectively. Everyone returned saying they learned information they wished they'd known when they first took on their roles. Now, the township has a policy that new officials must receive training when they're first appointed.

"We need to make sure they're given all the tools they need to be successful," Fletcher said.

The board began working harder to involve the community when it made decisions. It's not enough to simply post meeting notices and hope people show up—the township also needs to reach out to people who may be affected by a decision and ask for their input, Fletcher said. For example, when the board decided to revisit its sign ordinance, it distributed a survey to business owners and residents asking for their opinions in order to see both sides of the issue.

Board members also took a hard look at their policies and procedures, making sure that their decision-making processes were all in writing.

"At the end of the day, there's always going to be somebody who disagrees with a decision you made," Fletcher said. "But if you can at least show that there was a process, that process was followed and it was done in an open and transparent manner, they can't criticize the process itself. They can disagree with the outcome, but they can't criticize the process."

The entire Delta Charter Township staff was thrilled to learn that their nearly two years of work would finally culminate in earning MTA's distinction. Fletcher knows the township is better because of their efforts to meet Township of Excellence standards.

Well worth the effort

Fletcher encourages other townships to also strive for the distinction—and says the benefits of the process are well worth the effort.

"The process itself requires you to sit down and look and see how you are doing, and think about if you're doing things in the best way possible," Fletcher said. "Even if at the end of the day you decide not to fully complete the process, you will still gain a tremendous amount by going through it."

Learn more about MTA's Township of Excellence program, and download an application form, on www.michigantownships.org (under the "About MTA" tab).

**Serving the
Government
Market in**

- Engineering
- Surveying
- Master Planning
- GIS
- Drafting

Arne Larsen, P.E.
Civil Engineering Group Mgr.
616-392-5398

HOLLAND
ENGINEERING
HollandEngineering.com



Oh deer!

Townships, hunting and deer management

Fall is here, when thoughts turn from fishing, swimming and boating to other outdoor pursuits—which for nearly 700,000 Michiganders means deer hunting.

Hunting is the primary tool for managing Michigan's wildlife species, has a positive impact on state and local economies, and can also provide state residents and visitors alike with recreation and family time enjoying Michigan's natural resources.

Looking at hunting and hunter's safety

Hunting and fishing have a large economic impact for the state and its local communities—some 1.9 million hunters and anglers spend \$4.8 billion annually and support 72,462 jobs in Michigan alone. According to a national study from 2011, that spending is more than the combined revenues for dairy products, corn and soybeans, the state's three highest grossing agricultural commodities that year (\$4.83 billion vs. \$4.47 billion). Sportsmen and women in Michigan also generated \$576 million in state and local tax revenue in 2011—enough to support the average salaries of 10,948 police and sheriff's patrol officers.

In terms of safety, there were just nine reported hunting incidents in 2013 statewide, including one fatality, which is down from 15 incidents with one fatality in 2012. These incidences are rare considering that more than 661,000 deer hunters who spent a total 9.2 million days afield.

The state's hunting regulations, education and mentoring help bring in new ranks of hunters and pass this Michigan

tradition onto youth, while maintaining a safe environment for hunters and the public. In 2011, the Michigan Department of Natural Resources' (DNR) Mentored Youth Hunting Program was created to allow youth under 10 to hunt alongside a properly licensed mentor at least 21 years old. Youth or any new adult hunter can also become an apprentice hunter for up to two years before taking DNR hunter education, where they must hunt with another licensed hunter 21 years or older.

Once hunters have completed hunter education, they still must hunt with an adult until they are 17. Each of these learning opportunities can help to instill the value of safe and ethical hunting and the joy of the outdoors at an early age.

Undertaking deer management

Despite the popularity of deer hunting in this state, local officials likely know all too well that there can certainly be a downside to deer in certain areas across the state, where the population or lack of natural habitat has led to vehicle-deer collisions, damage to agriculture and forest production, and late-night backyard raids in residents' flowerbeds and vegetable gardens.

These problems might be enhanced by recreational feeding of deer. In most areas of the state, it is legal to provide a limited amount of food for deer (up to two gallons at a

time) within 100 yards of a residence—though placing even a limited amount of feed may draw deer into urban and suburban communities.

Deer hunters can be allies in helping to address these issues, turning them into positives for your community and local economy. One mid-Michigan township is taking a novel approach to assist with deer management on township-owned properties.

Meridian Charter Township's approach

Meridian Charter Township (Ingham Co.) has documented hundreds of complaints related to deer over-population—from vehicle-deer collisions, damage to personal property such as landscaping, concern for public health, and a disruption to the ecological balance of natural areas.

“Some say that drivers should simply slow down, but I’ve had numerous phone calls where residents tell me they were actually driving *under* the speed limit and the deer ran into them,” noted **Jane Greenway**, the township’s parks and land management coordinator. “Clearly, the deer enjoy our township as much as we do, and everyone loves living near natural areas and within proximity of the Red Cedar River.”

In an effort to reduce the over-population of deer within its borders, the township piloted a unique managed harvest program in 2011 on select township properties. The project, in its fourth year, has grown each year, and now includes 20 township and county-owned properties.

“We have placed our hunters in all township-owned properties that are practical and safe for bow hunting,” said Greenway. “Meridian Township’s approach is fairly unique in that we are opening up the majority of our parks and land preserves to managed bow hunting, rather than utilizing professional sharp shooters.”

In 2014, the managed deer harvest will occur in land covering more than 1,600 acres—including five township parks, 13 land preserves, two additional township-owned properties, and one county park. “Our parks and land preserves remain open during the harvest,” Greenway noted.

Working with the DNR

According to Nick Sanchez, with the township’s parks and recreation department, when the township board first decided to tackle its deer over-population problem, the township began by contacting the DNR to help craft an approach that would work for the community. The deer management plan must be approved annually by the township board, land preservation advisory board, and park commission.

The managed hunt operates under a DNR Deer Management Assistance Permit. Permits are provided to hunters by the township. In 2013, the township purchased a total of 170 permits in 2013, which led to the harvest of 127 deer. For 2014, the permits have been reduced to \$10 each. The hunters are required to purchase their own base hunting (\$11) and antlered deer license (\$20). In addition, the township was permitted to distribute the antlerless deer permits to hunters on private properties adjacent to those within the deer management program. Three residents took advantage of this opportunity in 2013.

Only qualified hunters need apply

The managed hunt is not open to the general public—roughly 75 approved, qualified and experienced hunters who are familiar with the area are allowed to access township property for the managed harvest. Selected hunters choose which property they want to hunt, and are asked to call ahead to notify the township which days they are hunting and post a flyer in their vehicle window alerting the public that there is hunting in progress on that property. They must check in with township staff every time they enter and leave the property.

The program is archery only, which limits range and allows the hunter the opportunity to better identify the target without error. The hunters are required to hunt from an elevated tree stand, which ensures that the arrow quickly reaches the ground in the event that a deer is missed.

“We also require hunters to report stand locations so we can double check to make sure that they are out of the 450-foot safety zones around all occupied dwellings, as well as away from any trails,” Greenway explained. “Having a network of communication among the program hunters, parks department and police department staff not only demands that hunters act responsibly on township property but also discourages potential trespassing hunters who we may otherwise be unaware of.”

There is an annual waiting list as the program’s popularity has grown. The 2014 harvest takes place during the regular archery deer hunting seasons (Oct. 1 through Jan. 1, 2015).

Despite the program’s popularity among hunters, Greenway says the township is holding off on dubbing it a complete success. “The deer/car accident numbers continue to climb, despite our efforts,” she said. “However, I have to believe that the numbers would be even higher if we were not harvesting the deer.”

New deer regulations for southern Michigan

This year, state firearm deer hunting regulations that have been in place in northern Michigan for a number of years will expand to the southern portion of the state. For 2014, a new regulation allows the use of certain low-powered rifles and air rifles in the traditional “shotgun zone.”

The relevant language redefines the “shotgun zone” as the “limited firearms deer zone” and adds the following to the list of allowable firearms in southern Michigan:

“(d) A .35 caliber or larger rifle loaded with straight-walled cartridges with a minimum case length of 1.16 inches and a maximum case length of 1.80 inches.

(e) A .35 caliber or larger air rifle or pistol charged only from an external high-compression power source such as an external hand pump, air tank, or air compressor.”

These new regulations include rifles and ammunition that are lower in power than existing shotguns and muzzleloaders that have long been allowed for hunting purposes. These same firearms have also been in use in the northern two-thirds of Michigan and in Indiana for a number of years.

feature

Helping feed the hungry

Successful hunters must report their take as soon as possible and must donate their first deer to local food banks. They are allowed to keep their second deer, but must donate each deer thereafter. Michigan Sportsmen Against Hunger provides funding for the processing fee. Some 1,300 pounds of venison—providing 6,500 meals—was donated to the Mid-Michigan Food Bank in 2013.

Area residents—not just the area hunters—have been supportive of the project, says Greenway. “The community has strongly supported our efforts at deer management,” she said. “Many residents appreciate the fact that the venison is donated to the local food banks. The most commonly heard complaint we receive is that we need to harvest *more* deer.”

Greenway is also pleased to be able to provide a recreational opportunity for hunters in the township, saying that, “We are proud that we can provide our resident hunters the ability to pursue outdoor recreation right here at home, rather than having to drive ‘up north.’”

In fact, she continued, “‘Up north’ communities are actually contacting us for advice on deer management.”

To that end, Greenway recommends that any townships considering undertaking a deer management program of their own survey residents to ascertain their thoughts, and utilize local experts to advise the township on any plans. Meridian

Charter Township sought expertise from residents, the township garden club, local biologists, experts from Michigan State University and the DNR, among others.

Looking to the future, the township has also indicated its interest in exploring opportunities with the DNR to allow authorized hunters to take deer outside of the regular archery seasons under deer damage shooting permits.

Considerations for townships

A township cannot directly prohibit the discharge of firearms or hunting in all or part of the township except in very narrow circumstances, and in most of those circumstances, state approval is required (and has only been granted in very few instances since the 1980s). Township officials can, however, undertake efforts to control the deer population and help to minimize the impact that deer overpopulation can have on the township, its residents and property within its borders.



Amy Trotter, Senior Resource Policy Manager
Michigan United Conservation Clubs, Lansing

For more information, visit www.mucc.org, or contact Trotter at (517) 346-6484 or atrotter@mucc.org.

Legal counsel that helps local governments work effectively.

Our Local Government Law practice group works with local governments and public authorities to ensure the efficient and cost-effective delivery of vital public services. We provide specialized legal expertise in areas as diverse as zoning and land use planning, bond issues, special assessments, tax increment financing, DDA's and other public authorities, labor contracts and arbitration, employee benefits, elections, environmental regulation and many other matters affecting local governments. For more than 50 years, skilled Mika Meyers attorneys have helped public-sector entities meet the ever-increasing demands of their constituents and communities.



For more information on how our Local Government Law team can assist your community, visit mmbjlaw.com.

Mika Meyers
Beckett & Jones PLC

900 Monroe Ave NW Grand Rapids, MI 49503
mmbjlaw.com 616-632-8000



aroundthestate

townships in the spotlight



Oakland Charter Township

Oakland Charter Township (Oakland Co.) has the distinction of being one of the state's oldest townships. It was one of the original 25 townships when the Territory of Michigan was organized in 1827. At that time, the upper three-fifths of Oakland County was declared to be Oakland Township. As settlement continued, boundaries changed several times. In 1837, when Michigan became a state, Oakland Township was at its present size.



Many of the area's early settlers became influential citizens in the township. Many were excellent farmers, and many continue to have descendants living in and near the township today. The first annual meeting within the present bounds of the township was in 1835 at the home of William Snell. Subsequent meetings were held in private homes until 1855 when a town house was constructed. In the early 1900s, Gleaner Hall served as the political and social center. The township's long-time township hall was built on the adjacent lot in 1938. A new hall was constructed in 1998.

Keeping the community's history alive is important to the township. The Paint Creek Cider Mill—home to the Paint Creek grist mill that operated in the township for more than 100 years until the 1940s—today houses numerous township offices as well as a year-round cider mill. The mill is located next to Paint Creek Trail, an 8.9-mile linear park and also

the first rail-to-trail park in Michigan. More than 100,000 visitors annually visit the trail, which was converted from the former Penn Central Railroad track. Each year on National Trail Day, the township hosts the Paint Creek Crawl Cycling event, during which community members ride their bicycles the length of the trail from Lake Orion to Rochester and back. Proceeds assist in funding trail improvements.

The township also recently held an old-fashioned square dance and flag ceremony to celebrate the 200-year anniversary of the "The Star-Spangled Banner." Held at the historic Cranberry Lake Farm, the celebration also included a display to recognize the 40th anniversary of the Oakland Township Historical Society. The display featured 47 wooden squares with quilt patterns painted on them by township residents, adding a special community touch to the event and helping to raise historical awareness.

Residents and officials alike are proud of the township's historic and rural character, and the rolling scenic beauty of its land and streams—reflecting on the township's history and looking forward to its future.



Join the Parade



The Township Parade of Flags will kick off MTA's 2015 Annual Conference's Opening Session on Wednesday, Jan. 28.

Register today to take part in the Parade—what some attendees call “the most inspirational part of the Conference!” To register, fax this form to (517) 321-8908, or email jenn@michigantownships.org by Jan. 9, 2015. Information and instructions will be emailed (or mailed, if so specified) to all Parade participants prior to Conference.

Township/County _____

Contact Person _____ Title _____

Township Address _____

Email Address _____

Check here if you prefer to have Parade information mailed, rather than emailed, to you.

Questions? Call Jenn Fiedler at (517) 321-6467 or email jenn@michigantownships.org.

UNITED STATES POSTAL SERVICE® (All Periodicals Publications Except Requester Publications)		
1. Publication Title Michigan Townships Association	2. Publication Number 2 3 3 0 0 9 6 5 2	3. Filing Date 9/26/14
4. Issue Frequency Monthly (except for combined Jan/Feb issue)	5. Number of Issues Published Annually 11	6. Annual Subscription Price \$40/\$30 (schools/libraries)
7. Complete Mailing Address of Known Office of Publication (Not printer) (Street, city, county, state, and ZIP+4®) Michigan Townships Association, 512 Westshire Drive Lansing, MI 48917		Contact Person Jenn Fiedler Telephone (include area code) 517-321-6467
8. Complete Mailing Address of Headquarters or General Business Office of Publisher (Not printer) Michigan Townships Association, 512 Westshire Drive Lansing, MI 48917		
9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor (Do not leave blank) Publisher (Name and complete mailing address) G. Lawrence Merrill, Michigan Townships Association 512 Westshire Drive Lansing, MI 48917 Editor (Name and complete mailing address) Jenn Fiedler, Michigan Townships Association 512 Westshire Drive Lansing, MI 48917 Managing Editor (Name and complete mailing address)		
10. Owner (Do not leave blank. If the publication is owned by a corporation, give the name and address of the corporation immediately followed by the names and addresses of all stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, give the names and addresses of the individual owners. If owned by a partnership or other unincorporated firm, give its name and address as well as those of each individual owner. If the publication is published by a nonprofit organization, give its name and address.) Full Name Complete Mailing Address Michigan Townships Association 512 Westshire Drive, Lansing, MI 48917		
11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages, or Other Securities. If none, check box <input checked="" type="checkbox"/> None Full Name Complete Mailing Address		
12. Tax Status (For completion by nonprofit organizations authorized to mail at nonprofit rates) (Check one) The purpose, function, and nonprofit status of this organization and the exempt status for federal income tax purposes: <input type="checkbox"/> Has Not Changed During Preceding 12 Months <input type="checkbox"/> Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement)		

13. Publication Title Michigan Township Focus		14. Issue Date for Circulation Data Below September 2014	
15. Extent and Nature of Circulation		Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date
a. Total Number of Copies (Net press run)		9,378	9,408
b. Paid Circulation (By Mail and Outside the Mail)			
(1)	Mailed Outside-County Paid Subscriptions Stated on PS Form 3541 (include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	9,282	9,323
(2)	Mailed In-County Paid Subscriptions Stated on PS Form 3541 (include paid distribution above nominal rate, advertiser's proof copies)		
(3)	Paid Distribution Outside the Mails Including Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Paid Distribution Outside USPS®		
(4)	Paid Distribution by Other Classes of Mail Through the USPS (e.g., First-Class Mail®)		
c. Total Paid Distribution (Sum of 15b (1), (2), (3), and (4))		9,282	9,323
d. Free or Nominal Rate Distribution (By Mail and Outside the Mail)			
(1)	Free or Nominal Rate Outside-County Copies included on PS Form 3541		
(2)	Free or Nominal Rate In-County Copies included on PS Form 3541		
(3)	Free or Nominal Rate Copies Mailed at Other Classes Through the USPS (e.g., First-Class Mail)	30	30
(4)	Free or Nominal Rate Distribution Outside the Mail (Carriers or other means)	30	32
e. Total Free or Nominal Rate Distribution (Sum of 15d (1), (2), (3), and (4))		60	62
f. Total Distribution (Sum of 15c and 15e)		9,342	9,385
g. Copies not Distributed (See Instructions to Publishers #4 (page #3))		36	23
h. Total (Sum of 15f and g)		9,378	9,408
i. Percent Paid (15c divided by 15f times 100)		99.3	99.3

* If you are claiming electronic copies, go to line 16 on page 3. If you are not claiming electronic copies, skip to line 17 on page 3.

HELPING YOU STAY ON TOP OF ALL THINGS LEGISLATIVE

Two MTA publications can help you be **“in the know”** on state and federal legislation impacting township government.



Township Insights, MTA’s quick-read weekly electronic newsletter, offers timely information and updates about legislative happenings, as well as news, programs and resources that can help you better serve your community and your residents. Look for the latest on what’s happening in Lansing, updates on court opinions, grant opportunities—and so much more!

Each month, *Township Voice* provides comprehensive insights and background on the “what, when, where and why” of emerging issues at the Capitol. This *monthly* e-newsletter goes in-depth on pending legislation—and how it will affect townships.

Let MTA help you stay on top of legislative issues impacting your township!

Both of these Association legislative publications are distributed via email, and are sent to every individual from an MTA-member township with an email address in our database. *If you’re not receiving these valuable e-newsletters, you are missing out!*

Not receiving *Township Insights* or *Township Voice*? Check your spam or junk mail filter in your email system. If it is in one of those folders, add the email address to your “safe sender list.” Still having trouble? Contact michelle@michigantownships.org.



Grant Awards

Only from the Par Plan

- Public officials serving public officials
- Property/Casualty Program tailored for governmental entities
- A 97% member retention rate means a stable, consistent and growing program
- Risk Reduction Grant Program
- Group Experience Dividend Plan not offered by other non-pool programs



For more details about the program's new enhanced coverages and services or to get a proposal for your property and liability coverage, call us at 1(800)783-1370 or visit our website at www.theparplan.com.

THE MICHIGAN TOWNSHIP PARTICIPATING PLAN

