

# Township Focus

OCTOBER 2021

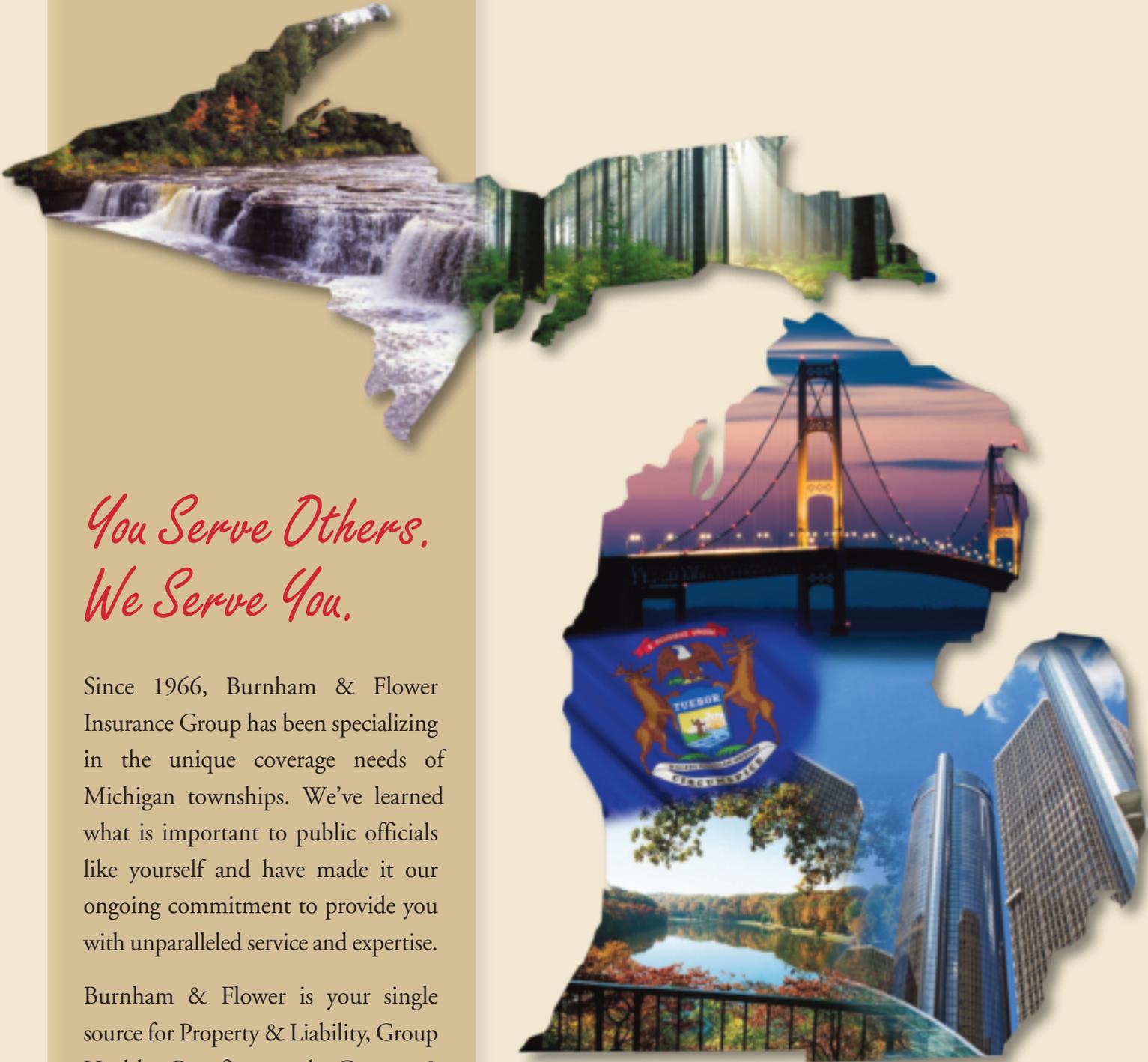
OFFICIAL PUBLICATION OF THE MICHIGAN TOWNSHIPS ASSOCIATION

## Battling recruitment and retention issues in the fire service

People power!  
page 3

Tomorrow's local leaders receive  
MTA's Robinson Scholarship  
page 25

Updates on the American Rescue  
Plan Act  
page 28



*You Serve Others.  
We Serve You.*

Since 1966, Burnham & Flower Insurance Group has been specializing in the unique coverage needs of Michigan townships. We've learned what is important to public officials like yourself and have made it our ongoing commitment to provide you with unparalleled service and expertise.

Burnham & Flower is your single source for Property & Liability, Group Health Benefits, and Group & Individual Retirement Planning. In addition to comprehensive coverages we provide risk management services, onsite reviews, online enrollment, 24/7 access to each employee's benefits information, and more.

You can count on us to deliver the products, service and support you want and deserve. Contact us today to discuss how we can serve you!

---

**Burnham & Flower**  
INSURANCE GROUP

---

*Serving Michigan Townships Since 1966*



Scholarship Sponsor

315 South Kalamazoo Mall • Kalamazoo, MI 49007  
800.748.0554 • [www.bfgroup.com](http://www.bfgroup.com)

# contents

October 2021 | Volume 9, Number 9



16



25



28



Official Publication of the Michigan Townships Association

## mta officers

### President

Peter Kleiman, Supervisor  
Harris Township  
(Menominee Co.)

### First Vice President

Bill Deater, Supervisor  
Grant Township (St. Clair Co.)

### Second Vice President

Pauline Bennett, Clerk  
Addison Township (Oakland Co.)

### Treasurer

Connie Cargill, Treasurer  
Golden Township (Oceana Co.)

### Secretary

Harold Koviak, Supervisor  
Burt Township (Cheboygan Co.)

### Immediate Past President

Jeff Sorensen, Supervisor  
Cooper Charter Township  
(Kalamazoo Co.)

## past presidents

Ken Gauthier, Supervisor  
Sanborn Township (Alpena Co.)

Diane Randall, Supervisor  
Roscommon Township  
(Roscommon Co.)

## editorial & design

**Publisher** Neil Sheridan

**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

16

### For the love of the job: Battling recruitment and retention issues in the fire service

In a trend seen across the nation, Michigan townships are battling recruitment and retention struggles to fully staff their fire and EMS departments. Fire chiefs and other experts weigh in on the issue, and efforts that can make a difference in drawing individuals to this critical public safety service.

25

### Inspiring tomorrow's local leaders

This year's recipients of MTA's Robert R. Robinson Scholarship each bring a love of public service and inspiration from local government to their aspirations to serve our state's residents as leaders of tomorrow.

28

### Updates on ARPA

As we await additional American Rescue Plan Act (ARPA) guidance from U.S. Treasury, including details on the Oct. 31 reporting process and its final rule on the act, we share details on what we know now.

## in this issue

3 Daily Democracy

4 News & Notes

10 Hello, MTA ... ?

11 Financial Forum

12 Inside Lansing

24 Knowledge Center

30 Legal Review

32 Around the State



## mta board of directors

Mary Segalin, Ironwood Charter Township (Gogebic Co.), Dist. 1  
Jim Nankervis, Ishpeming Township (Marquette Co.), Dist. 2  
Warren Suchofsky, Lake Township (Menominee Co.), Dist. 3  
Marilyn Strickland, Newton Township (Mackinac Co.), Dist. 4  
Harold Koviak, Burt Township (Cheboygan Co.), Dist. 5  
Sharon Schultz, Torch Lake Township (Antrim Co.), Dist. 6  
Ken Lobert, Ossineke Township (Alpena Co.), Dist. 7  
Marvin Radtke Jr., Green Lake Township (Grand Traverse Co.), Dist. 8  
Steven Ebels, Clam Union Township (Missaukee Co.), Dist. 9  
Kimberly Anderson, Whitney Township (Arenac Co.), Dist. 10  
Connie Cargill, Golden Township (Oceana Co.), Dist. 11  
Yulanda Bellinger, Morton Township (Mecosta Co.), Dist. 12  
Glenn Rowley, Bangor Charter Township (Bay Co.), Dist. 13  
Nancy Heck, Winsor Township (Huron Co.), Dist. 14  
Greg Golembiewski, Blendon Township (Ottawa Co.), Dist. 15  
Kevin Beeson, Pine River Township (Grafton Co.), Dist. 16  
*MTA Executive Committee member-at-large*  
Joanne Boehler, James Township (Saginaw Co.), Dist. 17  
Bill Deater, Grant Township (St. Clair Co.), Dist. 18  
Bret Padgett, Comstock Charter Township (Kalamazoo Co.), Dist. 19  
Patti Jo Schafer, Eagle Township (Clinton Co.), Dist. 20  
Pauline Bennett, Addison Township (Oakland Co.), Dist. 21  
Malinda Cole-Crocker, Buchanan Township (Berrien Co.), Dist. 22  
Donald Rogers, Coldwater Township (Branch Co.), Dist. 23  
Tom Hawkins, Raisin Charter Township (Lenawee Co.), Dist. 24  
Diana Lowe, Genoa Charter Township (Livingston Co.), Dist. 25

To find your MTA District, visit [www.michigantownships.org](http://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 9 October 2021 (ISSN 2330-9652), is published monthly, except for one combined spring issue. MTA membership provides a subscription to township board members, the manager/superintendent, planning commission chairperson and township attorney. Member counties also receive subscriptions for elected officials, the equalization director and road commission chairperson. Annual membership dues include \$33 for a one-year subscription to *Michigan Township Focus*. Additional member subscriptions are available for \$33 per year. Subscription rate for residents and firms in member townships is \$44 per year (schools and libraries may subscribe for \$33 a year).

*Michigan Township Focus* is a publication of the Michigan Townships Association, 512 Westshire Dr., Lansing, MI 48917-9757. Phone: (517) 321-6467; fax: (517) 321-8908; Web: [www.michigantownships.org](http://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: PO Box 80078, Lansing, MI 48908-0078; phone: (517) 321-6467, ext. 254; fax: (517) 321-8908; or email: [ashley@michigantownships.org](mailto:ashley@michigantownships.org).

*Michigan Township Focus*, © 2021  
Michigan Townships Association, all rights reserved.



## president's round table

**Burnham & Flower Insurance Group**  
315 S. Kalamazoo Mall  
Kalamazoo, MI 49007  
(800) 748-0554  
[www.bfgroup.com](http://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](http://www.mersofmich.com)  
**See ad in Township Insights**

**Michigan Township Participating Plan**  
1700 Opdyke Ct.  
Auburn Hills, MI 48326  
(248) 371-3137  
[theparplan@tmhcc.com](mailto:theparplan@tmhcc.com)  
[www.theparplan.com](http://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](http://www.asphalt-materials.com)

**Bauchham, Sparks, Thal, Seeber & Kaufman, PC**  
470 W. Centre Ave., Ste. A  
Portage, MI 49024  
(269) 382-4500  
[www.michigan-townshiplaw.com](http://www.michigan-townshiplaw.com)

**Consumers Energy**  
2400 Weiss St.  
Saginaw, MI 48602  
(989) 791-5608  
[www.consumers-energy.com](http://www.consumers-energy.com)

**Fahey Schultz Burzych Rhodes PLC**  
4151 Okemos Rd.  
Okemos, MI 48864  
(517) 381-0100  
[www.fsbrlaw.com](http://www.fsbrlaw.com)

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

**ITC Holdings Corp.**  
27175 Energy Way  
Novi, MI 48377  
(248) 946-3000  
[www.itc-holdings.com](http://www.itc-holdings.com)

**Mika Meyers PLC**  
900 Monroe Ave. NW  
Grand Rapids, MI 49503  
(616) 632-8000  
[www.mikameyers.com](http://www.mikameyers.com)  
**See ad on page 9.**

**Rosati, Schultz, Joppich & Amsbuechler, PC**  
27555 Executive Dr., Ste. 250  
Farmington, MI 48331  
(248) 489-4100  
[www.jrsjlaw.com](http://www.jrsjlaw.com)  
**See ad on page 22.**

**Ted Hartleb Agency, An EMC Insurance Company Partner**  
5840 King Hwy.  
Kalamazoo, MI 49048  
(269) 385-5911  
[www.hartlebagency.com](http://www.hartlebagency.com)



## keystone club

**Carlisle Wortman Associates, Inc.**  
117 N. First St. Ste. 70  
Ann Arbor, MI 48104  
(734) 662-2200  
[www.cwaplan.com](http://www.cwaplan.com)  
**See ad on page 13.**

**CSA Software Solutions**  
1800 Club Manor Dr., Ste. 3  
Maumelle, AR 72113-7420  
(501) 801-9900  
[www.csasoftware-solutions.com](http://www.csasoftware-solutions.com)  
**See ad on page 8.**

**David Chapman Agency**  
5700 W. Mt. Hope Hwy.  
Lansing, MI 48917  
(517) 321-4600  
[www.davidchapman-agency.com](http://www.davidchapman-agency.com)

**DTE Energy**  
One Energy Plaza  
Detroit, MI 48226  
(800) 477-4747  
[www.dteenergy.com](http://www.dteenergy.com)

**Emergent Health Partners**  
1200 State Circle  
Ann Arbor, MI 48108  
(734) 477-6783  
[www.emergenthealth.org](http://www.emergenthealth.org)

**Gourdie-Fraser, Inc.**  
123 W. Front St., Ste. A  
Traverse City, MI 49684  
(231) 946-5874  
[www.gfa.tc](http://www.gfa.tc)

**Lappan Agency**  
180 S. Ripley Blvd.  
Alpena, MI 49707  
(989) 284-8609  
[www.lappanagency.com](http://www.lappanagency.com)

**Marana Group**  
3777 Sky King Blvd  
Kalamazoo, MI 49009  
(800) 653-3121  
[www.maranagroup.com](http://www.maranagroup.com)

**Northland Securities, Inc.**  
100 Maple Park Blvd.  
St. Clair Shores, MI 48081  
(586) 745-8065  
[www.northlandsecurities.com](http://www.northlandsecurities.com)

**Michigan Municipal Risk Management Authority**  
14001 Merriman Rd.  
Livonia, MI 48154  
(734) 513-0318  
[www.mmra.org](http://www.mmra.org)

**Miller Canfield**  
150 W. Jefferson Ave., Ste. 2500  
Detroit, MI 48226  
(313) 963-6420  
[www.millercanfield.com](http://www.millercanfield.com)  
**See ad on page 27.**

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

**Northland Securities, Inc.**  
100 Maple Park Blvd.  
St. Clair Shores, MI 48081  
(586) 745-8065  
[www.northlandsecurities.com](http://www.northlandsecurities.com)

**USDA Rural Development**  
3001 Coolidge Rd., Ste. 200  
East Lansing, MI 48823  
(517) 324-5208  
[www.usda.gov](http://www.usda.gov)

**Wade Trim**  
25251 Northline Rd.  
Taylor, MI 48180  
(734) 947-9700  
[www.wadetrिम.com](http://www.wadetrिम.com)  
**See ad on page 9.**

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





## People power!

This month, MTA is finally going back to Frankenmuth. For each elected office and for planning and zoning team members, we welcome you to the 2021 series of Professional Development Retreats in one of MTA members' favorite event locations.

A few years ago, my wife and I brought our cousins to Frankenmuth just to walk around a bit. Turns out, there was a parade all lined up and ready to go. When I went over to take a picture of the car above with my niece, Dorothy Zehnder herself welcomed us and asked our little group to march right behind her car. That's Dorothy pictured above. It was a warm day, perfect to march right down the main strip. As soon as the downhill part of the road ended, the car coughed twice and gave up the ghost. Dorothy and her driver turned around to look upon my cousin and me, as well as two beefy guys in lederhosen. I suddenly realized my purpose in life, or at least from Dorothy's perspective. We pushed that car a mile and a half, to the delight of parade-goers of all ages. People power!

People power of a more practical and much less sweaty kind is what you can expect at this year's Professional Development Retreats. Each retreat is focused on the needs and interests of your specific role. If you are in your first year as an elected official (or are a new member of the township's planning and zoning team), this is the ideal next step for you. Every retreat year also brings back hundreds of long-time attendees who use the time to get current on new changes and to get back in touch with old friends. The people power energizes the sessions, as well as the meals and receptions. It is fascinating to listen in on the many topics and stories discussed. And, even more so this year, it'll be great to hear the laughter.

Not everyone can get away to Frankenmuth, so we are offering the first-ever hybrid retreats for your convenience.

Building on our success with this year's Annual Conference, we'll have great discussions, live broadcast of many of the sessions and active Q&A with the speakers.

If you haven't registered yet, it is not too late to come in person, or to sign up for the hybrid option, which will cost you far fewer calories and save you on the travel and lodging expense.

Our magazine this month also shares updates on the power of people who risk their lives every day for our residents and communities—our fire and emergency medical services providers. We talked with fire chiefs around the state and other experts in the field about a common issue throughout the nation: recruiting and retention—and share their insights and ideas on what can make a difference to drawing new recruits to this important local service. I am also proud to announce three recipients of MTA's annual Robinson Scholarship; we profile these future local leaders in this issue.

Finally, thank you to all of our outstanding MTA county chapter leaders and especially those of you who hosted MTA President **Pete Kleiman** and me on our tour last month. We deeply appreciate getting to hear about your challenges, successes and needs in person—it's important for focusing our Association strategy and planning our work. Thank you! If you would like us to visit your own chapter meeting or major event (e.g., annual celebration), please send me an email to [neil@michigantownships.org](mailto:neil@michigantownships.org).

We hope to see you in Frankenmuth. Willkommen!

Neil



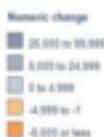
# news&notes

a compendium of noteworthy items

## REQUESTING REVIEW

### Townships can request review of their 2020 Census results

Want to request a review of your township's 2020 Census figures? The U.S. Census Bureau will release information in December for how municipalities can submit their case.



Community-level 2020 Census figures were released in a “legacy format” in August for reapportionment purposes, allowing states to move forward with redistricting for legislative and congressional districts. A more user-friendly release of data was expected from the Census Bureau at the end of September. As reported in the September *Township Focus*, according to the 2020 Census population numbers, townships now represent more than 52% of the state's

population, and some 44% of townships gained in population over the past 10 years.

After each decennial census, the Census Question Resolution (CQR) Program provides a mechanism for local governments to request an official review of their census results if they suspect (and have evidence to support) errors related to boundaries or the misallocation of housing units at the block-level. 2020 Census corrections can be made for:

- **Geocoding**—reallocation of misplaced housing unit and associated population within the correct boundaries and census blocks
- **Coverage**—housing units can be added/deleted if they were erroneously excluded/duplicated during the census process
- **Boundaries**—fixes the inaccurate or missing boundaries that were legally in effect on Jan. 1, 2020

Requests will be accepted from January 2022 through June 2023. The Census Bureau then has until September 2023 to provide results to the impacted governmental units. In a press statement, the bureau also indicated that is a “exploring options and the feasibility of expanding the scope of the CQR program,” and the “scope of acceptable inquiries.” If it does so, it will announce its decision this fall. MTA will share additional details about the review program as they become available. For more information on the CQR program, visit [www.census.gov](http://www.census.gov) and search for “CQR.”

## COVID-19 UPDATES

### Townships can still host testing and vaccination pop-up clinics



Townships can still request to host pop-up COVID-19 testing and vaccination clinics, using an online request form, the Protect Michigan Commission shared during its September meeting.

MTA is a member of the commission, which is charged with sharing accurate, factual information about the COVID-19 vaccine and to encourage efforts to get the state to its goal of 70% of the eligible population vaccinated. During the monthly commission meeting, state Chief Medical Executive Dr. Joneigh Khaldun shared that key metrics, including test positivity, cases and hospitalizations, are on the increase in Michigan, something that she called “concerning” and “the wrong direction.” As of *Township Focus* press time, all but one Michigan county remained at a “high community transmission level” for the virus (just Sanilac County was at “substantial” transmission), according to the federal Centers for Disease Control and Prevention. To request to host a clinic, visit [www.michigan.gov/covidvaccine](http://www.michigan.gov/covidvaccine) and click on “Clinic Request Form.”

The commission was also given insights on President Biden's “Pathway out of the Pandemic” six-prong action plan, which includes requirements that employers with more than 100 employees covered by Occupational Safety and Health Administration (OSHA) regulations must either require employees be vaccinated or submit to weekly testing. The federal OSHA had not released its emergency temporary standard for the directive as of press time. After the standard is released, Michigan OSHA must then adopt the rule. Commission members were told that the rule will apply to public employers; applicable townships may wish to hold off on making any plans until the final MIOSHA directive is released.

## classifieds

### HELP WANTED

**Mechanical inspector**—Milan Township (Monroe Co.) is seeking a mechanical inspector for its building department. Candidate must have qualified certification. Pay is based on permit requests only. Call (734) 493-1707 or send resumé to [bcollins@milantownship.org](mailto:bcollins@milantownship.org).

*Want to place a classified in Township Focus or on [www.michigantownships.org](http://www.michigantownships.org)?*

Visit [www.michigantownships.org/classifieds.asp](http://www.michigantownships.org/classifieds.asp) for more information, email [ashley@michigantownships.org](mailto:ashley@michigantownships.org), or call (517) 321-6467.

## LOCAL UPDATES FROM ACROSS MICHIGAN

### Township happenings

**Grand Blanc Charter Township** (Genesee Co.) Police Chief **Ron Wiles** was selected as president of the Michigan Association of Chiefs of Police at the organization's summer conference in June.

**Mecosta Township** (Mecosta Co.) procured a Michigan Natural Resources Trust Fund grant to fund part of an additional 10 miles of trail that will be added to the 14 miles of "Michigan's Dragon" trail at Hardy Dam this year. Once complete, the trail will be a 47-mile loop around Hardy Pond. The new segments will feature, among other things, bridges, raised wooden tread and a bike-optimized trail. Brower Park recently completed a new parking area specifically for Dragon Trail users with easy access to the new portions of trail.

Residents and visitors can find a bit of hope in the new Kindness Rock Garden at Hess Hathaway Park in **Waterford Charter Township** (Oakland Co.). Waterford Youth Assistance and the township parks and recreation department worked with the parent of a child who died by suicide to make the garden a

reality, with the hopes of bringing kindness, love, positivity and healing to the community. Visitors are encouraged to take a rock or leave a rock with uplifting messages. Markers and rocks for decorating are available at the garden. A second rock garden will be unveiled this month at the township library, and there are talks of a third garden in a township nature center.

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

## MUCH-DESERVED RECOGNITION

### Deadline for 'Small Town Civic Volunteer' award is Oct. 15

Time is running out to nominate individuals from your township for their contributions to your community through the 2021 Small Town America Civic Volunteer Awards. The awards seek to honor the country's top 100 public service volunteers in municipalities with less than 25,000 population. MTA Executive Director Neil Sheridan is part of the award judging panel, and the National Association of Towns and Townships is a sponsor of the program, which aims to spotlight the need for dedicated citizens to fill local leadership roles in our nation's small communities.

Municipalities from the top three award winners receive cash awards of \$20,000, \$10,000 and \$5,000 respectively. Michigan townships were well-represented during last year's inaugural awards, and we can't wait to see this year's township honorees! Find more information at [www.civic-volunteer.com](http://www.civic-volunteer.com).

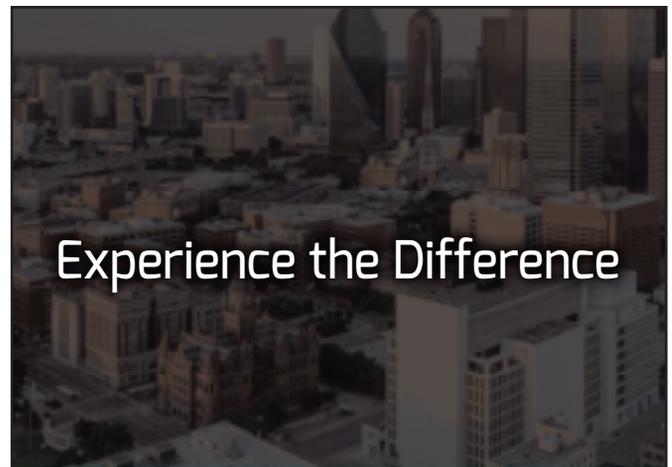
## NEW RESOURCES

### New IRS webpage offers tax info, resources for local governments

The IRS has created a new webpage for tax-exempt and government entities. There, you'll find:

- Useful resources under "Getting Started"
- A "Compliance Self-Assessment Tool" to determine if your township is meeting its tax obligations
- "Employer and Pay-Related Issues" on fringe benefits and Social Security coverage
- Videos on employment tax issues
- Subscription info to receive "News for Federal, State and Local Governments"

To access the information on the new "Tax Exempt and Government Entities: Resources for Small Entities and Self-Employed" webpage, visit [www.irs.gov](http://www.irs.gov), and search for "Resources for Small Entities."



## Experience the Difference



### Local Government ERP

Financial Management  
Community Development  
Public Works  
Personnel Management



Scholarship Sponsor

Get started today at (855) BSA-SOFT | [www.bsasoftware.com](http://www.bsasoftware.com)



MTA's educational instruction and expertise has gone international! MTA Member Information Services Liaison Cindy Dodge (pictured above right) and frequent MTA instructor and Mecosta County Equalization Director Shila Kiander (above left) taught to an international audience at the 2021 International Association of Assessing Officers Annual Conference in August. Their "Communication is an Opportunity" session, shared to both a live audience at the in-person Chicago event and live-streamed around the globe, offered insights on the value and importance of quality communication skills in the assessing field.

Dodge, a Michigan certified assessing officer, and Kiander are both incredible instructors, with amazing depth of knowledge about the assessing field (while keeping it accessible and entertaining!). This dynamic duo has taught MTA's annual *Board of Review Training* and additional assessing topics for years. And of course, MTA members know that Dodge—who also serves on the board of the Michigan Assessors Association and recently helped the State Tax Commission create the new curriculum for required board of review training—is an expert on a wealth of subjects, including elections, cemetery management, personnel and human resource issues, and more. We are grateful for their expertise on myriad topics, and proud of their contributions to the international world of property assessment.

## Zoning Solutions

for Building Vibrant, Resilient Communities



**GENERAL  
CODE**

VisualZoning.com | 800.836.8834

## profile



### Municipal Employees' Retirement System of Michigan (MERS)

#### MERS helps township employees feel good about their financial future

You know your employees need resources to perform well at work. But providing the right tools on the job is only half the equation. While retirement might not be top of mind for all of your employees, many are likely concerned about their finances and saving for the future. When employees are stressed about their financial health, performance and productivity often go down.



#### A lifelong partnership

The Municipal Employees' Retirement System (MERS) of Michigan partners with townships of all sizes to provide public sector employees with the resources they need to succeed today and build confidence in a secure future.

#### Customized participant education

MERS wants to help your township's employees reach their retirement goals, and knows that their future success begins with their current financial health. MERS actively engages with participants throughout each stage of their life to provide ongoing financial fitness education and individualized guidance to help them create a secure future.

#### Sole fiduciary responsibility

Its members also enjoy peace of mind knowing that MERS takes on sole fiduciary responsibility for its retirement plans. MERS is governed by an elected board that is committed to accountability, transparency, holding the line on costs and acting in the best interest of its participants.

Visit [www.mersofmich.com](http://www.mersofmich.com) to learn more about partnering with MERS.

Opinions expressed within do not represent the views of MTA, its Board or members. 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 [www.michigantownships.org/asp.asp](http://www.michigantownships.org/asp.asp).

## Still time to submit legislative policy resolutions for MTA's 2022 policy platform

Townships have until Nov. 29 to submit proposed revisions and suggested additions to MTA's legislative policy platform.

MTA is committed to speaking on behalf of its members. This is evident in the development of our policy platform. The legislative policy objectives guide the Association's government relations efforts, and are reviewed and updated annually to reflect emerging issues and goals. MTA members are encouraged to review MTA's Board-approved 2021 Policy Platform and share any proposed revisions and suggested additions by the Nov. 29 deadline. The policy platform can be found on MTA's website, [www.michigantownships.org](http://www.michigantownships.org), under "Advocacy."

Member-proposed policy changes will be reviewed by MTA committees for word selection and legality, and to ensure they conform with the Association's overall goals and objectives. The proposed policies will be presented at the 2022 MTA Annual Meeting, held in conjunction with our Annual Educational Conference & Expo in April.

Contact the MTA Government Relations Department at (517) 321-6467 or [legislation@michigantownships.org](mailto:legislation@michigantownships.org) with questions, comments or suggestions.



### mta events | October

**1** *What the Board Needs to Know about Elections*  
Now You Know one-hour webinar

**13-14** Clerks' Professional Development Retreat,  
Frankenmuth

**24-25** Trustees' Professional Development Retreat,  
Frankenmuth

**26-27** Treasurers' Professional Development Retreat,  
Frankenmuth

**27-28** Planning & Zoning Team Professional  
Development Retreat, Frankenmuth

**28-29** Supervisors' Professional Development Retreat,  
Frankenmuth

*To learn more about these events and more MTA educational opportunities, see above right, turn to page 24, or visit [www.michigantownships.org](http://www.michigantownships.org) (look under the "Training" tab).*

MTA's lunchtime learning series, *Now You Know*, offers timely updates, insights from our experts and a chance to get your questions answered all in just one hour! Don't miss our November episode held: **Friday, Nov. 5 from noon to 1 p.m.**

### What the Board Needs to Know about Tax Collection

Tax collection is a mandatory function of every township. While collecting property taxes is the treasurer's duty, the entire board makes decisions about how the revenue will be used. Every board member should understand the tax collection (and administration) process. Whether you are a seasoned official or still fairly new to the game, you can't afford to miss this overview of tax collection basics designed with the whole board in mind.

**Now You Know**

Register now at <https://bit.ly/NYKmta>

Save the date for our Dec. 10 episode, featuring a legislative update with MTA Director of Government Relations Judy Allen. If your township subscribes to *MTA Online* at the *Premium* level, you get FREE access to EVERY session! Visit <https://learn.michigantownships.org/nyk> for details.

MTA's Online Learning Center is sponsored in part by 



At the end of August, the Kalamazoo County MTA Chapter hosted its annual golf outing, bringing together officials from throughout the county for a day of friendly competition. MTA Executive Director Neil Sheridan and Member Information Services Director Michael Selden took part in the popular event, with Selden (pictured above left, with Kalamazoo Charter Township (Kalamazoo Co.) Manager Dexter Mitchell and his wife, Tammy) earning the honor of "longest drive of the day." The day was not only a time for camaraderie and connection, officials also came together to honor Kalamazoo County Deputy Sheriff Ryan Proxmire, who died in the line of duty on Aug. 15. The chapter raised more than \$6,000 for Proxmire's family.

Send MTA pictures and updates from your county chapter meetings so we can share them in *Township Focus* or on our social media channels! Send pictures and updates to [jenn@michigantownships.org](mailto:jenn@michigantownships.org).

### OCTOBER

**By 4** Notice of voter registration for the Nov. 2 election published. One notice required. (MCL 168.498)

Clerk shall post and enter into the Qualified Voter File (QVF) the hours the clerk's office will be open on Saturday or Sunday or both immediately before the Nov. 2 election to issue and receive absent voter ballots. (MCL 168.761b)

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

**15** Assessor reports the status of real and personal industrial facility tax property to the State Tax Commission (STC). (MCL 207.567(2))

Qualified government units report to the STC on the status of each exemption granted under the Commercial Redevelopment Act (MCL 207.666), Commercial Rehabilitation Act (MCL 207.854), and Obsolete Property Rehabilitation Act (MCL 125.2794).

Deadline for assessor's annual report of the determination made under MCL 207.783(1) to each taxing unit that levies taxes upon property in the local unit in which a new facility or rehabilitated facility is located and to each holder of the Neighborhood Enterprise Zone certificate. (MCL 207.783(2))

**18** Last day to register for the Nov. 2 election in any manner other than in person with the local clerk. (MCL 168.497)

**19** through Nov. 2. In-person registration for the Nov. 2 election with local clerk with proof of residency. (MCL 168.497)

**20** Deadline for payment to municipalities from the Local Community Stabilization Authority. Local Community Stabilization Share revenue for county-allocated millage and other millages not levied 100% in December. (MCL 123.1357(8)(a) and (c))

**22** Write-in candidates for the Nov. 2 election file Declaration of Intent forms by 4 p.m. (MCL 168.737a)

**By 26** Notice of the Nov. 2 election published. One notice required. (MCL 168.653a)

**By 28** Public accuracy test for the Nov. 2 election must be conducted by local election commission. (R 168.778) Notice of test must be published at least 48 hours before the test. (MCL 168.798)

**29** Electors may obtain an absent voter ballot for the Nov. 2 election via first-class mail until 5 p.m. (MCL 168.759)

Electors may submit a written request to spoil their absent voter ballot for the Nov. 2 election and receive a new absent voter ballot until 5 p.m. (MCL 168.765b)

### NOVEMBER

**1** Electors who have returned their absent voter ballot for the Nov. 2 election may submit a written request in person to spoil their absent voter ballot and receive a new absent voter ballot in the clerk's office until 10 a.m. (MCL 168.765b)

Electors may obtain an absent voter ballot for the Nov. 2 election in person in the clerk's office until 4 p.m. (MCL 168.761)

Electors who have lost their absent voter ballot for the Nov. 2 election or not yet received their ballot in the mail may submit a written request in person to spoil their absent voter ballot and receive a new ballot in the clerk's

office until 4 p.m. (MCL 168.765b)

On or before Nov. 1. Oct. 31 is a Sunday. Deadline for filing *Principal Residence Exemption (PRE) Affidavit* (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 the initial request of a *Conditional Rescission of Principal Residence Exemption* (Form 4640) for the winter tax levy. (MCL 211.7cc(5))

Deadline for filing for *Foreclosure Entity Conditional Rescission of a Principal Residence Exemption* (Form 4983) to qualify for the winter tax levy. (MCL 211.7cc(5))

## The Right Reports. Right Now.



**To get your FREE guide visit:**



CenterPoint®  
Fund Accounting  
and Payroll Software

[www.csasoftwaresolutions.com/fundaccounting](http://www.csasoftwaresolutions.com/fundaccounting)

Distributed By



## CSAsoftwaresolutions

Accounting & Billing Specialists

[www.csasoftwaresolutions.com](http://www.csasoftwaresolutions.com) • 800.264.4465

Deadline for submission of New Personal Property PA 328 of 1998, Obsolete Property PA 146 of 2000, Commercial Rehabilitation PA 210 of 2005, Neighborhood Enterprise Zone PA 147 of 1992, Charitable Nonprofit Housing PA 612 of 2006, Commercial Facilities PA 255 of 1978, and Industrial Facilities PA 198 of 1974 tax exemption applications to the STC. *Note:* Applications received after Nov. 1 shall be considered by the commission contingent upon staff availability.

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

Election Day registrants may obtain and vote an absent voter ballot in person in the local clerk's office with proof of residency or vote in person in the proper precinct until 8 p.m. (MCL 168.761).

Election.

**3** Local clerk delivers results of the Nov. 2 election to county clerk before 11 a.m. (MCL 168.809)

**4** Boards of county canvassers meet to canvass the Nov. 2 election by 9 a.m. (MCL 168.821)

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

**16** Form 600 (L-4016) *Supplemental Special Assessment Report* is due to the STC.

**By 24** *On or before Nov. 28. Nov. 26 and 27 are state holidays and Nov. 28 is a Saturday.* Treasurer gives county treasurer a bond running to the county in the actual amount of county, state and school taxes. (MCL 211.43(2))

**30** Deadline for payments to municipalities

from the Local Community Stabilization Authority: Local Community Stabilization Share revenue to municipalities with state facilities under 1977 PA 289, MCL 141.951 to 141.956, and to municipalities that incur certain costs of required and allowable health services under 1978 PA 369, MCL 333.2475. (MCL 123.1357(8)(e))



**ENGINEERING STRONGER COMMUNITIES**

800.482.2864  
www.wadetrim.com

ALLIED SERVICE PROVIDER MTA

**WADE TRIM**

## Municipal and Public Law Powered by Experience.

Mika Meyers brings more than 50 years' expertise, representing the interests of municipalities and other public entities—schools, courts, libraries, universities, utilities, and public and semi-public corporations. We bring experienced, cross-disciplinary legal support for drafting ordinances, negotiating contracts, issuing bonds, handling environmental and infrastructure issues, and so much more.

**Call us or visit [mikameyers.com](http://mikameyers.com) to learn how we can help you.**

- Municipal governance
- Finance & bond counsel
- Litigation
- Condemnation
- Elections & ballot proposals
- Special assessments
- Property tax appeals
- Zoning & land-use planning
- Intergovernmental cooperation
- Labor & employment
- Environmental law
- Water, sewer & stormwater systems
- Technology



Ron Redick | Curtis Underwood | Ross Leisman

**Mika Meyers** P.L.C.  
Attorneys at Law

[mikameyers.com](http://mikameyers.com) (616) 632-8000

ALLIED SERVICE PROVIDER MTA



## Why are there so many energy companies trying to lease properties in our township for solar and/or wind energy?

Michigan law required that electric providers achieve a renewable energy portfolio credit of at least 12.5% by 2019/2020 and at least 15% by 2021. Electric providers shall meet these requirements by either generating electricity through renewable energy systems or by purchasing renewable energy credits from other providers. (MCL 460.1028)

In addition to these statutory requirements, many energy producers are eager to achieve even higher rates of energy production through renewable energy sources. In 2020, Gov. Whitmer also signed an executive order setting a goal “to achieve economy-wide carbon neutrality no later than 2050,” and directing the Michigan Department of Environment, Great Lakes, and Energy (EGLE) to develop a plan by the end of 2021.



## Does our township have to allow for solar and/or wind energy systems in our community?

The Michigan Zoning Enabling Act requires that a zoning ordinance shall not have the effect of totally prohibiting the establishment of a land use within a local unit of government in the presence of a demonstrated need for that land use in the local unit or the surrounding area, unless a location does not exist in the local unit where the use may be appropriately located. (MCL 125.3207) This requirement addresses the exclusionary zoning issue. While solar and wind energy are clearly lawful land uses, each township should consult its own attorney regarding proof of a demonstrated need.



## What should our township think about when considering solar or wind energy?

The township should consider if it wants to allow accessory solar and wind energy systems and commercial level (utility grid) solar and wind systems. The township should consider what zoning districts it thinks would be appropriate for accessory use of solar and wind systems versus what zoning districts would be appropriate for commercial-level solar and wind systems. The township may want to allow accessory use solar and wind energy as permitted in certain districts. In

general, however, a township will require special use approval for a commercial-level solar or wind project. If a township does not have its own zoning, it should review the county zoning ordinance regarding wind and/or solar energy. In addition, the industry may approach townships with a sample ordinance for such projects. Townships should consult with their legal counsel before adopting any such ordinance, and not rely solely on samples provided by others.



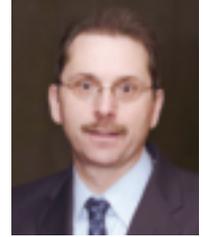
## If our township doesn't allow commercial-level solar or wind energy in our zoning ordinance, what steps do we need to take to allow these uses?

The township should refer the matter to the township planning commission to have the planning commission develop proposed solar and wind energy zoning ordinance text amendments. The planning commission can work with a planning consultant and/or the township attorney to develop and adopt zoning ordinance text amendments.

Michigan State University Extension, Michigan State University's School of Planning, Design and Construction and the University of Michigan's Graham Sustainability Institute have collaborated to develop a guide for local municipal regulation of utility grid solar energy systems, which will be available in October 2021. “Planning and Zoning for Solar Energy Systems: A Guide for Local Governments in Michigan” was developed with the assistance of experts from local government, legal counsel, energy-related nonprofits, utility experts and academics. The guide outlines the current context for solar in Michigan, describes the components of a utility grid solar energy system and provides input on how such systems might fit within various land use patterns in the state. The guide also includes sample language for zoning ordinance regulation of a utility-grade solar energy system.

EGLE will hold a webinar on the guide in early October. MTA's *Professional Development Retreat* for the planning and zoning team, being held in Oct. 27-28 in Frankenmuth and virtually, also includes a breakout session on renewable energy ordinances. Turn to page 24 to learn more about the retreat, and watch MTA publications for guide availability and webinar information, or search the guide name online.

*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.



Our auditor recommends that our township adopt a fund balance policy. What does this entail?

Your auditor is likely referring to the township’s general fund, which typically consists of unrestricted revenues, while the other governmental fund types, special revenue funds, debt service funds and capital project funds are generally considered restricted. The source of most township special revenue funds are restricted revenues, such as extra-voted millage. Debt service and capital project funds are typically created by bonded indebtedness and are restricted to the purpose of the bond issue (many times, these bond issues are also voter approved).

The Government Finance Officers Association (GFOA) has an excellent white paper covering best practices in establishing such a fund balance policy (search for “fund balance guidelines” at [www.gfoa.org](http://www.gfoa.org)). Each township should consider the following factors in considering a governance policy over accumulated “rainy day” amounts:

- 1) Appropriate level
- 2) Use and replenishment

### Appropriate level

Each township should review its internal and external challenges in deciding the appropriate level for fund balance. Factors to consider include:

- 1) **Volatility in revenue base; non-diversified tax bases** (for example, concentration of taxable value in a single industrial facility).
- 2) **Fiscal year.** Townships with March year-ends must wait eight months to receive property tax revenues (April 1 to Dec. 1). These townships will need reserves to supplement other revenues to fund their operations in those months (likely would apply to special voted millage funds as well).
- 3) **Complex operations.** Townships that provide more extensive levels of service, including police, fire and utility services, may need higher levels of fund balance due to the potential volatility of these operations. Even if some of these activities are funded by extra-voted millage, shortfalls due to unexpected costs may have to be funded through the general fund.
- 4) **Environmental factors,** such as susceptibility to natural disasters like flooding, may require higher levels of fund balance.
- 5) **Potential one-time, non-reoccurring expenditures,** like capital projects/infrastructure needs.

- 6) **Potential negative impact of fund balance deficits** on bond ratings, which would make borrowing more expensive and be a violation of Uniform Budgeting and Accounting Act.
- 7) **Commitments and assignments.** Townships may deem it appropriate to exclude from consideration resources that have been committed or assigned to some other purpose and focus on unassigned fund balance, rather than on unrestricted fund balance.

Communicating these factors to taxpayers and residents may make it easier for them to gain an understanding as to the need for seemingly higher than normal levels of fund balance. A minimum amount recommended by the GFOA, regardless of potential issues identified above, is two months of revenues or expenditures, whichever is easier to predict.

### Use and replenishment

The fund balance policy should define conditions when accumulated resources would be used to balance the current-year expected expenditures. It should also include a plan to replenish it to the township board’s policy level. The policy should:

- 1) Define the time period within and contingencies for which fund balances will be used
- 2) Describe how the township’s expenditure and/or revenue levels will be adjusted to match any new economic realities that are behind the use of fund balance as a financing bridge
- 3) Describe the time period over which the components of fund balance will be replenished, and the means by which they will be replenished

Townships may wish to consider multiple-year budget/forecasting tools to assist in developing and maintaining fund balance levels.

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.





## Bipartisan budget approved for FY 2021-22, with further appropriations in coming months

The state's Fiscal Year 2021-22 budget was expected to be in place by the Oct. 1 constitutional deadline, and is higher than any budget in the past 25 years (adjusted for inflation) but with less state general fund dollars than recent years. This was accomplished with the use of federal stimulus funds (2020) and American Rescue Plan Act (ARPA) money (2021).

With federal funding and other restricted revenues included, the full budget (including school aid) totals just under \$70 billion—with the general fund at \$11.8 billion. The influx of federal money and higher-than-expected tax revenue allowed the administration and Legislature to increase budgets, including several one-time funding items. A supplemental for Fiscal Year 2020-21 was also passed.

The bipartisan budget provides strong investments for the state's economy, rebuilds infrastructure and crumbling bridges, and prioritizes cleaning up water and the environment. Highlights of the state's FY 2021-22 budget for townships include:

- **Revenue Sharing**

- **Constitutional**—will be adjusted to reflect higher-than-estimated sales tax revenues above May consensus estimates; however, revised estimates will

not be adjusted on state Treasury's website until the January Consensus Revenue Estimating Conference

- **City, Village and Township Revenue Sharing (CVTRS; statutory revenue sharing)**—2% increase for townships, cities and villages
- **Coronavirus Relief Local Government Grant (CRLGG) Reimbursement**—\$433,000 to be distributed to local units that returned some amount of CRLGG funds in 2020 (which was in place of their August 2020 CVTRS payment)
- **Local First Responder Training and Recruitment Grants** — \$5 million (one-time funds) to support local government efforts to recruit, train and provide professional development for first responders (police, fire, paramedics and emergency medical technicians)

- **Payments in Lieu of Taxes (PILT)**—full funding for PILT programs (purchased lands, swamp and tax reverted, and commercial forest reserve)
- **Drinking Water Emergency Assistance**—\$15 million (one-time funds) to address water systems contamination response and remediation for drinking water emergencies
- **PFAS Remediation**—\$14 million (one-time funds) for grants to drinking water systems for PFAS contaminant remediation or alternate water system connection costs
- **High Water Infrastructure Grants**—\$14.3 million (one-time funds) for infrastructure grants to address flooding, erosion and other coastal issues, and address severe weather impacts and changing climate effects
- **Dam Safety Grant Program**—\$13 million (one-time funds) for dam repairs and replacements to mitigate flooding and hazards caused by dam malfunction
- **Dam Safety Emergency Action Fund**—\$6 million (one-time funds) to respond to dam emergencies where owner has not adequately maintained dam
- **Secondary Road Patrol**—fully funded
- **State Trooper School**—\$4.9 million for FY 2020-21 trooper recruit school and \$4.9 million for FY 2021-22 trooper recruit school
- **Medicaid Ambulance Rate**—increase in the Medicaid ambulance fee schedule to 100% of Medicare
- **Michigan Infrastructure Council**—\$3 million to increase funding for the council

### FY 2020-21 supplemental appropriations

- **Local Bridge Bundling Initiative**—\$196 million for local bridge bundling to repair or replace nearly 100 crumbling bridges in serious and critical condition with priority to locally owned bridges currently closed to traffic, posted or restricted roads and bridges in need of rehabilitation or replacement rated by Regional Bridge Councils

The supplemental also included a \$500 million deposit into the state’s budget stabilization fund (rainy day fund), bringing the total in the fund to nearly \$1.4 billion.

Serving the  
Government  
Market in

- Engineering
- Surveying
- Master Planning
- GIS
- Drafting
- Environmental

Ryan Ysseldyke, P.E.  
Land Development Group Mgr.  
**616-392-5938**

HOLLAND  
ENGINEERING

HollandEngineering.com

FY 2021-22 supplemental appropriation measures are expected in the coming months that will utilize the state’s remaining unrestricted ARPA funds and additional state general fund revenues. Funding priorities are expected to include water, sewer and broadband infrastructure, public safety, housing, and economic development.

MTA is part of a coalition working with other local government organizations and statewide and regional associations to develop a comprehensive framework to invest and amplify some of the state’s unrestricted ARPA resources to lay a foundation for a stronger economy. The goal is to utilize both state and local ARPA dollars to invest in key areas including water infrastructure, broadband, fiscal stability, housing development, economic development, and public health and safety. By creating multi-sector partnerships between communities, state leaders and businesses, we can leverage additional resources, accelerate the impact of our investment and create long-term change for Michigan’s future.

The pending federal infrastructure bill could also provide additional funds for the state in the coming months for infrastructure, including roads, bridges, high-speed internet and environmental contamination remediation.

The budget was pending signature by the governor, as of press time.



63

Michigan communities have a  
22-person planning department.

You can, too.

“They’re always available to provide advice on most planning or zoning issues and their advice is based on 35 years of experience in numerous communities throughout Michigan.”

R. Brent Savidant, planning director, City of Troy



Carlisle | Wortman

ASSOCIATES, INC.

CWAPLAN.COM

734.662.2200



## Legislative lowdown

A quick look at critical bills that MTA is following as they move through the legislative process. For a complete list, see MTA's "Legislative Action Center" on [www.michigantownships.org/members](http://www.michigantownships.org/members), or our *Township Insights* e-newsletter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**HB 5282: Elections**—Prohibits intimidation of an election inspector or preventing an election inspector from performing his or her duties. *MTA supports.*

**HB 5329: Property taxes**—Provides an opt-out option to designated assessor requirement. *MTA neutral.*

**HB 5293: Land use/zoning preemption**—Preempts local zoning authority for child foster care institutions for a state-licensed facility up to 10 children. *MTA opposes.*

**HBs 5300-5302: Medical marijuana**—Creates special medical grower license for certain caregivers, limits to one location, requires registration and tracking of product, and provides municipal authority for civil enforcement. *MTA monitoring.*

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

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

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

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

**SB 441 & HB 5326: Property tax assessments**—Clarifies valuation of wind energy systems. *MTA supports.*

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

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

# Safe. Simple. Local.

## Keep your large public deposits safe and working for your community.<sup>1</sup>

With IntraFi<sup>®</sup> Network Deposits<sup>SM</sup>, formerly ICS<sup>®</sup> and CDARS<sup>®</sup>, the full amount of your large deposit can be used for local lending. Across the United States, local and state governmental organizations use IntraFi Network Deposits to access multi-million-dollar FDIC insurance through a single bank relationship and to eliminate the burden of ongoing collateral tracking, while earning a return that can compare favorably to Treasuries and other alternatives that share a similar risk profile. Funds can be placed into demand deposit accounts, money market deposit accounts, and CDs.

---

See if your bank offers  
IntraFi Network Deposits or  
find one of the thousands that do.

[IntraFiNetworkDeposits.com](https://IntraFiNetworkDeposits.com)

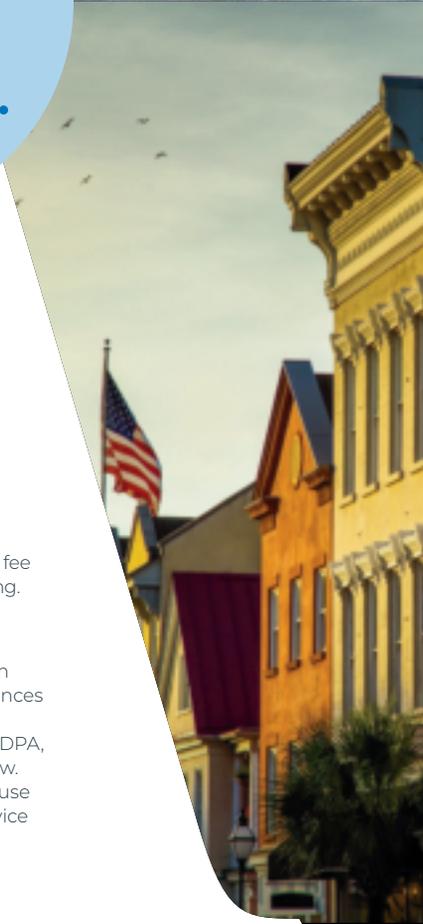
---



formerly  
CDARS<sup>®</sup> and ICS<sup>®</sup>

[1] When deposited funds are exchanged on a dollar-for-dollar basis with other banks in IntraFi's network of financial institutions, a bank can use the full amount of a deposit placed through IntraFi Network Deposits for local lending, satisfying some depositors' local investment goals or mandates. Alternatively, with the depositor's consent, a bank may choose to receive fee income instead of deposits from the banks. Under these circumstances, deposited funds would not be available for local lending.

Placement of funds through IntraFi Network Deposits is subject to the terms, conditions, and disclosures in the program agreements, including the Deposit Placement Agreement ("DPA"). Limits apply and customer eligibility criteria may apply. Program withdrawals may be limited to six per month for funds placed in MMDAs. Although funds are placed at destination banks in amounts that do not exceed the FDIC standard maximum deposit insurance amount ("SMDIA"), a depositor's balances at the relationship institution that places the funds may exceed the SMDIA (e.g., before settlement for a deposit or after settlement for a withdrawal) or be ineligible for FDIC insurance (if the relationship institution is not a bank). As stated in the DPA, the depositor is responsible for making any necessary arrangements to protect such balances consistent with applicable law. If the depositor is subject to restrictions on placement of its funds, the depositor is responsible for determining whether its use of IntraFi Network Deposits satisfies those restrictions. IntraFi Network, Network Deposits, and the IntraFi hexagon are service marks, and IntraFi, the IntraFi logo, ICS, and CDARS are registered service marks, of IntraFi Network LLC.



# For the love of the job

## Battling recruitment and retention issues in the fire service

**T**o Fred Gilstorff, working in the fire service isn't just the greatest profession in the world—it's also a second family.

For Gilstorff, who has been **Peninsula Township** (Grand Traverse Co.) fire chief for just over three years and has spent 33 years in fire safety, his chosen career is very much a part of who he is.

"Being a part of the fire department is my world, it means everything to me," he said. "To work with people who will give their all at any time is inspiring. I have been on multiple departments, and the common theme is we all are here to help in any means possible and will work as a team to get the job done. I care for each member as if they were my own brother or sister; in reality, they are."

The camaraderie and pride in duty isn't the only constant that Gilstorff has seen during his three-plus decades of service. Challenges in both recruiting and retaining men and women into the fire service has been increasingly daunting. "This is a national problem," he said.

### **A statewide—and national—issue**

Townships across Michigan, like communities throughout the country, have for years struggled to find enough personnel to meet rising demands on fire departments, with more medical emergencies to respond to, an aging

population, fewer people able to volunteer significant amounts of time, and stringent training requirements.

To the dismay of some fire chiefs and the relief of others, the pandemic hasn't really changed the core situation all that much, said Jack Snyder, board president of the Michigan State Firemen's Association.

Fire chiefs who took part in a recent survey from MTA and the University of Michigan COVID Consulting Corps (U-M CCC) said they worried the global health crisis could spur mass departures or early retirements from their ranks. Others with whom MTA spoke recently said they had hoped the pandemic would be more of a call-to-action.

While some chiefs report more openings and retirements anecdotally, for many townships, neither their worst fears or their greatest hopes came to fruition. According to chiefs with whom we spoke, the pandemic has had little impact on the significant challenge of attracting people to the fire service and keeping them there. It's a problem that can be particularly acute for small, rural departments that often rely on paid on-call firefighters, often referred to as "volunteer" firefighters.



**“There is nothing more rewarding than helping a person when they are experiencing an emergency and need help. And when that person goes out of their way to stop at the fire station and say ‘Thank you,’ you will feel that you have done your part to help someone. You will have a true sense of gratification—and you will want that feeling again.”**

—Chief Fred Gilstorff, Peninsula Township (Grand Traverse Co.) Fire Department

For township fire departments across the state—from larger ones in southeast Michigan or the outskirts of the Capital City, to the small rural outfits of northern lower Michigan and the Upper Peninsula—finding enough qualified individuals has been increasingly difficult over the years. Scouting out career firefighters with all the necessary training and medical credentials can be equally challenging, according to fire chiefs.

“To paint a picture statewide: it’s a problem,” Snyder said. “Every department in the state of Michigan has the same problem between recruiting and retention. Sure, maybe there are people out there who want to be a firefighter, but as soon as they find out they have to take 200-plus hours of training even before they can become a firefighter ... some of them just say no.”

From competition with other industries that can pay better and increased demands on people’s time to less interest in volunteering in general and fewer young people prepared for the rigors of joining the fire service, finding enough people to respond to emergencies is likely a near-constant struggle.

Experts say it’s likely every department in the state has openings.

So, what do most departments do to make up the difference? Often, they ask staff to work longer hours and more shifts in the absence of more people to spread around the labor. That can burn out existing staff or dissuade people from ever entering the fire service in the first place.

“Other people have to pick up the slack,” said **DeWitt Charter Township** (Clinton Co.) Fire Chief **Dave DeKorte**. “Now they have to respond to more calls until we get the other people up to speed.”

DeKorte has been DeWitt Charter Township’s fire chief for four years. He’s been in the fire service for 21 years and worked as a police officer in East Lansing from 1984 to 2015. The longtime firefighter said he instituted a rule at the department requiring paid on-call personnel to respond to 10% of the calls the department receives, which usually works out to about eight calls a month for each of these firefighters. But the rule has led to fewer people volunteering, he said.

# cover story

“So that’s not helping us a whole lot. They’ve realized that, and a couple of them have left, (with) family commitments and health issues. It’s just a whole circle,” DeKorte said.

## Call volumes increase amid retirements

Although the core problem has remained the same, the pandemic has in some cases exacerbated existing staffing challenges with increased call volumes and more vacancies at some departments in Michigan.

For example, DeWitt Charter Township currently has funding for 30 paid on-call firefighters. But DeKorte said he’s down six people. A year and a half ago, the department was fully staffed with 30 people on the payroll. All the departments surrounding the township have openings, too, he said.

Meanwhile, the township is up 160 emergency runs from last year with “a lot more sick people, a lot more people crashing vehicles,” the chief added.

That wears on individuals who have to rise in the small hours of the morning to respond to an emergency call and then wake up again to go to their full-time job afterward.

It’s a situation many departments across the state are seeing, said Jeff Roberts, president of the Michigan Association of Fire Chiefs, who is fire chief for the City of Wixom.

Roberts said he and other fire departments—full-time, paid on-call and otherwise—have seen a major increase in emergency calls during the past several months. More accidents. More medical problems. More people who waited to see a doctor for too long to receive routine care during the pandemic until it became an emergency.

Roberts said he didn’t have data showing how many people have retired yet, but said he’s seen and heard of many firefighters taking the pandemic as a good time to retire.

The lack of data on fire departments’ true labor needs can compound the problem. There hasn’t been a statewide study showing how many more firefighters are actually needed to respond to rising call volume and to replace the people who are retirement-age or who soon will be, Roberts said.

“I can guarantee you, 100%, without question, that more people have left the fire service during COVID because of the staffing challenges (and) the increased risk to their families,” Roberts said.

By the end of 2019, Roberts said there were some 400 vacancies for full-time career firefighters available, mostly in southeast Michigan. If he had to hazard a guess, Roberts said the number of openings has likely increased 20% because “people that could retire chose to retire because they could, plus COVID gave them more of a reason to want to leave.”

In the meantime, many departments just increase overtime, mandate staffing or respond to emergencies with

too few people, or become increasingly reliant on help from outside jurisdictions.

At Roberts’ department in Wixom, the department has funding for 30 staff members. But he only has 12.

Townships share the same problem.

**Curt Ruf**, fire chief at the **Putnam Township Fire Department** (Livingston Co.) since 2019 and a firefighter of 22 years, said recruiting people “is an everyday struggle.” Demands on local fire departments have meanwhile only gone up in the past several months.

“We’re on a three-month clip of historic run volume,” Ruf said. “That just, again, turns around and goes to the hardness of retention and recruitment. Then, on top of it, it’s a full year to get fully trained and up and running in my industry if they come to me with no training whatsoever. That’s kind of a hard pill to swallow.”

In northern Michigan in particular, 91% of emergency service and fire managers said recruitment of new personnel was a major or at least moderate challenge, according to a 2019 report from the Northern Michigan Fire Chiefs Association and the Michigan Rural EMS Network (MiREMS), the most recent data available. The two associations interviewed 611 first responders, along with 256 fire or EMS leaders.

“We would need 3,000 [more firefighters] to maintain as our members are getting older and retiring,” said Chris Peterson, recruitment and retention coordinator for MiREMS. “Every department in northern Michigan has openings.”

Many of those departments are staffed by paid on-call firefighters, or a mix of paid on-call and full-time firefighters, adding to the complexity of the challenge.

But the problem is nationwide. According to the National Volunteer Fire Council (NVFC), 67% of U.S. firefighters are volunteer, paid part-time or on-call firefighters among 1.12 million firefighters across the country. Yet they’re the first line of defense in an emergency, from fires and medical accidents to 9-1-1 medical calls, natural disasters and other first response efforts.

It would cost an estimated \$46.9 billion to switch volunteer departments and staff to 100% full-time paid staff, according to the NVFC. For most departments, that’s not an option.

“I have a lot of people who’d like to be full-time firefighters ... I don’t think we’re busy enough to have full-time staffing,” said **Jerry Luedecking**, fire chief of **Richland Township** (Kalamazoo Co.).

“I’ve crunched the numbers, and you’re upwards of three quarters of a million dollars,” he said. With his budget, Luedecking said he could only have one to two people show

up to a scene if he switched to only full-time staff, and the township would still need paid on-call personnel to lend a hand on medical calls, whether it's a car accident or extracting a sick person from their home in the middle of the night.

Yet the number of volunteers dipped to an all-time low nationwide in 2017 despite the number of calls tripling in the past 30 years due to a massive spike in the number of medical calls that fire departments assist with, according to a NVFC report.

Increased time demands, tough training requirements and more families where both parents work all make it harder to recruit people. Many people just don't have the time to volunteer anymore, and firefighters provide more services than before, creating more challenges for under-staffed departments.

In 1984, 897,750 volunteer firefighters served in the fire service nationwide, responding to 11,890,000 emergency calls. By 2018, the number of volunteer firefighters dipped to 745,000, and calls ballooned more than threefold to 36,746,500, according to NVFC data.

Data shows fewer people under the age of 30 willing or able to work at volunteer fire departments compared to 1987, too. Attracting young people to volunteer fire departments is more severe in smaller communities with 2,500 people or fewer, reflecting a general exodus of young people from rural America.

Apart from a tougher job, more time demands and training needed, other issues contributed, too: more transience; less community feeling and cohesion; less interest and time for volunteering; employers less willing to allow for volunteering during work hours; and an aging population with fewer young people willing to volunteer.

Yet some people find a small measure of hope that the increase in widespread remote work due to the pandemic could help lure more young adults back to rural parts of the country.

## Pay and paramedics

Over the years, fire departments have had to put more and more paramedics on staff and have been called to more medical emergencies. These calls, rather than fighting fires, are the crux of most runs.

"Fires are a small part of what we do," Luedecking said. "Medical calls are a large part of what we do. Medicals, car accidents, power lines down, car fires, and the list goes on. The fire service has become an all-hazards agency. If you need help of any kind, the fire service is usually the first agency to get dispatched to assist you."

This shifting demand is partly why it's so hard to fully staff fire departments; across the country, there's a severe shortage of paramedics, said **David Feichtner, Springfield Charter Township** (Oakland Co.) fire chief.

Michigan needs 1,000 more paramedics to truly meet existing demand, according to Angela Madden, executive director of the Michigan Association of Ambulance Services (MAAS).



Over the years, fire departments have had to put more and more paramedics on staff and have been called to more medical emergencies. These calls, rather than fighting fires, are the crux of most runs—a situation further exacerbated by a shortage of EMS workers.

Yet paramedics and EMT workers often make less than fast-food workers if the time they're on call during a 24-hour shift is factored in, though the job is arguably much more demanding and requires more specialized skill and training.

In the emergency services world, everything is interconnected. Although most ambulances are run by private firms, increasing the Medicaid reimbursement rate could have the ripple effect of easing some of the strain on fire departments by potentially increasing staff or pay for ambulance paramedics, Madden said. Medicaid reimburses only about 10 to 25% of EMS service costs.

The thinking goes like this: if ambulances could get there sooner, "it would absolutely flow downstream" and benefit "every life support agency regardless of ownership type," which could indirectly benefit fire departments, Madden said.

MAAS had lobbied the Legislature to add general fund spending to the budget for Medicaid reimbursement. Just prior to press time, the Legislature passed its Fiscal Year '21-22 budget that included \$12.9 million dollars in Medicaid reimbursement for EMS agencies, bringing Medicaid rates in line with Medicare.

"Rep. Mary Whiteford (R-Casco) was instrumental in not only securing additional funding for Michigan's EMS agencies, but she and her colleagues recognized the important roll EMS plays in the healthcare system," Madden said.

Additional support and recognition from the state could also help to shine on spotlight on the overall issue,

# cover story



Township fire chiefs and officials often take the lead role in recruiting new firefighters to their departments, using myriad techniques including reaching out via social media and other types of media, such as TV and newspapers, talking with area schools to encourage interest among high school and college students, pancake breakfasts and—the tried and true and often most effective method—word of mouth.

according to Gilstorff. “Recognizing it at the higher levels of government could be a big boom,” he told U-M CCC researchers. “The state is aware there is a big shortage in fire service, as well as EMS and police, but they still tend to push it back to the local level. A lot of departments don’t have a ton of money or resources to spend on recruitment. The biggest need would be from the state, grant opportunities, or some kind of enticement to bring people in the doors.”

Luedeking echoes the need for more assistance from the state, saying that “frustration comes from ever-changing requirements” that “has thrown gas on that fire” of difficulties of being part of the fire service.

## On the frontlines of the pandemic

In addition to long-standing challenges associated with recruiting new firefighters and retaining existing fire service staff, the pandemic added a host of new challenges for township fire departments struggling on the front line of the pandemic to keep communities safe.

Eighty-two townships in 26 counties participated in a survey conducted by MTA and U-M CCC during the

pandemic about the impact of COVID-19 on township fire department needs. Seventy-two respondents took part in the survey.

A majority of townships surveyed by U-M CCC reported difficulty in obtaining personal protective equipment such as gowns and N-95 masks to keep firefighters safe from COVID-19 in the line of duty.

Many township fire chiefs said they worried COVID-19 would hurt recruitment and retention efforts, although multiple chiefs who were interviewed said they didn’t think the pandemic would hurt these efforts. All told, 80% of departments said they thought recruitment was a problem during the pandemic—the same number reported before the health crisis.

Seventy-five percent of the departments surveyed said they offer EMS or first response services and 53% noted a decrease in the number of firefighters responding to calls.

Months later, in interviews with MTA, multiple fire chiefs similarly said they don’t think the pandemic had much of an impact on recruitment and retention. But several said it did—particularly during the summer of 2021—spur an increase in demand on fire services due to more crashes, accidents and emergency medical calls in part related to people delaying routine medical care.

Others said it has been harder to fill vacancies caused by people leaving the fire service or retiring because of health concerns, worries about bringing the virus home to family members or other reasons.

## Seeking solutions

Both recruiting and motivating individuals to remain committed to the fire service requires constant care and consideration. Successful recruiting strategies are built on an understanding of why people might find serving on the fire department attractive. Volunteering fulfills human needs that many people cannot completely satisfy through their work or family obligations—social interaction, a need to feel a sense of accomplishment, recognition, challenge and fun. Serving on a fire department can easily meet all of these needs.

While challenges abound, there are solutions, and many township departments are still managing to grow.

Gilstorff said the Peninsula Township Fire Department had 11 people on staff (three full-time, eight part-time) when he joined the department in 2017. In 2021, the department has 26 people: 11 full-time employees, eight part-time people and eight paid on-call staff.

“When I first started here, we only had one person who actually lived on the peninsula. So that made it quite a struggle in getting help in case we had a fire,” Gilstorff said. “To go to eight that we have now was a significant increase and it really helped, especially when we get the larger events.”

How did he do it? “We do not have a recruiting officer,” Gilstorff told U-M CCC researchers. “I do most of it, and we are constantly recruiting. I took a staffing class through Eastern Michigan University to try to build those skills. Kids want to do it, but then see the time commitment or lack of pay and run the other way.”

Although he also reaches out to high schools, has a Facebook page and attends community events, having a good culture in the department helped get people talking about how Peninsula Township is a good place to work, he said.

“I tried to change the culture when I became chief, to make it a place people wanted to actually be, and make sure there was a positive identity in the community,” he said. “We need a culture change to recruit and make it more enticing.”

Word of mouth advertising is the #1 way Luedecking recruits quality firefighters, he said. “Everyone is a recruiter,” he told U-M CCC researchers, noting that they also use the time-honored fire department pancake breakfasts, as well as an electronic billboard to spread the word.

**In 1984, 897,750 volunteer firefighters served in the fire service nationwide, responding to 11,890,000 emergency calls. By 2018, the number of volunteer firefighters dipped to 745,000, and calls ballooned more than threefold to 36,746,500.**

Gilstorff echoed the value of conversations to draw in new recruits. “That kind of spilled over to a lot of people that we were able to bring aboard and increase our numbers all across,” he said. “When we get them in there, just having a lot of enthusiasm and paying attention to their needs and spending the time to teach them is a big thing, because once you get them in the door, you want to make them feel they’re part of the team—that they matter.”

Money also helps. In 2017, the millage rate was 1.4 mills for the Peninsula Township Fire Department. When voters approved an increase to 2 mills, it allowed them to upgrade fire department vehicles, equipment and pay for fire and emergency response training, and more time on the clock.

Gilstorff said more state resources could go a long way, whether in the form of more efforts to offer fire training to high school kids and in technical schools or tax relief to help local departments and a broader public relations push to get young people interested in the profession.

Apart from increasing the Medicaid reimbursement rates, dealing with a nationwide paramedic shortage and

making individual departments great places to work, getting a new generation of young people interested in serving their community will also be crucial.

After surveying a class of high school kids in Grand Traverse County, Gilstorff said he found that many were interested in the fire service, but they didn’t know how to get involved. And it’s that mission that fire departments have to emphasize in their outreach to younger folks, fire chiefs said.

“I think you’ll find most of the departments that are doing well, they’re doing job fair-like activities, they’re constantly in schools, they are some high school programs where you can actually go in and get certified as a firefighter while you’re doing your high school education,” Gilstorff said.

Grand Traverse County has some “cadet” programs for high schoolers, offering dual credit for students who want to take fire service coursework at the local community college. Similar successful programs exist in townships and other communities across the state.

Schoolcraft College in southeast Michigan, for example, has a dual enrollment program that allow high school students to become close to a nearly fully certified firefighter by the time they leave high school. When they’re 18, they can take a test to be certified for medical emergencies and take additional paramedic training, if needed. Townships could reach out to community college or perhaps even intermediate school districts to create a similar program in their own areas, or promote those programs if they already exist.

### Rewarding and meaningful work

Fire service is hard work. But once people get in the door, they often find it rewarding and meaningful work. For full-time departments, pay and benefits are naturally among the driving factors. It is clear that, for most, it is not the compensation that keeps people an active member of the fire department team. What draws people to fire service, particularly part-time and paid, on-call positions? Commonly cited motivation are giving back to your community, recognition, and being part of something bigger than oneself and part of a team. The connection members of the department feel with their community and the people they serve can be a draw in itself.



# cover story

"I love what we do for the community, and the support that the community gives us," Luedecking said. "I am very proud of these firefighters as they render aid to people and help people, in problems big and small. Our firefighters feel pride in 'their' department, especially when they go above and beyond and get thank you cards. Our bulletin board is full of thank you cards. We love the drawings and thank you cards from the elementary school kids."

Efforts to ensure that the culture of a department is accepting, welcoming and caring is also a critical factor for these individuals who are sacrificing for their community—not just with recruiting, but with retaining personnel as well.

"A lot has to be dealt from within," Gilstorff said. "Treat your people well, treat them how they should be treated, and respect them for what they are doing. I try to make sure my folks know I appreciate them and their hard work. Everyone's opinions should be heard and respected. You have to allow them to be involved—it's everyone's department. It's one big team and everyone matters. It's about a group coming together for a common cause, and everyone coming together to work toward that cause. We're only as strong as the weakest link, and we need to take care of each other."

While retaining personnel is usually a goal, sometimes a department is also a stepping stone to a further career. "I am proud to say that my department launched the full-time career of at least seven fire fighters—firefighters who started here and are now on large full-time departments," Luedecking said.

Some departments, while certainly a stretch for many, are considering returning to a pension system. It's a retirement option that has all but disappeared for many departments. But the City of Livonia bucked the trend and brought back their pension system in 2021, local news reported.

That "used to be that was the huge draw," said Roberts, of the Michigan Fire Chiefs Association. "You didn't necessarily risk your life every day, but the potential was there every day and you worked extremely hard for 20-25 years and you had a very good retirement for your effort."

## Worth the effort

Whether career firefighters or those who are all but volunteering their time, residents have helped to serve and protect their townships for generations and indeed for centuries. The allure of the role, while immensely demanding and life-threatening, remains the same as it has always been.

For those who want to join the profession, "I say, do it," Luedecking said. "Pursue your dream. If being a volunteer firefighter is important to you, then you will never be satisfied, or will always wonder what the fire service was like, unless you try it."

Gilstorff echoes the encouragement.

"Come join the greatest profession in the world and be part of a team that cares deeply about its community," Gilstorff says he would share with potential recruits. "You will work hard to become part of the team that will give its all to help anybody in their time of need. It is hard work, but you will be prepared to do it. You will train relentlessly to become proficient at all the skills needed to do the job."

"There is nothing more rewarding than helping a person when they are experiencing an emergency and need help and when that person goes out of their way to stop at the fire station and say 'Thank you,' you will feel that you have done your part to help someone. You will have a true sense of gratification—and you will want that feeling again."

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

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

**ANSWER: D**

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

—Township Supervisor



ROSATI | SCHULTZ  
JOPPICH | AMTSBUECHLER



**RSJALAW.COM | 248.489.4100**



**Michael Gerstein,**  
MTA Guest Writer

## Resources for your township fire department

MTA has resources and education available for your township fire department personnel, as well as for elected township officials as they oversee this critical public service.

### Web resources

The member section of [www.michigantownships.org](http://www.michigantownships.org) has dozens of pages of samples, information and links valuable to fire department administration and governance, including:

- “Fire Departments and Fire Protection” webpage, which outlines statutory authority for providing fire protection, offers articles on firefighter compensation, keys to department success, mutual aid information, standard operating procedures samples, links to grant programs, and more
- Sample fire chief and captain job descriptions, and sample ordinances on department structure and responsibilities, and fire run charges (cost recovery)
- Webpages on fire insurance withholding program, fire civil service commission, fire administrative board and emergency medical services, among others

### Online learning

MTA’s Online Learning Center (<https://learn.michigantownships.org>) has webinars, available on demand, valuable to both the fire department and the township board, including:

- **Hot Topics for Township Fire Departments**—This four-part series offers updates from the state fire marshal on

training and changes from the Michigan Fire Fighters Training Council; insights into marijuana facilities’ fire risk; emergency preparedness programs; and responsibilities for the board in regard to fire operations.

- **Governing an Accountable Fire Department**—Learn how the board can establish an appropriate relationship with the fire chief, and practical ways to establish expectations and evaluate department results.

ALL personnel, including with the township fire department, can watch these offerings FREE for townships subscribe to MTA Online at the “Premium” level; “Governing an Accountable Fire Department” is also included at the “Plus” level.

### MTA publication: “On-Call Fire Departments: The Township Board’s Responsibilities”

This is the only publication of its kind that explores board responsibilities for fire protection, evaluation of your township’s fire protection, and emergency and disaster planning, and also provides information on motivating and retaining personnel and financing the fire department. Cost is just \$27.50 for member townships. Visit the online Store at [www.michigantownships.org](http://www.michigantownships.org), or contact Elsa Munos at (517) 321-6467 or [elsa@michigantownships.org](mailto:elsa@michigantownships.org) to order.

Ensure your fire department personnel can access these resources and receive updates from MTA by sharing contact information, including email address, with MTA. Email your database updates to [rebecca@michigantownships.org](mailto:rebecca@michigantownships.org).



PLANNING  
DESIGN  
BUILDING

## From plan to reality— and everything in between. We can help you get there.

Building codes. Regulation. Zoning Administration. Our team of professionals are experts at making sense of the intricacies that ensure that spaces are safe, functional, and built in accordance with existing laws and ordinances. We assist city officials with code enforcement, inspections, plan review, and more; on-site and remotely. Let us handle the details to help your community achieve its goals.

[MCKA.COM](http://MCKA.COM)

# upcoming MTA events

## REGISTRATION INFORMATION

### Professional Development Retreats

As a township leader, you are expected to have solutions for a wide variety of challenges. How do you ensure you're equipped to anticipate, and develop strategies to overcome, virtually any situation that arises in your community? Join fellow officials from across the state this fall at the **Bavarian Inn Lodge in Frankenmuth** for MTA's *Professional Development Retreats*. You'll walk away with insights tailored to your role in the township and connections that will last a lifetime!

#### Content, connections and camaraderie

Each retreat offers a learning experience geared to your role on concepts, trends and pressing issues for townships. Each educational session is designed for officials at every level, and will help you develop new skills while providing you with knowledge of the statutory duties and responsibilities required of you.

Registration brochures with detailed descriptions for each retreat were mailed last month. You can also find this information, along with our cancellation and substitution policies, at <https://bit.ly/MTAretreats>.

#### Lodging

Housing is not included in retreat registration rates. You must first register for a retreat before booking your hotel room. Upon registration, you'll receive a confirmation email that includes a special group code for MTA's room block and discounted rates.

UPCOMING  
RETREATS

CLERKS:  
OCT. 13-14

TRUSTEES:  
OCT. 24-25

TREASURERS:  
OCT. 26-27

P&Z TEAM:  
OCT. 27-28

SUPERVISORS:  
OCT. 28-29

#### MTA switches to 'Plan B' for in-person events

Our members' health and safety are our top concern. Plan A for our return to in-person learning was asking participants to mask regardless of vaccination status or whether the event location required it. That didn't work out.

Plan B is that people who are fully vaccinated from COVID-19 are welcome to participate in person and all others are welcome at our virtual events. Proof of full vaccination by submitting a picture of both sides of your COVID-19 vaccination card will be part of registering for the events. Once the transmission rates decline again, we will re-evaluate our options. We all look forward to less risky conditions in the future.

#### Why is this MTA's approach?

This policy is undertaken to protect the health and well-being of our attendees, staff, presenters, facility partners, their families, and our communities. In-person participants must also complete an acknowledgment of personal responsibility form. The wearing of masks is still **strongly** encouraged for all attendees, except when seated during meals. For those who are unvaccinated, have compromised health, or are just not ready to gather in large groups, please consider our virtual retreat.

Requirements for in-person participation are subject to change, pending state, local or facility requirements or changes in public health conditions. Any changes will be communicated to registrants prior to the event. We appreciate your understanding as we work to provide safe MTA events. Thank you.

## Registration Form

### Which retreat do you wish to attend?

Clerks  Trustees  Treasurers  Supervisors  P&Z Team

**Proof of COVID-19 vaccination is required for all in-person participants.**

**Please attach a copy of both sides of your vaccination card when mailing this back to MTA or fax it to (517) 321-8908. Online registrants will be given instructions for uploading an image.**

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

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

Email Address \_\_\_\_\_

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

Email Address \_\_\_\_\_

#### 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 \_\_\_\_\_

**Retreat rates:** Includes all sessions, meals and activities. Housing is not included; lodging details will appear in your registration confirmation. **MTA Online Premium** subscribers receive 20% off regular rates.

- Regular rate \$362/person  
\$412/person within two weeks of event
- Premium subscribers \$290/person  
\$330/person within two weeks of event

**BONUS: I saved \$60 on a second full-retreat registration!**

**Virtual rates:** Includes a blend of live and recorded sessions. Must register at least one week prior to retreat to participate live. **MTA Online Premium** subscribers receive 20% off regular rates.

- Regular rate \$290/person
- Premium subscribers \$232/person

**BONUS: I saved \$60 on a second full-retreat registration!**

**Single-day rates:** Includes that day's sessions, meals and activities. Housing is not included; lodging details will appear in your registration confirmation. **MTA Online Premium** subscribers receive 20% off regular rates.

**Check the day you wish to attend:**  Day 1 OR  Day 2

- Regular rate \$229/person  
\$249 within two weeks of event
- Premium subscribers \$183/person  
\$199 within two weeks of event

**TOTAL ENCLOSED: \$ \_\_\_\_\_**

*Above rates are for MTA members; non-members, call MTA for rates.*



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 <https://bit.ly/MTAretreats> Questions? Call (517) 321-6467.



# Inspiring tomorrow's local leaders

## MTA awards annual Robinson Scholarship

**A** dedicated public servant, aspiring planner who drew inspiration from a township mentor during high school, and a master's student passionate about the connection between local governments and education are this year's MTA Robert R. Robinson Memorial Scholarship recipients.

Each scholarship winner has strong ties to their community, and a deep desire to continue to give back to Michigan residents through public service. The annual award is given to Michigan college or university junior, senior or graduate students pursuing a career in public administration.

### 'Enhancing the lives of people in our state and community'

Krista Crockett, a master's of Public Administration student at Saginaw Valley State University, has been a civil servant for 17 years. Her time working in the Bay Region for Michigan Department of Transportation has solidified her appreciation of and dedication to serving our state's residents.

"I am dedicated to being a civil servant," she said, because it "allows you the ability to enhance the lives of the people in our state and community."

Crockett, who received a letter of support from **Larkin Charter Township** (Midland Co.) for her scholarship application, said that her future career aspirations include management and enforcement of government operations carried out in the public interest, such as public policy, finance or program development.



Crockett

The Midland native took inspiration for her scholarship essay from a graduate school project surveying state institutions about the impact of the pandemic on hiring and employment. Her essay to MTA

delved into the issue of staffing at the local level. “One of the challenges that I think is most impactful and potentially damaging to local government is insufficient staffing and the growing inability to compete with the private section,” which “have resulted in vacant positions, overworked staff and inability to provide services,” she wrote.

Noting that many local governments across the country cite recruitment and retaining qualified staff among their top workforce priorities, Crockett offered considerations for stemming the staffing shortage. “I believe that the answer lies in putting effort into the areas in which we do have control,” she wrote. “Invest in and spend time with the employees you do have. Find out what parts of their jobs they love, and what new skills they may be looking to learn. Find a way to tap into your staff’s purpose-driven motivation, and recommunicate what it means to be a public servant and the opportunity to do impactful work.”

## ‘Able to participate and see the importance of local government’

Working as an election inspector during the November 2020 presidential election allowed Nedra Hall to get an up-close and personal look at the value of local government, and the role that it plays in providing services and information to residents.

“The year 2020 brought a series of unprecedented obstacles that no one could have predicted,” the Robinson Scholarship recipient wrote in her application essay. “The combination of the pandemic, a presidential election and social media unleashed a sub-pandemic ... the distribution of misinformation.

“State and local government served as a catalyst that helped remedy the stress that many citizens had about their health, voting and the ballot-counting process.”

While executive orders and efforts to ensure election safety were established at the state level, “the brunt of these policies fell on the shoulders of local government officials ... as the ones taking on explicit tasks to maintain democracy and public safety,” the essay stated.

While working at the election precinct, Hall, too, was able to talk with voters, explain the processes and witnessed “a strong commitment to hosting a free and fair election and being transparent with citizens,” she said. “The importance of local governments is essential because they are the first line of contact with citizens ... [and] one of the first lines of defense against misinformation.”



Hall

Hall, who received a resolution of support from **Chesterfield Charter Township** (Macomb Co.), said that receiving the scholarship will help to allow her to complete her final semester pursuing a master’s degree in Public Administration from Wayne State University debt free. “While in the midst of a pandemic, life has been stressful,” she said. “Knowing I will be debt-free walking across the stage lifts a burden off my shoulders.”

In addition to her master’s degree, Hall is also earning a Graduate Certificate in Economic Development. She aspires to transition into the role of policy analyst or program manager to work with local municipalities to promote and analyze the effects of educational programs. “This work is important to me because education is often the first step in pursuing an individual’s passions,” she said. “Being a catalyst in this process is *my* passion.”

## ‘Understanding the vital interworkings of local government—and playing a role’

Mallory Prangley was more involved in her area townships than most high school students.

Not only was she an election worker for **Plainfield Charter Township** (Kent Co.)

during the 2016 presidential election, she also worked cleaning community centers in **Alpine Township** (Kent Co.). She found inspiration working with

Alpine Township Supervisor **Greg**

**Madura**, whom she calls “a mentor through my journey to get more involved with government,” and in helping residents exercise their right to vote.

One additional experience solidified her desire to work toward a career in local government: participating in Girls State, a government camp hosted by the American Legion, that allowed Prangley to “understand the vital interworkings of government and how I could play a role,” she said. That role, she hopes, will be to work as a municipal planner or director of planning.

Prangley is on her way, seeking a degree in Public and Nonprofit Administration from Grand Valley State University, with a minor in Sustainable Urban and Regional Planning. She currently serves as a student representative on the Michigan Association of Planning board, helping the organization plan a student conference, writing the student bulletin and attending monthly meetings with local government planning officials. She also helped a professor create a brand-new course for the Sustainable Urban and



Prangley

Regional Planning program, and is interning for the city of Grand Rapids Planning Department.

She drew on those experiences for her scholarship essay, which explores the housing crisis. “The lack of affordable housing is not something that is new, but the COVID-19 pandemic shed a light on just how many citizens are affected by it,” she wrote. “There are many different reasons for this housing crisis, and, like many issues that local governments face, there is no quick solution to solve it.”

Prangley, whose scholarship application received a resolution of support from Alpine Township, went on to identify key factors impacting the crisis, including outdated zoning regulations, limited job growth and the rise of short-term rentals.

Noting that she would love to pursue a career in sustainability or community engagement, Prangley knows that the local level is her calling. “I love the idea of working in local government because you can actively see the changes that you are making and how it affects the community,” she said.

Her receipt of the MTA scholarship will help her on that path. “With all the things the pandemic changed, I feel blessed that MTA continued to offer this scholarship in Robert R. Robinson’s honor,” she said. “I thank everyone involved in getting me to this point, including my professors and mentors who have guided me toward the path of local government. I could not have continued this journey without them.”

## Support Michigan’s future leaders

MTA’s second executive director, Robert R. Robinson was dedicated to townships and to furthering the form of government closest to the people. MTA established a memorial scholarship in Robinson’s honor after he passed away in 1987.

Robinson dedicated much of his life to township government. In addition to his eight years as MTA executive director, he served for six years as MTA’s legislative director, and was a cofounder and board member of the National Association of Towns and Townships, including two years as president. He spent a decade as **Meridian Charter Township** (Ingham Co.) supervisor before joining MTA in 1969. Awarding this endowment each year in his name helps to ensure that Michigan’s future local leaders continue to value and protect township government and the Michigan residents it serves.

Township officials and MTA county chapters can help ensure that we are able to continue supporting the educational pursuits of tomorrow’s township leaders by making a donation to support the scholarship fund. “The scholarship fund is critical both to students in pursuit of their local government careers, and to all public officials as we work to encourage today’s students to pursue a future in public service,” said Robinson Scholarship Committee Member **Harold Koviak**, MTA secretary and **Burt Township** (Cheboygan Co.) supervisor.

Contributions are tax deductible. Checks payable to the Robert R. Robinson Memorial Scholarship Fund can be sent to MTA, PO Box 80078, Lansing, MI 48908-0078. Learn more about the scholarship on at [www.michigantownships.org/scholarship.asp](http://www.michigantownships.org/scholarship.asp), or call (517) 321-6467 with questions.



Steven Mann

+1.313.496.7509  
mann@millercanfield.com



Patrick McGow

+1.313.496.7684  
mcgow@millercanfield.com



Thomas Colis

+1.313.496.7677  
colis@millercanfield.com



Katrina Piligian Desmond

+1.313.496.7665  
desmond@millercanfield.com



Steve Frank

+1.313.496.7503  
frank@millercanfield.com



Jeffrey Aronoff

+1.313.496.7678  
aronoff@millercanfield.com



Ronald Liscombe

+1.313.496.7906  
liscombe@millercanfield.com



Sean Rucker

+1.313.496.7671  
rucker@millercanfield.com

## 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 165+ years of collective wisdom and diverse expertise.

**We are where you are. Local firm. Global resources. ■**

Attorney advertising material – Prior results do not guarantee similar outcomes. This message is for general information only and should not be used as a basis for specific action without obtaining further legal advice.



# MILLER CANFIELD

[millercanfield.com/PublicLaw](http://millercanfield.com/PublicLaw)

An American flag is shown in the upper portion of the page, with its stars and stripes. Below the flag, a close-up of a US dollar bill is visible, showing the portrait of George Washington. The text 'Updates on ARPA' is overlaid on this image in a large, white, sans-serif font.

# Updates on ARPA

**A**s the state begins to release American Rescue Plan Act (ARPA) payments to non-entitlement units of government (NEU), townships continue to await additional forthcoming guidance and reporting information. Here's what we know now.

## **August Treasury payments NOT ARPA payments**

MTA received numerous inquiries in early September, asking whether payments received from the state Department of Treasury through its SIGMA system were the first installment of ARPA payments. Those payments were August revenue sharing payments, NOT ARPA payments. In early September, Treasury issued an update on its ARPA review, which indicated initial ARPA payments were expected to begin in September, as Treasury continued its review of more than nearly 1,700 NEU applications.

Once the NEU's application review is completed and the application is error-free, the township contact person and chief administrative officer (supervisor or manager, if the township has one.) will receive an email from [treas-arpa@michigan.gov](mailto:treas-arpa@michigan.gov). If errors were found, the review team (Treasury's contracted representative) will contact the local unit to discuss the identified errors, and a detailed email will be sent from [treas-arpa@michigan.gov](mailto:treas-arpa@michigan.gov) describing the errors. To successfully request funding, Treasury noted, a local unit will have to log back into the ELITE system portal and correct identified errors. To ensure funding, local units are encouraged to complete this within seven days of receipt of

the email or be at risk of not receiving funding. Townships can check their application status and find guidance for correcting errors on [www.michigan.gov/arpa](http://www.michigan.gov/arpa).

Allocations will be distributed in two segments: the first payments will be for 50% of the allocation amount, with the second 50% paid roughly one year later. An additional, smaller payment will be made after the initial online submission period is closed—this payment is the redistribution of funds from nonresponsive NEUs. Under the program guidelines, allocations from nonresponsive NEUs are disbursed among those NEUs that applied to access the funds.

When your township does receive the funds, refer to state Treasury's Numbered Letter 2021-3 for guidance on how to record and accrue the funds. You can access the letter on MTA's "COVID Relief" webpage, [www.michigantownships.org/covidrelief.asp](http://www.michigantownships.org/covidrelief.asp).

## **First NEU reporting deadline is Oct. 31**

NEUs must submit their first annual projects and expenditures report by Oct. 31. (Michigan's eight largest townships *only*, called "metropolitan cities" for ARPA purposes, were to have submitted an interim report by

Aug. 31, 2021, and must submit a project and expenditure report by Oct. 31, and 30 days after the end of each quarter thereafter.) As of press time, U.S. Treasury's website indicated that a "forthcoming user guide" would provide additional information on submitting the report. While we await additional guidance, townships can review the Compliance and Reporting Guidance (available on MTA's COVID Relief webpage) for details on what will be required.

As reported in our September *Township Focus*, NEUs will have to report, for each new or existing project that is funded wholly or in part by Coronavirus Local Fiscal Recovery Funds (CLFRF) through ARPA: the project name and a short description; an identification number (created by the township); the project "expenditure category," which is outlined in Appendix 1 (page 31) of Treasury's Compliance and Reporting Guidance document; and the project's "status of completion." Each project must align with a single expenditure category, with the township making the determination under which category its project best fits.

For the first report only, NEU townships must submit a copy of budget documents for how they calculated their top-line budget during the initial application process, along with copies of the signed Awards and Conditions and Title VI documents included with the application materials. MTA is awaiting guidance on how an NEU should complete the "projects and expenditures" portion of the form if no action has yet been taken on using the funds.

Townships must have an active SAM.gov registration before the Oct. 31 reporting deadline. This registration must be renewed annually.

As a reminder, townships can use ARPA funds to hire consultants to assist with managing and administering the dollars—including help with reporting. Townships may wish to reach out to their auditor or accounting firm for assistance. The listing at right includes firms and contact information for those that are available to assist your township, if needed.

## Awaiting final rule

As of *Township Focus* press time, U.S. Treasury had not issued its final CSLFRF rule. It did, however, release an additional "explainer" document, following the close of the public comment on the interim final rule.

All told, U.S. Treasury received nearly 1,000 comments on the rule, and noted that it "expects its review of comments to continue into the fall." Until a final rule is issued, the interim final rule remains binding and effective.

"Recipients can and should rely on the interim final rule to determine whether uses of the fund are eligible under this program," Treasury noted, adding that it "encourages recipients to use funds to meet needs in their communities."

While municipalities with interpretation questions about the interim final rule can email [slfrp@treasury.gov](mailto:slfrp@treasury.gov), Treasury stated that it "does not pre-approve specific uses of the funds." The guidance further said that funds "used in a manner consistent with the interim final rule" while it is effective will "not be subject to recoupment."

In addressing how the funds may be spent, Treasury simply pointed to the four categories of allowable uses outlined in the interim rule and the "non-exclusive list" of possible uses. "Recipients may use the interim final rule to interpret whether their use of funds meets the criteria of what is eligible" as long as they are used in a "manner consistent with the guidance in the interim final rule."

Treasury specifically mentioned use for revenue loss—up to the amount of the loss—with "broad discretion to provide government services," and offered examples including police, fire and other public safety services, environmental services, and maintenance or pay-go funded building of infrastructure, including roads. To calculate your township's revenue loss, officials can access three different revenue loss calculators on [www.michigantownships.org/covidrelief.asp](http://www.michigantownships.org/covidrelief.asp).

The guidance, which urged recipients to look to U.S. Treasury's FAQ document (also available at [www.michigantownships.org/covidrelief.asp](http://www.michigantownships.org/covidrelief.asp)) for more information on eligible uses, also specifically highlighted "non-exhaustive" examples of uses for "responding to the COVID-19 public health crisis and its negative economic impacts," including:

- Payroll and covered benefit expenses for public safety employees responding to the COVID-19 public health emergency
- Payroll, covered benefits and other costs associated with rehiring public sector staff, up to the pre-pandemic staffing level of government

## Watch for updates

Please continue to watch MTA's website, *Township Insights* newsletter, eblasts and other publications for updates as they become available, including free MTA Q&A webinars to get your questions answered.

## Auditor and CPA firms available to help your township with ARPA reporting

**Baird, Cotter and Bishop, PC**, Cadillac  
231-775-9789 | [tmulder@bcbcpa.com](mailto:tmulder@bcbcpa.com)  
[www.bcbcpa.com](http://www.bcbcpa.com)

**Plante Moran**, Ann Arbor  
734-302-6901 | [arpaquestions@plantemoran.com](mailto:arpaquestions@plantemoran.com)  
[www.plantemoran.com](http://www.plantemoran.com)

**Schulze Oswald Miller & Edwards, PC**, Alpena  
989-354-8707 | [kristy@somecpa.com](mailto:kristy@somecpa.com)  
[www.somecpa.com](http://www.somecpa.com)

**Siegfried Crandall**, Grand Rapids  
800-876-0979 | [dveldhuizen@scpro.net](mailto:dveldhuizen@scpro.net)  
[www.siegfriedcrandall.com](http://www.siegfriedcrandall.com)

**Walker, Fluke & Sheldon, PLC**, Hastings  
269-945-9452 | [rsprague@wfscpas.com](mailto:rsprague@wfscpas.com)  
[www.wfscpas.com](http://www.wfscpas.com)

**Yeo & Yeo, PC**, Saginaw  
989-793-9830 | [jamriv@yeoandyeo.com](mailto:jamriv@yeoandyeo.com)  
[www.yeoandyeo.com](http://www.yeoandyeo.com)



## Meetings should be held in full compliance with OMA

*Spalding v. Swiacki*, \_\_\_ Mich. App. \_\_\_ (For publication, decided Jan. 28, 2021, Docket No. 354598)—In a suit brought between members of the **Armada Township** (Macomb Co.) board regarding a mistake in noticing a township board meeting, the Michigan Court of Appeals held that “substantial compliance” was not enough in a claim under the Open Meetings Act’s (OMA) provision for civil liability for public officers. (MCL 15.273)

MCL 15.265 requires that, “for a rescheduled regular or a special meeting of a public body, a public notice stating the date, time, and place of the meeting *shall be posted at least 18 hours before the meeting in a prominent and conspicuous place at both the public body’s principal office and, if the public body directly or indirectly maintains an official internet presence that includes monthly or more frequent updates of public meeting agendas or minutes, on a portion of the website that is fully accessible to the public. The public notice on the website shall be included on either the homepage or on a separate webpage dedicated to public notices for nonregularly scheduled public meetings and accessible via a prominent and conspicuous link on the website’s homepage that clearly describes its purpose for public notification of those nonregularly scheduled public meetings.*”

Although the township posted physical notice of the special meeting of the township board at the hall at least 18 hours prior to the start of the meeting, the additional website notice of the special meeting required by MCL 15.265 was not posted until a later time prior to the meeting.

The OMA provides different types of legal claims for violations of the act, and one allows the Court to consider “substantial compliance” versus full compliance. But in

the claim filed in this case, the Court could not consider substantial compliance. The fact that the website notice was posted several hours before the meeting could not overcome the fact that it was not posted in time, and the meeting should not have been held.

All township public bodies should note that, regardless of what type of legal claim might be made for violating the OMA, full compliance with the act should be emphasized, and if a mistake is discovered prior to a meeting, the township’s attorney should be asked to direct how the township should proceed.

## Supreme Court sides primarily with state in Headlee case

*Taxpayers for Michigan Constitutional Government v. Department of Technology, Management & Budget*, \_\_\_ Mich. \_\_\_, July 28, 2021 (Docket No. 160658)—In an MTA Legal Defense Fund case, the Michigan Supreme Court considered what payments should be included in calculating how much the state pays to units of local government under Article 9, § 30 of the Michigan Constitution of 1963 (“Headlee Amendment”). Headlee requires 48.97% of state revenue be paid to local governments.

According to the Court: “Plaintiffs argue that the state is shortchanging units of local government by improperly inflating that figure. Specifically, plaintiffs allege that ‘Proposal A’ payments that the state directs to school districts ... should not be counted and that neither should state spending for state-mandated local services and activities ... . We disagree. Both are properly counted as part of total state spending paid to units of local government for purposes of the Headlee Amendment.”

*Note:* A previous *Township Insights* description of this opinion incorrectly stated that the opinion held that payments to charter schools should be included in the state’s Headlee calculations. Instead, the Court held that a charter school authorized by a state public university would not be included. However, the Court indicated without deciding that a charter school authorized by a public school district might be properly counted and remanded the issue to the Court of Appeals for reconsideration:

“Plaintiffs also argue that state aid to public school academies [‘charter schools’] should not be counted as part of the total state spending paid to units of local government under § 30. The Court of Appeals rejected this argument, concluding that PSAs are ‘school districts,’ a type of ‘Local Government’ specified in § 33, and, therefore, that their state funding is properly counted as part of ‘total state spending paid to all units of Local Government.’ We conclude, however, that the panel erred when it held that PSAs are ‘school districts’ as the term is used in the Headlee Amendment. We further hold that PSAs are themselves not a ‘political subdivision of the state’ as voters would have understood the term when the Headlee Amendment was ratified. It is unclear, however, whether the fact that a PSA’s authorizing body, such as a school district, intermediate school district, or community college, might be an entity considered a ‘Local Government’ changes that general conclusion. Therefore, we reverse the conclusion reached in Part III of the Court of Appeals opinion that PSAs are ‘school districts’ and remand to the Court of Appeals for its reconsideration of this issue.

“We conclude that a PSA authorized by the governing board of a state public university, MCL 380.501(2)(a)(iv), is definitively not a political subdivision of the state. A PSA is not itself a political subdivision of the state, nor is a state university. A PSA authorized by the governing board of a state public university is not geographically limited, and it is responsive to the voters of the state of Michigan at large,<sup>31</sup> not to voters of any particular locale. Therefore, those PSAs are not included in the definition of ‘Local Government’ under § 33 of the Headlee Amendment, and any state funding they receive should not be counted under § 30 as part of ‘total state spending paid to all units of Local Government.’ However, aside from state public universities, MCL 380.501(2)(a)(i) to (iii) also empowers the boards of school districts, intermediate school districts, and community colleges to authorize PSAs. If, for example, a traditional school district—a ‘local government’ under § 33 of the Headlee Amendment—experiments with the charter-school model to provide educational services to local children, this might properly be counted as state spending to a unit of local government under § 30.”

## Government drone surveillance illegal without warrant or exception

*Long Lake Township v. Maxon*, \_\_\_ Mich. App. \_\_\_, (For publication, decided March 18, 2021, Docket No. 349230)—In this case, the township used a drone to take images of Maxon’s property without permission or a warrant, and relied on those images to bring suit for violation of the zoning ordinance, nuisance law and a prior settlement between the township and Maxon.

The state Court of Appeals held that “The Fourth Amendment requires persons both to establish a legitimate expectation of privacy and to establish that society is prepared to recognize that expectation as reasonable. As noted, just because it is well-known that a particular intrusion into privacy is technologically feasible does not cause a person’s reasonable expectation of privacy to evaporate. The United States Supreme Court has, likewise, held that just because technology develops new and innovative ways in which a person’s privacy *can* be violated must not dictate whether that person retains a legitimate expectation of privacy and whether society should continue to recognize that expectation as reasonable. ... We believe it would be unworkable and futile to try to craft a precise altitude test. Rather, we conclude that persons have a reasonable expectation of privacy in their property against drone surveillance, and therefore a governmental entity seeking to conduct drone surveillance must obtain a warrant or satisfy a traditional exception to the warrant requirement.

“We also observe that plaintiff’s warrantless surveillance was totally unnecessary. The parties could easily have—and likely should have—included a monitoring or inspection provision in their settlement agreement. Aside from that, as the United States Supreme Court observed, the quantum of evidence necessary to establish probable cause to conduct an administrative inspection is more than ‘none,’ but is less than what might be required to execute a criminal search warrant. By plaintiff’s own account, it had concrete evidence, in the form of unrelated site inspection photographs and complaints from defendants’ neighbors, that defendants were violating the settlement agreement, violating the zoning ordinance, and creating a nuisance. Our holding today is highly unlikely to preclude any legitimate governmental inspection or enforcement action short of outright ‘fishing expeditions.’ If a governmental entity has any kind of nontrivial and objective reason to believe there would be value in flying a drone over a person’s property, as did plaintiff here, then we trust the entity will probably be able to persuade a court to grant a warrant or equivalent permission to conduct a search.”

*(Citations omitted)*

# aroundthestate

townships in the spotlight



## Ontonagon Township

Nestled in the northwest portion of Michigan's Upper Peninsula, **Ontonagon Township** (Ontonagon Co.) is known as "the gateway to the Porcupine Mountains."

Established in 1843, Ontonagon Township was organized on the opportunity of copper mining. A massive copper boulder, weighing in at 3,708 pounds, was discovered in the Ontonagon River in 1842. It is now known as the Ontonagon boulder and resides at the National Museum of Natural Science at the Smithsonian Institute in Washington D.C. A replica of the boulder is on display at the local historical museum.

On the south shore of Lake Superior, Ontonagon Township Park is a popular attraction, with more than 75 campsites, playground, day-rental cabins for events, and the Yooper Snack Shack. Adjacent to the park is the township's newest endeavor, Doug's Sunset Park, an accessible park for all to enjoy spectacular sunsets over the Great Lake. Named after a former teacher, the township received a \$20,000 grant from the Michigan Land Bank to aid in creating the day park.

The township has acquired land on Flintsteel River with future plans to install kayak and canoe launches. The river empties into Lake Superior just a half mile away. The township has also a grant in progress to purchase a stretch of beach property, not far from the park, to ensure it remains public property for all to enjoy.

The Ontonagon Theater of Performing Arts, located on the second floor of the township hall, had a full restoration in 1997 that brought it to the beautiful theater it is today. The theater has a performing arts club available free

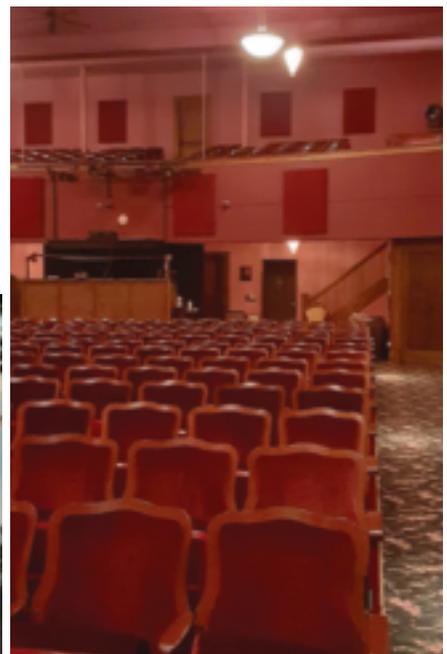
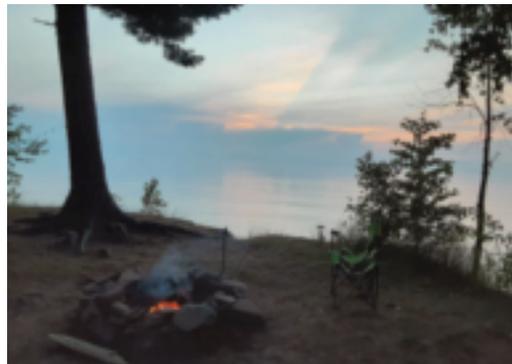


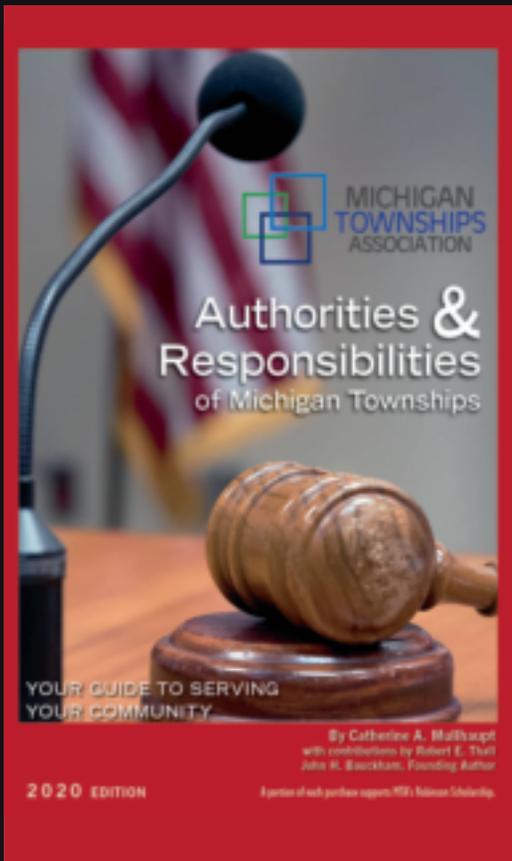
to all school-aged children, indoor and outdoor concerts throughout the summer, and the annual Aspirus Hospital Foundation Christmas Concert in December. The theater also hosts family-friendly Sunday movie matinees, in conjunction with the library, free of charge.

Also housed in the Ontonagon Township Memorial Hall is the Ontonagon Township Library offering public WiFi, books, ebooks and digital books, print and copy services, CDs and DVDs, magazines and newspapers. The library also hosts an annual summer reading program for area youth, among various other activities.

The township's Labor Day Festival is the largest in the Upper Peninsula. The township recently hosted its 65th annual event, which kicked off with a free community picnic.

Throughout the weekend, there many activities, including a car show, parades, music, golf, community fest and much more.





.....

# RED BOOK READY

.....



## Are you “Red Book Ready”?

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

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

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

You can **embark on your journey today!** Both our in-person and online classes qualify for chapter credits. Take the first step by enrolling in the program and we’ll provide your road map, and even help you track your progress! What are you waiting for? Enrollment is absolutely **FREE!**

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

Look for the **Red Book** icon shown here to quickly identify qualifying courses!



## RED BOOK READY Registration Form

Township

County

Name

Title

Email Address

Telephone Number

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



# MICHIGAN TOWNSHIP PARTICIPATING PLAN



Municipal Office



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



For more information please call 1-800-783-1370 or visit our website [www.theparplan.com](http://www.theparplan.com)

## SERVING MICHIGAN PUBLIC ENTITIES SINCE 1985

