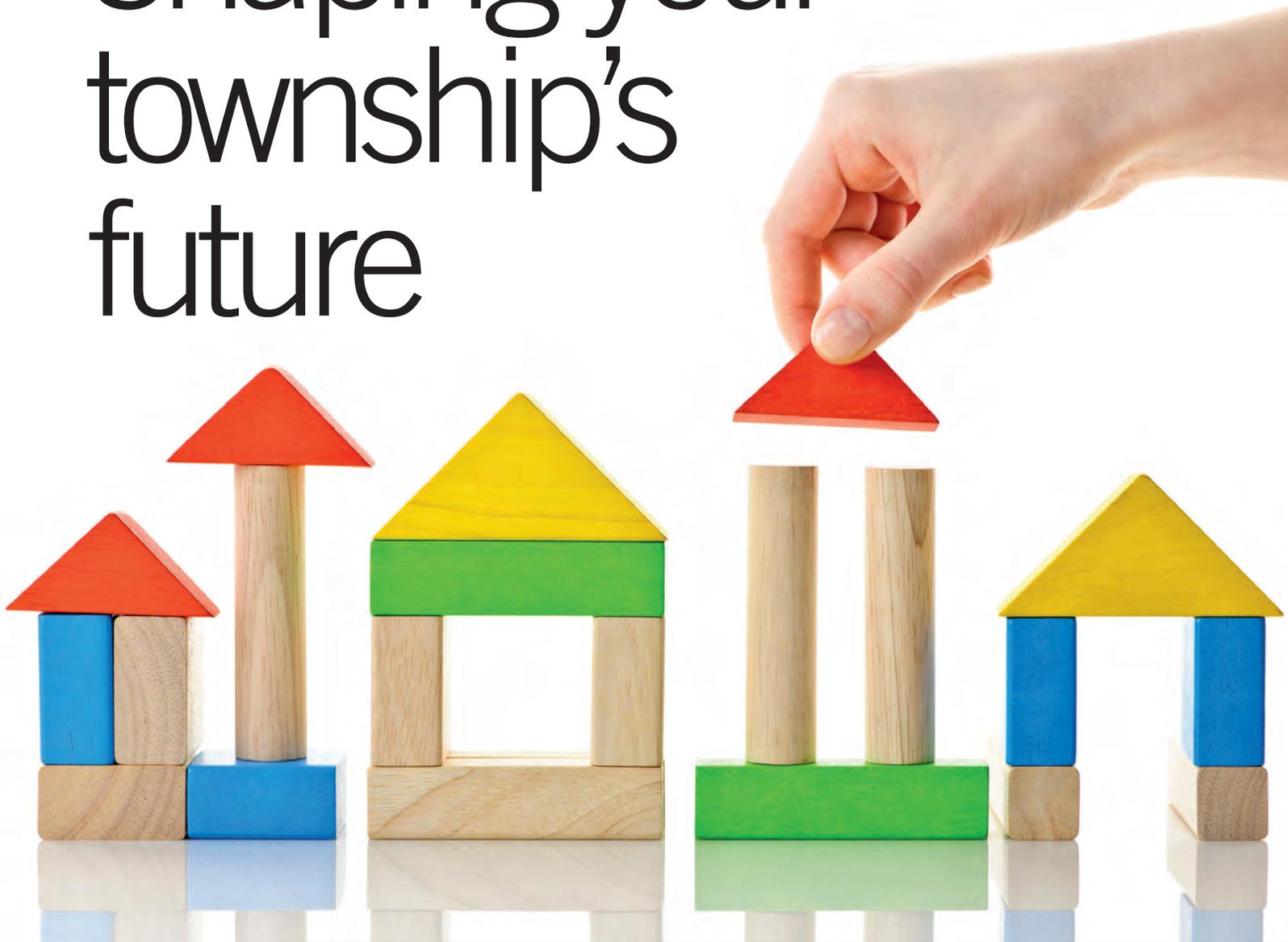


Michigan Township Focus

SEPTEMBER 2018

OFFICIAL PUBLICATION OF THE MICHIGAN TOWNSHIPS ASSOCIATION

Shaping your township's future



Honing communication skills with lawmakers
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UP North Summit draws officials from around the state
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Female fire chiefs take the lead at township departments
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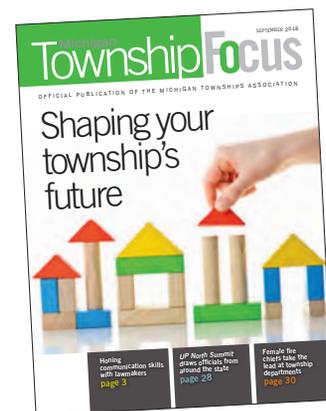
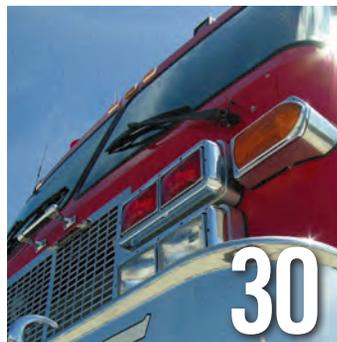
When your township has a vision for the future, or a character that residents want to preserve, it won't happen by accident. Without action, your plan cannot become reality. Many townships rely on zoning as an effective tool to shape their community for years to come.

28 UP North Summit draws officials from around the state

Nearly 100 township officials gathered in Michigan's Upper Peninsula for two days of education and networking at MTA's 2018 *UP North Summit*.

30 Breaking barriers: Female fire chiefs lead township departments

In a mostly-male field like fire service, female leadership is rare to non-existent. But a few women in Michigan—including two in townships—are breaking barriers.



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mission statement

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

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president's round table

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Honing communication skills with lawmakers

With many township officials wanting their views heard on the state Department of Treasury’s assessing reform proposal now before both legislative chambers—House Bill 6049 and Senate Bill 1025—township officials should keep the following points in mind when interacting with lawmakers on this or any other legislative issue:



• **More effort means greater results.**

These communication methods are listed in order of potential effectiveness:

- 1) Meetings with legislators
- 2) Original resolutions adopted by your township board
- 3) Personally composed letters
- 4) Personally composed emails
- 5) Phone calls to lawmakers or their staff
- 6) Non-original resolutions adopted by your township board
- 7) Mass-produced postcards, emails or petitions

With limited session days scheduled in September and October, lawmakers seeking re-election will be in their districts a great deal between now and November, so township officials should set up in-district meetings. Organizing a delegation of officials from throughout the legislator’s district will demonstrate that the assessing proposal is a shared concern. Or you may want to drive to Lansing for a meeting to share your views on the proposal.

• **Present your arguments concisely and in order of importance.**

Start with the points you believe would resonate with that lawmaker. MTA and its members appreciate lawmakers who stand for the principle of local control, but many lawmakers will seek a deeper dive into the issues. Be prepared to explain why the cost of assessment administration will likely increase, as this should be a significant concern to lawmakers who promised voters they would reduce the cost of government. Would this lawmaker likely think that accountability to taxpayers and maintaining their trust is best achieved with locally employed assessors? Perhaps the lawmaker would be skeptical of the lack of details throughout the proposal. Rural lawmakers are usually particularly skeptical of “one size fits all” approaches that disadvantage smaller jurisdictions.

• **Be credible.** Fact-check yourself before you assert something as true. Claims that assessing reforms are intended to destroy township government will likely be met with skepticism considering they also impact city assessing. Lawmakers have sources to double-check your information and they will be hearing from reform supporters, too. Defending poor assessing, contending it doesn’t exist, or denying that communities are challenged to meet ever-changing expectations will fly in the face of what many lawmakers already know to be true. Be prepared to offer solutions.

• **Don’t make the issue about you.** So your township would lose its assessor, a beloved member of the township team. And yes, as a Michigan certified assessing officer (level 2), you would have to become a county employee or work for an assessing consortium. MTA is sympathetic to your concerns, but lawmakers may not be. Your lawmaker might oppose the proposal as a favor to you, but many more lawmakers will base their positions on what they perceive to be best for the people of the state of Michigan, so frame your position as what best serves the public’s interest. It is okay to brag about your township’s assessing excellence to show your township’s assessing does not need reforming.

Approximately 150 township officials responded in writing to the Treasury reform proposal with many compelling, coherent arguments illustrating how assessing is best performed at the local level and flaws in the Treasury proposal. Effective communication with lawmakers necessitates knowing your arguments well.

• **Be authentic and communicate in your own words.** This is a great opportunity to inform lawmakers about a subject you know better than most. Freely share your pride in how well you or your assessor perform assessing duties and how local assessors connect taxpayers to their government better than big bureaucracies ever could. Improving assessing should be everyone’s goal, but reforms shouldn’t be just about building bigger shovels to extract taxpayers’ money. And whether or not your arguments prevail, remember to thank lawmakers for their time and interest—as there are many other issues you will need to work on with them.

news¬es

a compendium of noteworthy items

SUPREME COURT RULINGS

The U.S. Supreme Court recently issued two rulings that impact townships.

SCOTUS ruling eliminates Right to Work exemption for police officers and firefighters

Firefighters and police officers are no longer exempt from Michigan's Right to Work law under a U.S. Supreme Court ruling issued earlier this summer.

Michigan's 2012 law did not include public sector unions in its language that no longer allowed unions to require nonmembers to pay fees covering collective bargaining activities. However, that protection was eliminated in a 5-4 U.S. Supreme Court decision in *Mark Janus v. the American Federation of State, County and Municipal Employees (AFSCME) Council 31*. The decision overturned a 40-year-old case in which the Supreme Court ruled that nonmembers can be required to pay what are called "fair share" or "agency fees" to cover the union's cost of negotiating a contract that applies to all public employees. The court ruled that this violates free speech of nonmembers.

Michigan to start collecting online sales tax Oct. 1 following Supreme Court ruling

The Michigan Department of Treasury announced in August that it will enforce a recent U.S. Supreme Court decision and order online retailers to pay a 6 percent sales tax on all transactions on taxable sales in the state starting Oct. 1.

The 5-4 Supreme Court ruling in *South Dakota v. Wayfair Inc.* overturned a 1992 decision that only allowed states to require remote sellers to collect sales taxes if the business had a physical presence, such as a warehouse, in the state.

The decision involved a South Dakota law enacted in 2016 that would allow the state to require out-of-state retailers with a significant economic connection to the state to collect sales taxes. In upholding South Dakota's law, the decision leaves in place provisions prohibiting retroactivity and an exemption for businesses that deliver under \$100,000 in sales or have fewer than 200 transactions.

Under Treasury's new administrative requirement, all applicable mail order and online retailers physically located outside of Michigan must pay state sales tax and file tax returns for taxable sales made after Sept. 30, 2018. Treasury estimates that more than \$200 million in additional state revenues will be collected annually under the new sales tax rule. Typically, this money would be distributed to school aid, revenue sharing and the state general fund. However, Gov. Rick Snyder is proposing the new money be put into repairing roads. Watch MTA publications for updates.



EDUCATING YOUTH

Township officials can head back to school this fall, too!

It's back-to-school time—not just for kids but for township officials, too! Township officials can make great strides in educating students about the importance of local government, simply by visiting a classroom, and discussing their role as an elected official and the role of townships in Michigan.

Local officials can help spread the message of what township government is—and how it impacts life each day in local communities. September provides the perfect time to call or email your local school superintendent, principals or government teacher to let them know you are available as a resource. Offer to make a presentation about township government. Even if you have been invited to make a presentation in the past, it may take persistence to remind a teacher that you are available to visit the class year after year.

By initiating this contact, students will have an important opportunity to engage in a dialogue with you about your various roles and responsibilities as a township official and the day-to-day operations of the form of government that represents more than 50 percent of Michigan's residents.

While in the classroom, discuss topics that students can relate to. Talk about the fire and police protection, library services and even local roads. No one likes potholes—especially teenagers who are driving in their first car. The goal is to leave the students with a greater understanding of the local government that impacts their daily lives.

Whatever the method, the important part is that you actively share your love for local government with the next generation. As an elected township official, you are the expert on township government. So use that expertise and go back to school this fall—and throughout the year as well. Your efforts can have an impact on the life of a student.

Find tools to take into the classroom at www.michigan-townships.org (click on "Tools for Teachers" under the "About Townships" tab).



ATTORNEY GENERAL OPINIONS

AG: District library is 'authority' for Article 9, Section 6 tax limitation exemption purposes

Attorney General Opinion No. 7303, issued May 17, 2018, in response to an inquiry from Rep. John Bizon (R-Battle Creek)

Summation: A millage levied by a district library established under the District Library Establishment Act (DLEA), 1989 PA 24, MCL 397.171 *et seq.*, is not subject to the mill limitations or the 20-year durational limit set forth in Article 9, § 6 of the Michigan Constitution. But under Section 13 of the DLEA, MCL 397.183, a district library may not levy more than four mills and any levy over two mills may be authorized only for a period not to exceed 20 years.

AG: Sexual orientation, gender identity not protected by Elliott-Larsen

Attorney General Opinion No. 7305, issued July 20, 2018, in response to an inquiry from Sen. Arlan Meekhof (R-Olive Twp.) and Rep. Tom Leonard (R-DeWitt Chtr. Twp.)

Summation: The Michigan Civil Rights Commission's Interpretative Statement 2018-1, which concludes that the term "sex" as used in the Elliott-Larsen Civil Rights Act includes sexual orientation and gender identity, is invalid because it conflicts with the original intent of the Legislature as expressed in the plain language of the Act, and as interpreted by Michigan's courts.

Note: As of Township Focus press time, the Michigan Civil Rights Commission had taken the position that AG Opinion No. 7305 is not binding on them; the Office of the Attorney General disagrees. Townships should consult with their legal counsel with regard to these issues.

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LOCAL UPDATES FROM ACROSS MICHIGAN

Township happenings

Acme Township (Grand Traverse Co.) recently adopted a set of new ordinances allowing for solar farms in the township with certain restrictions. Other townships in the region also have ordinances allowing for commercial-scale solar farms, including **Elmwood Charter Township** (Leelanau Co.) and **Green Lake Township** (Grand Traverse Co.).

Thanks to years of planning and the cooperation of Otsego County, the City of Gaylord, **Bagley Township** and **Otsego Lake Township**, Lake State Railway, and the Michigan Departments of Natural Resources and Transportation, a project to extend the Iron Belle Trail has begun. With a completion date set for this fall, the biking and hiking trail will be extended 11.5 miles connecting with the North Central State Trail. The project is funded by multiple grants and a share split by the townships and county.

Muskegon Charter Township (Muskegon Co.) Fire Chief **Dave Glotzbach** was recently sworn in as the president of the Michigan Association of Fire Chiefs. Glotzbach has been township fire chief for more than 16 years.

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

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Van Buren Charter Township earns 'Township of Excellence' Certificate of Achievement

Van Buren Charter Township (Wayne Co.) has earned a Certificate of Achievement in MTA's "Township of Excellence" program. The township was recognized for excellence in the area of Election Administration, and received the certificate at its July 17 board meeting (*pictured above*).



A certificate of achievement is awarded to townships that complete a rigorous application process and successfully meet the high-level criteria in each area, as defined by the Association and its members.

To earn the certificate, Clerk **Leon Wright** said that his department scrutinized its elections processes for areas of improvement, and updated its policies and procedures.

"Earning this Certificate of Achievement from the Michigan Townships Association is a source of great pride not only for myself, but for my team and community," said Wright, a certified municipal clerk who has earned his master municipal clerk (MMC) designation from International Institute of Municipal Clerks. Wright received the MMC honor at the board's July 17 meeting as well.

"Van Buren Charter Township is a community of hardworking people who strive for excellence and deserve a government that does the same," Wright continued. "We work tirelessly to provide excellent service to our voters and elections that exceed the state's expectations. It has always been my goal to improve upon the process from one election to the next, embrace advancements in election security and technology, and develop an outstanding team of poll workers."

The recognition honors the work of Van Buren Charter Township for its efforts during the 2016-2020 term of office.

MTA defines a "Township of Excellence" as a strong, vibrant community governed by a township board that adheres to best practices to deliver quality programs and services to accomplish community-driven goals. Van Buren Charter Township board members have demonstrated a willingness to distinguish the township through consistently meeting the highest standards in the area recognized by the program.

Learn more about the Township of Excellence program, and how your township can apply, at www.michigantownships.org (look under the "About MTA" tab).

profile



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vision of providing powerful public sector software to local government. BS&A is driven to excellence in all areas of their business by focusing 100 percent of their efforts on solving customers' problems, creating deep customer relationships through unparalleled customer support, and pursuing continued improvement in their software through innovation and customer feedback.

The company's product line has grown to an extensive list of 32 software products. They have software suites for Financial Management, Property Tax and Assessing, and Community Development, along with companion products for both local and county government.

With the growth in products, the customer base has expanded to include almost 2,200 municipalities in 17 states. There are more than 10,000 installations of its various software applications.

BS&A employs over 150 team members involved in software development, IT, sales, implementation, training and technical support. More than 85 percent of the staff is dedicated to the development and support of their applications.

BS&A knows the reason the company is still here today is because of its customers. The company strongly believes that their success is directly correlated with putting the customer first and consistently choosing to listen.

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, see BS&A's ad on page 11, turn to the Allied Service Provider Index on page 2 or visit www.michigantownships.org/asp.asp.

Advertorial



MTA Legal Defense Fund cases now online

MTA's Legal Defense Fund (LDF) assists townships in legal battles that have significant statewide impact, as well as other local units when the court's decision could impact townships. We regularly update members on newly approved LDF cases in *Township Focus*. Now, you can read about open cases at any time on our "Legislative Action Center," on the members-only section of www.michigantownships.org (find it under the "Advocacy" tab after logging in). The cases are conveniently divided by category, making it easy to find cases relevant to your search.

MTA's Legislative Action Center provides all the information you need to be an effective advocate for your township, including informative "deep dives" on key issues impacting townships—such as efforts to reform the state's assessing system, an interactive listing of legislation we're following (including analysis, sponsor information and MTA's position), and direct contact information to your state lawmaker. Visit the action center today!

mta events | September

- | | |
|----|--------------------------------------------------------------------|
| 17 | <i>Emerging Issues in Emergency Services</i> workshop, Frankenmuth |
| 20 | <i>Managing Your Township Team</i> workshop, Grand Rapids |
| 21 | <i>How Boards Make Decisions</i> workshop, Grand Rapids |

Does your township have a print or electronic newsletter for residents?

Help MTA stay on top of what's happening in your township by adding us your mailing list! Enewsletters can be emailed to jenn@michigantownships.org; print newsletters can be mailed to: Michigan Townships Association, Attn. Jenn Fiedler, PO Box 80078, Lansing, MI 48908-0078. Thank you!

Member input sought on 2019 MTA Policy Platform

MTA members play an important role in shaping the Association's legislative policy—both by voting on the MTA Legislative Policy Platform at the MTA Annual Meeting each year and also by providing suggestions and input for consideration by MTA legislative policy committees.

MTA is seeking your input for the 2019 Policy Platform. The deadline for submissions for consideration for MTA's 2019 Legislative Policy Platform by the MTA Legislative Policy and Resolutions Committee is Monday, Nov. 5. Proposed policies are reviewed by MTA committees for word selection and legality, and to ensure they conform with the Association's overall goals and objectives.

The proposed policy platform for 2019 will be presented for membership approval at the 2019 MTA Annual Meeting, to be held Thursday, April 4 in conjunction with the 66th MTA Annual Educational Conference & Expo in Grand Rapids.

View MTA's 2018 Policy Platform on MTA's website, www.michigantownships.org, under the "Advocacy" tab.

Contact the MTA Government Relations Department at (517) 321-6467 or email legislation@michigantownships.org with suggestions or questions.

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SEPTEMBER

By 6 Post-election campaign statements filed. Books closed Aug. 27.

7 Final date townships can establish, move or abolish a polling place for Nov. 6 general election. (MCL 168.662)

14 Summer taxes due. (MCL 211.107)

Interest of 1 percent per month will accrue if the payment is late for the State Education Tax and county taxes that are part of the summer tax collection. (MCLs 211.905b(9) and 211.44a(6))

Last day of deferral period for summer property tax levies, if the deferral is for qualified taxpayers. (MCL 211.51(7))

By 22 Delivery of military and overseas absentee voter ballots must begin for Nov. 6 general election. All requests received since the Nov. 7, 2017, election must be honored for all 2018 elections. (MCL 168.759a)

County clerks deliver absentee voter ballots for Nov. 6 general election to local clerks. (MCL 168.714)

27 through Oct. 16. Precinct inspectors for Nov. 6 general election appointed by township election commissions. (MCL 168.674)

28 Township clerk delivers to supervisor and county clerk a certified copy of all statements, certificates,

and records of vote directing monies to be raised by taxation of property. (MCL 211.36(1))

(On or before Sept. 30. Sept. 30 is a Sunday.) Financial officer of each township computes tax rates in accordance with MCLs 211.34d and 211.34 and governing body certifies that rates comply with Section 31, Article 9, of 1963 Constitution and MCL 211.24e, Truth-in-Taxation, on State Tax Commission (STC) Form L-4029.

OCTOBER

By 2 Notice of close of registration for Nov. 6 general election published. (MCL 168.498)

9 Last day to register for Nov. 6 general election (MCL 168.497)

15 The assessor reports the status of real and personal industrial facility tax property to the STC. (MCL 207.567(2))

Townships report to the STC on the status of each exemption granted under the Commercial Redevelopment Act. (MCL 207.666)

Qualified local governmental units report to the STC on the status of each exemption granted under the Commercial Rehabilitation Act. (MCL 207.854)

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

Zone Certificate. (MCL 207.783(2))

Qualified townships report to the STC on the status of each exemption granted under the Obsolete Property Rehabilitation Act. (MCL 125.2794)

22 Deadline for payments to municipalities from the Local Community Stabilization Authority. Local community stabilization share revenue for other millages not levied 100 percent in December for calendar year 2018. (MCL 123.1357(5)(c))

By 26 Pre-general election campaign statements filed. Books closed Oct. 21.

26 Write-in candidates file declaration of intent forms for Nov. 6 general election by 4 p.m. (MCL 168.737a)

By 27 County clerks deliver remainder of ballots and election supplies for Nov. 6 general election to local clerks. (MCL 168.714)

By 30 Notice of Nov. 6 general election published. One notice required. (MCL 168.653a)

31 October apportionment session of the county board of commissioners to examine certificates, direct spread of taxes in terms of millage rates to be spread on taxable valuations. (MCL 211.37)

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, commercial facilities PA 255 of 1978, and industrial facilities PA 198 of 1974 tax exemption applications to the STC. *Note:* Applications for the above exemption programs received on or after Nov. 1 shall be considered by the STC contingent upon staff availability.



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Can a township board member be hired to work as a township employee?

Yes, Michigan law allows township boards to assign additional, non-statutory duties to township board members (MCL 15.183) and to authorize payment for those services, as the township board deems reasonable. (MCL 41.96)

The Incompatible Public Offices Act, Public Act 566 of 1978 (MCL 15.181, *et seq.*), states that a public officer shall not hold two or more incompatible offices at the same time. (MCL 15.182)

“Incompatible offices” are public offices held by a public official that, when the official is performing the duties of any of the public offices held by the official, result in: 1) the subordination of one public officer to another; 2) the supervision of one public office by another; or 3) a breach of duty of public office. (MCL 15.181(b)) Since the township board is the employer, any employment position with the township would result in that position being subordinate to and under the supervision of the township board.

The Contracts of Public Servants with Public Entities Act, PA 317 of 1968 (MCL 15.321, *et seq.*), prohibits, among other things, a public servant from being a party, directly or indirectly, to any contract between himself or herself and the public entity of which he or she is an officer. (MCL 15.322(1))

But, in a township with a population of less than 40,000, the Incompatible Public Offices Act allows the township board to authorize a township board member to perform, with or without compensation, additional services for the township that would otherwise be incompatible, or to serve in an emergency medical services position, or as a firefighter, police chief, fire chief, police officer or public safety officer in that city, village, township or county if that firefighter, police chief, fire chief, police officer or public safety officer is not a person who negotiates a collective bargaining agreement with the city, village, township or county on behalf of the firefighters, police chiefs, fire chiefs, police officers or public safety officers. (MCL 15.183)

Note that townships with a population of 40,000 or more cannot assign to a township board member additional duties that would result in an incompatible office, which includes any employment position, even the positions of emergency medical services personnel or firefighter.

A township board is never required to give additional duties to a board member, and a township board may feel it is inappropriate to do so.

A township board member is not prohibited from voting to assign him- or herself additional duties or to establish the compensation for the additional duties (*Burton Township v. Speck*, 1 Mich. App. 339, 1965).

But a board member seeking additional duties may want to evaluate the appropriateness of voting on the question. Note that, in a charter township, a board member may abstain only if the other members present unanimously vote to allow him or her to abstain. (MCL 42.7)



How is a township board member compensated for these additional services?

A township supervisor, clerk or treasurer may only be compensated for the statutory duties of his or her office through the salary of that office. The trustee position may be compensated by salary, by per diem or per meeting payments, or by a combination of salary and per diem/per meeting payments.

The laws state that a township official may serve as a township employee with or without compensation; no statute requires that a township official be compensated for additional services. However, because additional services must, by definition, be outside the statutory duties of an official's office, the salary of the office does not cover those additional services. A township board may authorize a township official to be compensated for performing additional services. The additional services should be specified by the board in a job description, and the compensation should be established and authorized before the additional duties are performed.

For example, if a township board votes to authorize a trustee to perform the additional service of managing the transfer station:

1) The salary of the office of trustee must be a fixed amount, and both (or all four) trustees must be paid the same



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salary (in a township where the trustees are paid by salary). The trustee salary cannot differ from one trustee to another based on years of service, merit, etc. The salary cannot be decreased during the four-year term of office. If the township board establishes the board salaries, the salary resolution is subject to petition for referendum. If the township holds an annual meeting, the trustee salary is subject to annual meeting approval. If the township has a salary compensation commission, the trustee salary is subject to the commission's determination.

2) The compensation of the transfer station manager may be a salary or an hourly wage. It may be adjusted by the township board to reflect pay increases or decreases, years of service, bonuses, merit increases, or number of hours worked. The compensation for additional duties given to a township board member is not subject to annual meeting or salary compensation commission approval. It is not subject to referendum. If the township board member leaves office, he or she loses the additional duties and is not eligible for unemployment insurance for those duties (because they are additional duties of an elective office), although the township board could subsequently hire (or rehire; see below) the individual for the job.



I am a township employee. Can I run for a township board position?

Yes, as long as you are eligible to hold office in the township, you may run for a township board position. Note that the Michigan Political Activities by Public Employees Act, Public Act 169 of 1976 (MCL 15.401, *et seq.*), governs how township employees may be involved in political activities.

Unless contrary to a collective bargaining agreement, the township board may require a candidate for township office to take a leave of absence without pay when the candidate files or 60 days before the election, whichever is closer to the election. (MCL 15.403)

Once the election is certified and before you take the oath of office, however, you must either resign (a letter of resignation is recommended) or, if the township is under 40,000 in population and that option is specifically available in your township, you may request a leave of absence from your employment with the township.

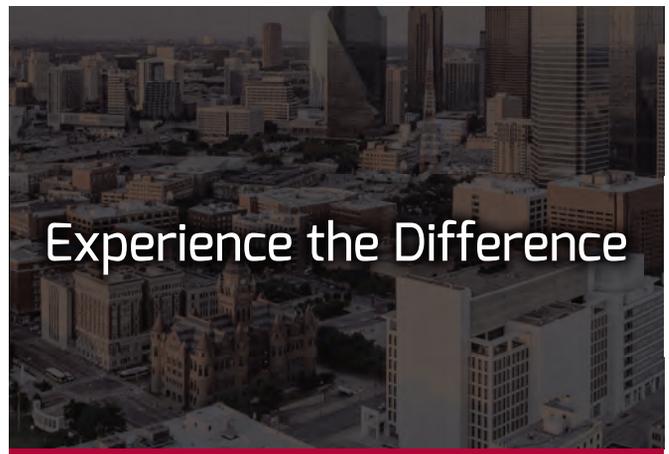
The option to request a leave of absence (if that option is provided by the township) is available only to a person who holds an employment position with a township of under 40,000 in population, because the option to hold (even as a leave of absence) or to be assigned an employment position with the township is limited to townships under 40,000. In a township of 40,000 or more in population, a township board member cannot serve in any employment position, including the position of emergency medical services personnel, firefighter (of any sort), or as an additional duty.

The board in a township under 40,000 in population may then vote to authorize you to perform, with or without compensation, additional services for the township that would otherwise be incompatible, or to serve in an emergency medical services position, or as a firefighter, police chief, fire chief, police officer or public safety officer in that city, village, township or county if you are not a person who negotiates a collective bargaining agreement with the city, village, township or county on behalf of the firefighters, police chiefs, fire chiefs, police officers or public safety officers.

But the key word is "may." The board is under no obligation to give you additional duties. Especially with the start of a new term, the composition of the township board may change, and some boards do not believe it is appropriate for board members to also work for the township.

On a personal note, consider the fact that township board office is an elective office and a position of public trust and service—as one township clerk has remarked, after all, it's on the same ballot as the president of the United States! Being a local legislator is a significant undertaking, so take a moment to evaluate whether you can adequately represent your community as a whole while also working for the township.

Hello, MTA ... ? provides general information on typical questions asked by township officials. Readers are encouraged to contact an attorney when specific legal guidance is needed. Member township officials and personnel may contact MTA Member Information Services with questions or requests from 8 a.m. to 5 p.m., weekdays, at (517) 321-6467 or fax (517) 321-8908.



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Public act resolves payroll issue

Townships that pay their employees monthly will have a little more breathing room for getting their checks out.

House Bill 5235, sponsored by Rep. Steve Marino (R-Harrison Chtr. Twp.), now Public Act 170 of 2018, will take effect Sept. 2, and will give employers until 15 days after the end of the monthly pay period to pay its employees.

Currently, employers that pay employees on a monthly basis must pay all wages earned in the previous calendar month by the first day of the calendar month. This meant

that if a township paid employees for the preceding month at its next board meeting, it was out of compliance with state law. It also created problems for employers that finalize and process their payroll information after the month has officially ended.

HB 5235 was introduced to provide more flexibility in meeting monthly payroll deadlines. The bill would allow an employer to stay in compliance as long as it pays the employee within 15 days of the monthly pay period's end. Townships that pay employees on a monthly basis and approve payment at their next board meeting would likely be in compliance as a result.

MTA has more resources and information on payroll frequency, payroll administration, employment issues and more. Visit the "Answer Center" section on the members-only side of our website, www.michigantownships.org. After logging in, click on the "Answer Center" tab to access an "Index of Topics," covering township topics from A to Z. Your email address on file with MTA is your username to log in. Don't have your password? Click "Forgot Password" to receive an email to re-set your password, or contact the MTA Office at (517) 321-6467 for assistance.

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Legislative lowdown

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

SB 45: Disabled veterans' property tax exemption—Expands disabled veterans' property tax exemption to include residential real property or agricultural real property owned by a disabled veteran, decreasing local revenue. *MTA opposes.*

SB 157 & HB 5723: Water works projects—Preempts local ordinances restricting or prohibiting the evaluation, comparison or use of certain pipe and piping materials. *MTA opposes.*

SBs 305-310: Tax increment financing—Modifies capture of library mills to allow libraries to opt out of tax capture and redefines "obligation" to exempt library millages automatically. *MTA opposes.*

SB 329 & HB 4503: Land use/zoning preemption—Limits local zoning regulation of vacation rentals and short-term rentals. *MTA opposes.*

SB 578: Deed restrictions—Excludes private deed restrictions from being considered by Michigan Tax Tribunal when highest and best use of property considered subject to an assessment dispute. *MTA supports.*

SB 637: Small cell—Creates Small Wireless Communications Facilities Deployment Act that would standardize permits, fees, right-of-way use and other regulation of wireless service providers when utilizing the public right-of-way. *MTA neutral.*

SB 723 & HB 4362: Disabled veterans' property tax exemption—Requires reimbursement to local taxing units for property tax revenue loss incurred due to disabled veterans' property tax exemptions. *MTA supports.*

SB 741: Local preemption—Prohibits local regulation of dogs based upon breed or perceived breed. *MTA opposes.*

SB 927: Personal property tax exemption—Provides exemption for qualified heavy equipment from property taxes. *MTA opposes.*

SB 1031: Personal property tax exemption—Provides exemption for qualified utility personal property installed after Dec. 31, 2017. *MTA opposes.*

SB 1035: Property tax exemption—Provides exemption for sportsmen club real property if dedicate facilities for charitable purpose for a limited period of time each year. *MTA opposes.*

HB 4077: Freedom of Information Act—Prohibits public bodies from commencing civil actions against entities making FOIA requests. *MTA opposes.*

HB 4162: Special assessments—Allows townships to create special assessment districts for communications infrastructure including broadband and high-speed internet. *MTA supports.*

HB 4184: Open Meetings Act—Clarifies physical presence required for vote, excluding emergency meetings and elected members called for military duty; allows board to waive one meeting for each member for good cause. *MTA neutral.*

HB 4290 & SB 756: Sewer backup liability—Amends definition for a sewage disposal system event, clarifies the identification of a design or construction defect in a sewage disposal system, and provides governmental agencies with expanded immunity from system overflow or backup. *MTA supports.*

HBs 4359, 4370 & 4371: Special assessments—Allows townships to create special assessment district for private utility services. *MTA supports.*

HB 4397: Dark stores—Requires Michigan Tax Tribunal determinations to consider all three methods of appraisal in assessment disputes and prohibits deed restrictions on valuation of property. *MTA supports.*

HBs 4431-4432: Legislative subpoena—Expands legislative subpoena authority to include local public bodies. *MTA opposes.*

HB 4671: Election administration—Allows local or county clerk to conduct election activities for a local clerk if approved by the governing bodies of both participating entities. *MTA neutral.*

HB 4679 & SB 495: Legislative fiscal note—Would require fiscal notes to be prepared on the financial impact of

legislation before legislative action could occur. *MTA supports.*

HBs 4747-4748: Filing fee for township candidates—Provides option for individuals seeking township offices to pay a filing fee or file signature petitions to be on the ballot. *MTA supports.*

HBs 4814-4815: Millage election limitation—Limits all millage ballot questions—including new, increasing and renewal millages—to November general elections after Dec. 31, 2017. *MTA opposes.*

HB 4766: Open Meetings Act—Allows additional remedies for noncompliance to include attorney fees and allow a one-year window during which civil actions may be brought. *MTA opposes.*

HBs 4986 & 1042: Disabled veterans' property tax exemption/income tax—Provides an income tax credit for disabled veterans in an amount equal to 100 percent of the individual's property taxes paid or 23 percent of gross rent paid, and repeals the disabled veterans' property tax exemption. *MTA supports.*

HB 5098: Rights-of-way—Requires local governments to provide one-year notification and waive permit fees, and prohibits request for any study or survey when requesting relocation of facilities owned by an entity holding a license under the Michigan Telecommunications Act or a franchise under the Uniform Video Services Local Franchise Act. *MTA opposes.*

HB 5207: Semi-open primary—Requires voter to indicate which political party ballot he or she wishes to vote at primary election. *MTA neutral.*

HB 5490: Michigan Transportation Fund—Allows townships to assume jurisdiction of roads under jurisdiction of county road commissions and receive a share of Michigan Transportation Fund revenue that would otherwise go to the county road commission. *MTA supports.*

HB 5947: Land use/zoning preemption—Limits local zoning regulation of a barn or other facilities on land zoned for agricultural purposes for commercial venue for weddings or similar events. *MTA opposes.*

HB 6049 & SB 1025: Assessing—Provides for the shift of certain assessment functions to county equalization departments. *MTA opposes.*

THANK YOU

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Contribution Levels	
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Silver	\$250-499
Bronze	\$100-249
Member	\$1-99

*As of Aug. 20, 2018



Why is an “annual qualifying statement” filed with the Michigan Department of Treasury?

Public Act 34 of 2001, MCL 141.2101, *et seq.*, revised the Municipal Finance Act to require each local government to annually file a statement with the state Department of Treasury, which if approved, “prequalifies” the local unit to issue debt without department prior approval. The statement is accomplished by filing Form 5047. The statement poses a number of questions, as required by PA 34:

1. Did you levy a tax required by court order or judgment?
2. What is the balance in debt retirement accounts which are funded by specially voted taxes (unlimited), and how does that compare to upcoming principal and interest payments on the debt?
3. Are you in compliance with statutory or constitutional debt limits?
4. All outstanding debt authorized by statute?
5. Any violations of bond covenants?
6. Delinquent in distributing taxes to other entities? Delinquent in paying payroll taxes to IRS or state? Or pension contributions to pension plans?
7. Information regarding current tax collections (delinquency percentages)
8. Did you file complete and correct statement from prior periods?
9. Default on debt payments?
10. Deficits in any fund balances? If so, has deficit elimination plan been certified or conditionally approved by the Department of Treasury?
11. Violations of state or federal finance or tax-related statutes?
12. Compliance with other provisions of PA 34 of 2001, regarding timely filing of security reports, and other required documents and fees for each municipal security issued during the year?
13. Issue a refunding obligation to avoid potential default?

The township “chief administrative officer” (CAO) or a person designated by the CAO, is responsible for filing the statement. According to Department of Treasury Bulletin 6, effective May 1, 2013 (revised June 1, 2015), that designee could be a third party—such as an auditor or attorney—as long as the CAO is aware of and takes responsibility for the filing.

The Michigan Department of Treasury requires that the form be filed electronically and must be filed within six months of the township’s year-end.

Townships that fail to file the form within six months, due to a late audit or simple oversight, can file a late qualifying statement and pay a \$100 late filing fee. The late fee is only assessed if the township issues debt pursuant to that qualifying statement. The late filing process is the same as previously outlined.

If the department grants qualified status or fails to notify the township of its determination within 30 business days after filing, the township is authorized to issue debt under the act without further approval from the department until 30 business days after the next statement is due or until a new determination is made by the department, whichever occurs first.



What happens if our township is denied approval?

A township can apply for reconsideration once to correct noncompliance issues identified in the original filing (see Treasury bulletin).

If the township is still denied, it must go through the “long form” process, and specifically seek state Treasury approval for each bond issue the township desires to issue until the next qualifying statement is available (next fiscal year). The fee for filing the long form is the greater of \$800 or .03 percent of the principal amount of the security to be issued (but no more than \$2,000). The long form should be undertaken with the assistance of bond counsel and the township’s financial advisor.

Note: Miller Canfield Attorney Tom Colis contributed to this article.

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.

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Shaping your township's future

Paw Paw Township (Van Buren Co.) was losing its farmland one 10-acre chunk at a time.

Residents of the rural community knew they wanted to preserve their township's agricultural character and protect the many fields and vineyards dotting the landscape. But the zoning ordinance written to keep this rural character intact turned out to be one of its greatest threats.

The township had a 10-acre minimum lot size for houses in an agricultural-rural residential district, said **Randall Peat**, chair of the Paw Paw Township Planning Commission. The problem was, most people building houses in the area didn't need the whole 10 acres, meaning they'd use about two acres while the other eight just sat empty and unused.

So township officials went to work. They created a new zoning ordinance that allowed large landowners to sell a limited number of smaller land parcels close to the road. The

change guaranteed that if someone owned 40 acres of land, at least 32 acres would stay in agricultural production. Peat knows the zoning ordinance helped stem the tide of lost farmland and make sure Paw Paw Township remained the rural township its residents desired.

When your township has a vision for the future, or a character that residents want to preserve, it won't happen by accident. Without action, your plan cannot become reality. Many townships rely on zoning as an effective tool to shape their community for years to come. Whether they adopt their own ordinance or use countywide zoning, zoning is what prevents a large subdivision from being developed next to a livestock farming operation. It's what facilitates mixed-use



developments of shops, restaurants and condos to attract new visitors and residents. It's what helps keep factories from polluting wetlands and groundwater. Whatever your township's land use priorities are, zoning can help ensure that they are carried out.

Zoning isn't a one-size-fits-all set of solutions—what works for one community won't necessarily work for your township. A rural township in the Upper Peninsula wouldn't want the same zoning ordinance as a southeast Michigan suburb. And zoning also isn't reserved exclusively for townships experiencing major growth.

For some townships, it may not be feasible to adopt their own ordinance and hire a zoning administrator to enforce the rules. That doesn't mean they have no choice but to leave their land use to chance. Other alternatives, such as using countywide zoning or partnering with other communities to adopt a joint ordinance, can help ensure that your township's character is preserved, and that your growth happens in the best way possible.

This continuing education article and accompanying self-assessment are worth two elective credits in MTA's Township Governance Academy. See page 24 for details.



OBJECTIVE

- To explore aspects and components of township zoning, including its purpose, intent, importance, and various options to accomplish desired outcomes and priorities

CORE COMPETENCIES

- Understands the planning and zoning process
- Possesses knowledge about land use
- Possesses vision, especially relative to the township's needs or potential
- Works effectively with individuals, departments and committees to achieve desired outcomes



Zoning is a method your board can use to complement and carry out its master plan. Where the master plan sets a vision for your township's future, zoning sets rules that help put that future into practice.

Why zoning matters

At its core, zoning is a mechanism for protecting your township from chaos. A zoning ordinance offers residents a sense of predictability, said Richard Carlisle, president of Carlisle/Wortman Associates. Someone can buy a home with the assurance that a night club or junkyard won't open up next door, providing stability to their property values.

That's what Michigan's zoning law—the Michigan Zoning Enabling Act (Public Act 110 of 2006, MCL 125.3101, *et seq.*), which consolidated three municipal zoning laws into one in 2006—was written to do: protect property values, promote compatibility between land uses, conserve resources, control density and promote infrastructure.

“Without zoning, you have no protection regarding compatibility between land uses,” Carlisle said. “You have little control over your density, or where growth occurs or doesn't occur. In the end, it's not good for the community.”

Kurt Schindler, a longtime Michigan State University Extension educator who was an original creator of the MSU Extension Citizen Planner Program, sees zoning as a community's best form of prevention. Townships can avoid neighbors suing neighbors, areas where fire trucks can't move in between buildings or even environmental disasters if they have the right zoning in place. For example, proper setbacks and other zoning rules can help to prevent groundwater contamination—a real risk with Michigan's permeable, glacial geology. Without those precautions, communities could face steep cleanup costs and the fallout that comes from residents drinking contaminated water.

The key, he says, is that it must be the right zoning for the right community. A poorly written zoning ordinance can introduce more red tape and bureaucracy with little to show for it, effectively doing more harm than good.

It all starts with a plan

While planning and zoning are often discussed together, they're two very different things. Your township's future is determined by its long-term policy document known as a master plan, said MTA Legal Counsel Catherine Kaufman, attorney at Bauckham, Sparks, Thall, Seeber & Kaufman, PC. The master plan is where you'll find your township's goals and objectives, an analysis of existing conditions and future conditions that the board can reference when making decisions about land uses.

Zoning is a method your board can use to complement and carry out its master plan. Where the master plan sets a vision for your township's future, zoning sets rules that help put that future into practice. Zoning tells you how a piece of property can be used, what size of structure may be built there, where the structure can be built in relation to the street and more. Brad Neumann, MSU Extension senior educator of government and public policy, thinks of the two components as pieces of a puzzle. Both are necessary, and when they fit together, they can either maintain the status quo or drastically change your township, he said.

State law also requires that your township's zoning be based on a master plan. Then, if it's ever challenged, your township's zoning will be more easily defensible, Carlisle said.

In **Pittsfield Charter Township** (Washtenaw Co.), the master plan and zoning ordinance go hand in hand. Supervisor **Mandy Grewal** knew her township was ready to cast a new vision. Since chartering in 1972, its population had more than tripled and showed no signs of stopping. But

Hot Topics in Zoning

Medical marijuana

If your township is deciding whether it wants to allow medical marijuana facilities, your zoning ordinance isn't the place to do that. Townships that want medical marijuana facilities must adopt an ordinance allowing them; otherwise, by default, they will not be permitted to seek a license in your jurisdiction. It is recommended to adopt a police power (regulatory) ordinance to authorize the types and number of facilities that would be allowed.

Townships that do decide to allow facilities should also take a look at their zoning to decide where they want to allow facilities, and which types are allowed in which zones. You might also consider setbacks from schools, churches or other buildings.

Medical marijuana is an ever-changing landscape, with court cases and new bills constantly impacting what townships can do. MTA will keep you updated in *Township Insights* and other publications.

the suburban sprawl didn't match the community's changing values of green space preservation and infill development.

The township spent two years meeting with residents and listening to their ideas and concerns, using their feedback to create a new master plan. Then, officials used the master plan to dive into the zoning ordinance and look for ways to carry out that vision.

Some townships choose to update their zoning when the township reviews its master plan—every five years, under requirements of the Michigan Planning Enabling Act (Public Act 33 of 2008, MCL 125.3801, *et seq.*). However, court cases and emergent needs will most likely require your township to make changes on a much more frequent basis, Carlisle said. For example, the U.S. Supreme Court decision in *Reed v. Town of Gilbert, Ariz.*, rendered many sign ordinances unconstitutional when justices ruled that ordinances could not regulate the content of signs. Townships had to go back and scrutinize their ordinances to make sure they were completely content-neutral.

An ever-changing concept

For decades, most zoning ordinances stuck to the concept of dividing a community into rigid districts. People built their homes in residential districts, businesses stayed in commercial districts, cornfields and cows were found in agricultural zones, and factories churned out cars and gadgets in industrial zones.

“Everything was in neat little packages, and for many years that served communities very well,” Carlisle said. “However, in more recent times, we're finding that lines are being blurred when communities wish to implement more innovative concepts that can't be wrapped up in neat little packages.”

Some communities found that this segmented style of zoning resulted in sprawl that wasn't friendly to the resident wishing to walk from home to work or play. Now, they're taking a hard look at their zoning and using it to increase walkability.

Kaufman—who also holds a master's degree in urban planning—is seeing townships return to the idea of a downtown-type area with more density, moving away from the idea that everyone drives a car. Some townships that already had a downtown are investing funds to rehab their commercial corridor to include sidewalks and bike lanes, or even connecting them to a trail system, making them more easily accessible by walkers.

Little by little, more communities with downtowns are using a newer type of zoning called form-based code. This concept zones based on how buildings relate to the street and one another, instead of how the lot is used. For example, this type of code could require a structure to be close to the street with parking in the back, in order to better accommodate pedestrians. It could set a minimum height for each building to help retain the character of the downtown. It could even include form details such as requirements for the façade, what portion of the ground floor has windows or doors, or anything else that impacts how pedestrians interface with the structure. Townships could consider using form-based code for a part of their community that they hope to redevelop or encourage growth, Neumann said.

Hot Topics in Zoning

Short-term rentals

In today's sharing economy, townships have seen a surge in residents renting out their house—or even a room in their house—through websites such as Airbnb. Many rentals are in residential neighborhoods, meaning full-time residents are suddenly living side-by-side with vacationers.

Owners are renovating homes to sleep as many as 20 people—far more than their infrastructure was built to handle. Some township officials have been bombarded with complaints of noise, advertising, traffic and other less-than-desirable conditions.

Currently, townships have the right to regulate short-term rentals to address local needs. While an outright ban is an option, most are choosing to limit rentals to certain residential zones. They're also using police power ordinances to address noise and other issues.

But beware—this issue is currently before the state Legislature. Two bills—House Bill 4503, sponsored by Rep. Jason Sheppard (R-Bedford Twp.), and Senate Bill 329, sponsored by Sen. Joe Hune (R-Hamburg Twp.), would specify that short-term rentals are a residential property use and not commercial, allowing them in all rental zones. They also state that such rentals could not be subject to any requirements that aren't required for all other residential homes.

Both bills have awaited committee action for more than a year but could still be taken up before the end of the legislative session. MTA has advocated against these bills, arguing that local control must be preserved to best serve Michiganders. Watch *Township Insights* and other MTA publications for the latest.

Form-based code is an integral tool for Pittsfield Charter Township as it converts its vision for densifying its existing “gray spaces” in order to preserve green/open spaces. Grewal had heard loud and clear from residents that green spaces and non-motorized transportation were major priorities. The problem was, the township is also the county's retail hub, with big box stores, huge parking lots and few options for pedestrians.

But Grewal, who has a Ph.D. in planning from the University of Michigan, had a strategy. Working with her township's planning department, officials targeted existing parking lots and other gray spaces for new restaurants, shops and offices. With the flexibility of form-based code, they created five mixed-use districts that required any new development, from senior centers to housing, to also include a retail/office component. Then, they paved sidewalks and bicycle pathways to connect these retail/business centers and make them walkable for pedestrians. They installed more pedestrian-enabled traffic signals and mid-block crossings, complete with rapid flashing beacons and overhead mastheads to provide for the safety of non-motorized traffic. They even removed existing berms separating homes and commercial areas from the major arterials/streetscape to both improve visibility and provide for cross-connectivity.



When your township has a vision for the future, or a character that residents want to preserve, it won't happen by accident. Without action, your plan cannot become reality. Whatever your township's priorities are, zoning can ensure that they are carried out.

"I decided to run for supervisor because Pittsfield Charter Township was so well positioned to be a prime example of how to retrofit a suburban community with a non-motorized infrastructure that inter-connected open, green, recreational, retail, entertainment, cultural, business and residential spaces," Grewal said. "Increasingly, folks are looking to live, work and play in places that are not only proximate to urban centers but also have daily amenities that are within a walkable or bikeable distance."

Zoning for communities of all sizes

Using zoning to move your township into the future isn't just for large, urban townships. In light of the current housing shortage, some townships, regardless of size, are adopting planned unit developments (PUDs), which allow them to vary the regulations of underlying zoning districts, Kaufman said. This can allow for a neighborhood with houses clustered closely together on small lot sizes, or even allowing a golf course with a club house to also have houses built throughout the course.

PUDs can include a mix of uses that let a community get creative. Maybe they don't have a downtown, but they could have other assets that allow them to meet residents' needs for walkability and combat sprawl. Kaufman has seen townships gut old school buildings and turn them into a combination of offices and condos. Other townships have used overlay districts in residential zones to allow some commercial and small-scale office activity. If your township's current zoning ordinance doesn't allow for that kind of creativity, it could be time to take another look.

Overlay districts are another useful tool with a wide variety of potential uses. Some townships have used them in residential zones to allow for commercial and small-scale office activities. They can be used to maintain scenic roadways in townships of any size, requiring setbacks or access management standards that can include shared driveways. Areas with a theme or historic designation can use overlay districts to implement aesthetic building requirements and design standards.

Your board could also look for ways to reduce red tape in areas where you want to see businesses and industry. Areas zoned for development could have certain uses named a permitted use rather than a special use, eliminating the need for a planning commission hearing and other lengthy processes.

Rural strategies

Zoning isn't just for facilitating future developments—it's an effective tool for preserving your township's assets. Rural communities also boast some of Michigan's most valuable natural resources. Northern Michigan townships hoping to protect their lakes and rivers have adopted zoning ordinances that incorporate conservation design. This type of zoning identifies natural features the township wants to preserve and designs policies around them. Then, when someone builds a house or business in that area, they must stick to standards that protect the lake, wetland or other natural resource.

Evangeline Township (Charlevoix Co.) officials realized they needed a new strategy to combat the surge of "McMansions" being built along the shores of Lake Charlevoix and Walloon Lake. The problem wasn't just the disappearance of small cottages built decades ago. With more land covered by houses and paved driveways, officials worried that there wasn't enough natural vegetation to filter out pollution and prevent shorelines from eroding.

The then-planning commission Chair **Rod Cortwright** was also an MSU Extension educator with expertise in planning and zoning. With Cortwright's prompting, the township board overhauled its zoning ordinance to help reduce lake pollution and preserve the waters for future generations. Officials worked closely with Tip of the Mitt Watershed Council to create four zoning districts that accommodated the wide variety in slopes and parcel sizes, Supervisor **James Howell** said.

The new ordinance doesn't limit the size of house that can be built but instead places restrictions on the amount of the parcel that can be covered by impervious surfaces, meaning sidewalks, driveways, decks and roofs. It also included a list of woody growth and plants that were natural to the lake and allowed next to the shoreline, such as beach grass or cedar trees, and not grassy lawns that go all the way to the lake. They created requirements for paving and water retention that applied to properties with a certain slope.

The township has had to strike a balance with the need to preserve the lakes and the desires of residents to build their dream cottages. The board has allowed buyers to purchase multiple parcels and build a larger home, but only on a limited basis.

“We’re trying to prevent big houses from taking over the whole lot,” Howell said. “Compared to when I moved here 35 years ago, it still looks different. But we’ve been able to balance that.”

Rural communities should also consider their place in the larger region when creating or updating zoning ordinances, said Mary Reilly, MSU Extension government and public policy educator. Most natural assets don’t fit neatly into one jurisdiction. Working with surrounding communities will help to provide consistency and avoid confusion.

Enforcement matters

Zoning ordinances don’t work if they’re not enforced—and they must be enforced consistently. Nothing breeds more contention than citing one violation while letting another identical violation slide. If you’re going to enforce it once, it must be enforced all the time.

The goal of enforcement isn’t to catch someone in the act and punish or fine them. The point should be to bring residents into compliance. The zoning administrator could first issue a warning before following up with an infraction and fee. Kaufman advises against making ordinance

Hot Topics in Zoning

Tiny houses

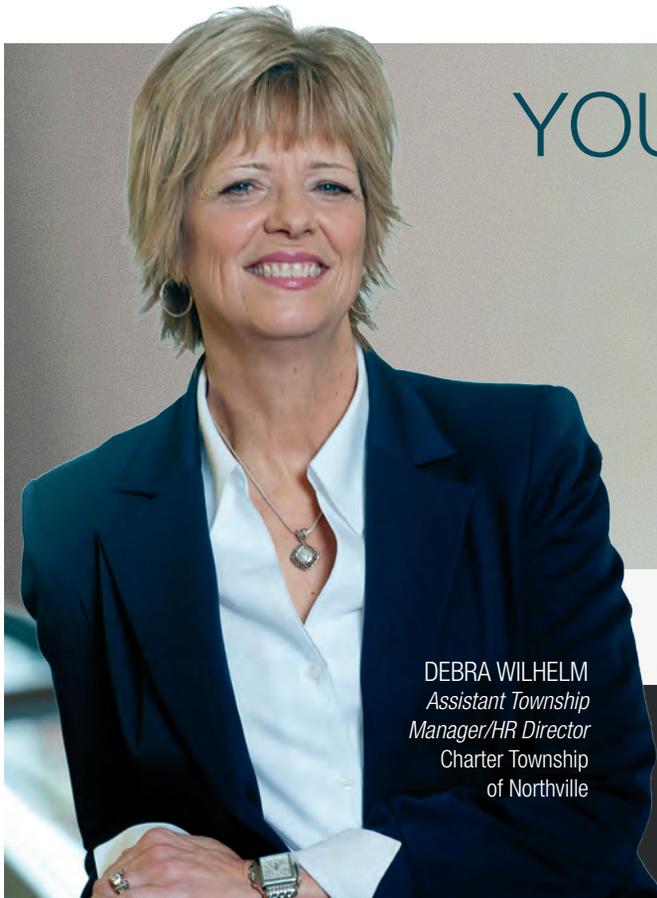
In the search for affordable housing and more sustainable living, a phenomenon called tiny houses has become a growing trend. These miniscule dwellings can vary drastically, but they all have one thing in common—generally, they’re about 400 square feet or less.

Whether this trend has staying power is up for debate, but if your township has received requests, it might be a good idea to consider including tiny houses in your zoning ordinance. One method might be to include a section on accessory dwelling units, as many tiny houses are placed on someone else’s property. You might also check your ordinance for minimum dwelling sizes and determine if this language should be changed.

violations a misdemeanor. Not only do they require a higher burden of proof, they also result in a charge on someone’s criminal record.

Experts say it’s not enough to rely solely on complaints—a violation is still a violation, even if no neighbors complain about it. Whether it’s an enforcement officer or zoning administrator, someone should actively be patrolling your township streets checking for violations.

Townships have options for an enforcement officer beyond their employees. Evangeline Township contracts



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Hot Topics in Zoning

Wind and solar energy

Townships govern more than 96 percent of Michigan's land area, much of which is rural and sparsely populated. It's no surprise then that townships naturally attract proposals for wind and solar energy.

Don't expect this trend to go away. As fossil fuel usage and climate change become hotter topics, alternative energy will become an even bigger player.

Townships have the option to use their zoning ordinances to regulate where wind and solar energy can be located in their jurisdiction. However, if your township wants to take action, the time to do so is now, not after a wind or solar development is already in the works—that's not allowed. Townships also can't adopt a zoning ordinance that solely addresses wind energy alone.

with Boyne City for zoning administration and enforcement. While they pay about \$29,000, it's far less than the cost of hiring their own full-time zoning administrator, Howell said.

"It's not cheap, but for what we get, it's been very well worth it," Howell said.

Not in my backyard

Zoning doesn't typically attract much media attention or draw questions from residents. But when a controversial land use comes before the planning commission, suddenly meetings are standing room only.

This scenario was all too real for Paw Paw Township when someone asked to turn a barn into a wedding venue. The proposed commercial use was smack in the middle of an agricultural area, surrounded by fields. While the township notified all property owners within 300 feet of the proposed wedding venue, as required by state law, those who lived just beyond that radius were furious that they weren't notified. They worried the barn would bring too much noise and traffic to their quiet rural area and didn't want it near them.

The Paw Paw Township Planning Commission ultimately voted down the wedding barn that time around. But when it received another request this year, commission members had learned their lesson. Because only 13 properties fell within the 300-foot notice radius, Peat and other commission members decided to take it out to 1,000 feet, notifying 70 property owners instead. As a result, the wedding venue drew far less controversy, and the board approved the special use.

"The vast majority of the time, when the objectors to something really understand what's going on, and the people who want to do it are willing to negotiate, they can come to a compromise that's acceptable to all parties," Peat said. "Communication is key in zoning."

"Not in my backyard" issues also illustrate the need to solidly base your township's zoning ordinance in a master plan, Carlisle said. When townships are faced with a tough zoning decision, the master plan should clearly show planning commission members that the proposed use is either consistent with the plan, or it isn't. This allows planning commissions to rely upon a rational basis for their decisions, rather than knee-jerk or emotional reactions. That's crucial because zoning ordinances must be shaped by careful planning instead of "not in my backyard" battle cries.

Townships can also take the extra step when adopting a new master plan to be proactive in anticipating wind turbines, solar energy, medical marijuana and other controversial uses that could one day request to locate there. Communities could host workshops to educate citizens about the purpose of the master plan and ask for their input. Though this approach certainly won't stave off all future controversies, it can go a long way toward creating trust and transparency between the township and its residents.

Does everyone need zoning?

For larger townships with active development and commercial areas, the need for personalized zoning is a given. The answer is a little more ambiguous for smaller, more rural townships. Different planners, land use experts and local officials, as well as residents, will have different opinions. While most communities want to protect their natural resources and prevent undesirable land uses, zoning can be cost prohibitive.

Going through the process of creating a zoning ordinance can be expensive, and the tab doesn't stop there. Townships must either contract with another zoning administrator or hire one of their own for at least part-time hours. Then there are attorney fees, optional stipends for members of the planning commission and the zoning board of appeals, training costs and more. For a township of 1,200 people, that could add up to about \$47,000 per year with a part-time zoning administrator, Schindler said.

The investment doesn't come without a benefit. Strong zoning can prevent legal challenges and encourage development and private investment that generates more property tax revenue, Carlisle said. For some townships, though, zoning is a high-ticket item that's out of their price range.

Some townships have opted into countywide zoning. True, the ordinances aren't customized for each municipality, and townships might not have the input they'd have if they ran their own zoning. County zoning provides a cohesive policy that offers consistency. This can be especially valuable when townships share lakes or other natural resources.

County zoning has worked beautifully for **Orangeville Township** (Barry Co.), which has relied on countywide

zoning for as long as Supervisor **Thomas Rook** can remember. The rural, heavily wooded township gets a notice every time a resident requests a variance, and board members have the chance to attend county meetings where the variances are discussed. On average, this happens about once a month—not enough to warrant running their own zoning department.

Orangeville Township doesn't have to create a budget line item to cover its zoning. Instead, it's part of the county tax paid to Barry County. "Financially, it's worked out for us very well," Rook said. "I see no reason for us to split off. It's extremely expensive to do your own planning and zoning."

Our county doesn't have zoning. Now what?

A growing reality is that not every county provides zoning. For some townships, that might not be an issue, Schindler said. Communities that aren't faced with development pressures might do just fine without zoning—and most of the time, no zoning is better than bad zoning, he said.

If your township would still like some say over land use, police power ordinances could provide some regulation in terms of noise, odor or other impacts, Kaufman said. However, she cautions that this is a slippery slope, as regulating the actual use of land should be done through zoning.

In some cases, townships have joined forces with neighboring communities to create and pay for zoning. That's what happened when the Wexford County Board of

Commissioners decided to repeal countywide zoning. Instead of allowing their zoning to lapse, more than 10 townships worked together to form a joint planning commission. They each contributed funding to adopt a zoning ordinance and hire a planning and zoning administrator—something most of them could not have done on their own.

A tool in your belt

On its own, zoning won't preserve your township's character or move your township into the future. But it's an extremely effective tool your township can add to its arsenal. When combined with careful planning and meticulous enforcement, zoning has the power to help your township accomplish its goals—whether it's an urban suburb or a rural agricultural center.



Bethany Mauger,
MTA Staff Writer

See page 24 for a continuing education self-assessment, worth two elective credits in MTA's Township Governance Academy.



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Continuing Education Self-Assessment

Participants enrolled in the Township Governance Academy (TGA), MTA's credentialing program, may obtain two elective credits for successful completion of this quiz. (To receive credit, this quiz must be completed by April 1, 2021.) To obtain credit, participants must answer the following 10 multiple-choice questions by circling the correct answer and receive a minimum passing score of 70 percent. The questions are based on content from the article, "Shaping your township's future," beginning on page 16. There is no charge for MTA members to take the quiz or to obtain TGA credit. Completed quizzes should be faxed to (517) 321-8908 or mailed to: MTA, PO Box 80078, Lansing, MI 48917-0078. MTA will notify you of your results within two weeks after receiving your quiz. **IMPORTANT:** Please keep a copy of your completed quiz in your TGA binder. For information about TGA, call (517) 321-6467, email tga@michigantownships.org, or visit www.michigantownships.org/members (under the "Training" tab).

TGA Continuing Education—September 2018 Shaping your township's future

NAME: _____ **TOWNSHIP & COUNTY:** _____

EMAIL ADDRESS: _____

1. **To create a zoning ordinance, townships should:**
 - a. Download a template.
 - b. Borrow language from a neighboring township.
 - c. Write specific to their priorities and needs.
 - d. Hire a consulting firm.
2. **Zoning helps your township:**
 - a. Avoid controversy.
 - b. Increase its population.
 - c. Keep new residents from moving in.
 - d. Provide residents with a sense of predictability.
3. **What is the difference between planning and zoning?**
 - a. Townships are required to have zoning in place before they can adopt a master plan.
 - b. Planning sets the township's goals and objectives while zoning tells you how property can be used.
 - c. Zoning sets the township's vision while planning carries it out.
 - d. Planning includes rules and regulations while zoning is a public policy document.
4. **Form-based code zones based on:**
 - a. How buildings relate to the street.
 - b. How the lot is used.
 - c. Building materials.
 - d. Accessibility to bike lanes.
5. **To address the housing shortage, some townships are adopting:**
 - a. Larger lot sizes.
 - b. Tiny house zoning ordinances.
 - c. Conservation design.
 - d. Planned unit developments.
6. **Rural townships can use zoning to:**
 - a. Slow tourism.
 - b. Reduce pollution and preserve natural resources.
 - c. Limit house sizes.
 - d. Assert their independence from the greater region.
7. **When enforcing zoning ordinances, the ultimate goal is:**
 - a. To help pay for the zoning program with fees.
 - b. Meeting a ticket quota.
 - c. Bringing the violator into compliance.
 - d. To rely primarily on complaints.
8. **How should townships approach "not in my backyard" controversies?**
 - a. Rely on their master plan to help them use a rational basis for their decisions.
 - b. Use them to shape their zoning ordinance.
 - c. Base their decisions on the tone of meeting attendees.
 - d. Use a peace-keeping approach to make residents happy.
9. **When your county offers countywide zoning, townships:**
 - a. Should avoid it as it is not customized to the township's needs.
 - b. Should always adopt it instead of using their own zoning.
 - c. Should fight for more representation on the county planning commission.
 - d. Should consider taking advantage of the cost savings and consistent regional policy.
10. **Do all townships need zoning?**
 - a. Yes—even the smallest township needs to ensure its land is protected.
 - b. Maybe—it depends on the individual township's needs.
 - c. No—no zoning is better than bad zoning.
 - d. There's no firm answer—different experts and officials have different opinions.

upcoming MTA workshops

REGISTRATION INFORMATION

September workshops examine board decisions, personnel policies

MTA can help your board improve its decision-making process and craft effective township personnel policies, from the basic components to how to keep it current. Join us at the **WMU Beltline Campus Conference Center** in **Grand Rapids** this **September**. Register for one (or both!) of the sessions described below:



Managing Your Township Team (F-104; 6 credits)

Sept. 20 from 9 a.m. to 4 p.m. (Includes continental breakfast and lunch)

Every township has employees. Township board members, deputies, election workers, assessors and firefighters are employees for at least some employment purposes, and so are volunteers. Every township, large and small, needs to be prepared to address human resource issues. Hiring, firing, discipline, compensation, and recruiting and managing volunteers are just a few areas where township officials must be knowledgeable. Preparing and implementing appropriate policies can improve morale around your township hall, help you retain quality people and, even more importantly, help your township avoid employment- (or even volunteer-) related risks.

Get the tools you need to better manage employees, deputies, volunteers ... something for everyone on your township team. Participants will walk away with a sample personnel policy handbook that you can take back to your township to mold into your own personalized version.

How Boards Make Decisions (B-102; 4 credits)

Sept. 21 from 9 a.m. to Noon

(Includes continental breakfast)

Maximize the effectiveness of group decisions and learn how “knowledge-based” governance will guide your board to make informed choices with improved outcomes (and less headaches)! This course challenges “old ways of thinking” and gives a refreshing look at the decision-making process that will meld various viewpoints into a consensus decision that everyone is more likely to support.

These courses are part of MTA's Township Governance Academy (TGA). They are designed to enhance your leadership skills and motivate you to take on the challenges and opportunities unique to those serving as an elected official. Regardless of your position on the board or amount of experience, TGA will move you to a higher level of performance and make your service more rewarding. Uncertain whether TGA is for you? Try it! You do NOT have to be enrolled in TGA to attend the courses. Credit will be assigned retroactively if you enroll within six months of attending.



Cancellations & Substitutions: Written cancellation requests received at the MTA office by Sept. 6 will receive a full refund. No refunds will be issued thereafter. You may substitute another individual from your township for your registration at any time without incurring a charge; please notify MTA of the change. Substitutions are not allowed for registrations made using scholarship funds.

Registration Form

Township _____ County _____

Daytime Telephone _____ Email Address _____

Name & Title _____ Board Decisions Managing Team Both

Name & Title _____ Board Decisions Managing Team Both

Name & Title _____ Board Decisions Managing Team Both

Name & Title _____ Board Decisions Managing Team Both

	Registration Rate*	Early-bird Rate*
	After Sept. 6	Before Sept. 6
FULL PROGRAM: All sessions	\$254/attendee	\$214/attendee
Board Decisions (B-102)	\$109/attendee	\$ 89/attendee
Managing Township Team (F-104)	\$145/attendee	\$125/attendee

of Sessions Registration Fee Total

_____ x _____ = _____

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

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



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

upcoming MTA workshop

REGISTRATION INFORMATION

Emerging Issues in Emergency Services

This annual event is designed to offer both an update and a better understanding of the myriad of hot issues facing your township's fire department and emergency services personnel. Township board members and fire officials alike should join us on **Sept. 17** at the **Bavarian Inn Lodge in Frankenmuth** for this full-day event.

You'll get a variety of informative sessions and hear from several experts, including State Fire Marshal Kevin Sehlmeier, who will provide the inside scoop on inspections of places of public assemblage and the safety of our firefighters.

Get an update from the state Bureau of EMS, Trauma and Preparedness on administrative rule revisions, the critical care paramedic project, introduction of the newly formed EMS Safety Committee activities and the MI EMS workforce assessment and recruitment project, as well as what's new with the data subcommittee and transition to MI EMSIS v.3.4.



Learn more about community integrated paramedicine, how programs are developed and the partners involved. Hear success stories from Michigan programs, as well as the strategic plan and status. Gain insight into available grants and sustainability plans.

Find out what's new with the state minimum equipment list and model protocols for medical first responder agencies, explore what's possible with the MPSCS radio system and fire paging, discover resources for rural recruiting, compliance, cooperation, and more!

A full list of speakers and topics appears on the brochure sent to your township last month. It's also available online at www.michigantownships.org.

Registration, along with continental breakfast, begins at 8:30 a.m. Class is held from 9 a.m. to 4:15 p.m., and includes lunch served at noon.

Cancellations & Substitutions

Written cancellation requests received at the MTA office by Sept. 4 will receive a full refund. No refunds will be issued thereafter. You may substitute another individual from your township for your registration at any time without incurring a charge; please notify MTA of the change.

Emerging Issues Registration Form

Sept. 17 at the Bavarian Inn Lodge, Frankenmuth

REGULAR rate*: \$133 For paid registrations received **after** Sept. 4.

EARLY-BIRD rate*: \$113 For paid registrations received **by** Sept. 4.

Save \$20/person by registering early!

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

Township _____ County _____

Daytime Telephone _____ Email Address _____

Name _____ Title _____

Name _____ Title _____

Name _____ Title _____

Name _____ Title _____

of Persons **Registration Fee** **Total**
 _____ x _____ = _____

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



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upcoming MTA regional meetings

REGISTRATION INFORMATION

Regional meetings bring knowledge, networking

As an MTA member, you belong to the largest community of local government officials in the state. Don't miss this opportunity to connect with that community, and MTA staff, to discuss the latest issues affecting townships at our upcoming *MTA On The Road* regional meetings.

In the morning, gather as a group for an insightful general session, where we'll arm you with information and strategies to make your board more effective and help you to serve your residents in the manner they deserve. Discover what changes are on the horizon for your township and let us help prepare you to respond as we explain what Lansing lawmakers have up their sleeve.

Afternoon breakout topics include:

"SO MOVED!" And Other Foolish Things Knowledgeable Township Officials Should Never Do at a Board Meeting

Wait, we do that all the time! What's wrong with it? Plenty! This highly interactive workshop will present the common mistakes made at board meetings that sow confusion, waste time, and are just patently unfair. We'll ask members of the audience to demonstrate their new-found skills in a mock board meeting.

Functions and Responsibilities of Your Township Planning & Zoning Team

Learn the structure and function of your township's planning commission, zoning administrator, zoning board of appeals and township board. We'll review the roles and responsibilities for each and discuss who should (and shouldn't!) be doing what.

What Do Deputies Do?

Each township clerk and treasurer must have one deputy. A supervisor may have a deputy. But just what does a deputy do? And how is the township board involved? The answers may surprise you! Topics include the deputy appointment process, authority, duties, compensation and employment status.

Cooperation is the Key

Who drives the township's vision for land use—the township board or the planning commission? Explore the relationships and policy prerogatives among the township board, elected and appointed officials, and the planning commission—as well as where the zoning board of appeals fits in. Learn how they work best together, what happens if they disagree and how to get everyone on the same page.

Cancellations & Substitutions

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



AGENDA	8:30 a.m.	Check-in, continental breakfast and vendor showcase
	9 a.m.	Meeting begins
	10:30 to 11 a.m.	Vendor showcase
	Noon	Networking lunch
	1 p.m.	Breakouts
	2:30 p.m.	Breakouts
	3:45 p.m.	Meeting adjourns

MTA On The Road Registration Form

Which location will you attend?

- | | | |
|----------------------------------------------------------------------------|------------------------------------------------------------------------------|-------------------------------------------------------------------|
| <input type="checkbox"/> Oct 2: Bavarian Inn Lodge, Frankenmuth | <input type="checkbox"/> Oct. 11: Bay Mills Resort, Brimley | <input type="checkbox"/> Oct. 23: Ramada Inn, Alpena |
| <input type="checkbox"/> Oct 3: Riverwalk Place Resort, Gladwin | <input type="checkbox"/> Oct. 17: Fetzer Center at WMU, Kalamazoo | <input type="checkbox"/> Oct. 29: Crystal Mountain, Thompsonville |
| <input type="checkbox"/> Oct 9: Magnusson Franklin Square Inn, Houghton | <input type="checkbox"/> Oct. 18: Comfort Inn Conference Center, Chelsea | <input type="checkbox"/> Oct. 30: Holiday Inn, Big Rapids |
| <input type="checkbox"/> Oct 10: Island Resort & Conference Center, Harris | <input type="checkbox"/> Oct. 22: Treetops Resort Conference Center, Gaylord | |

- REGULAR rate*: \$133 For paid registrations received **after** Sept. 18.
 EARLY-BIRD rate*: \$113 For paid registrations received **by** Sept. 18.

*Save \$20/person by registering early!
 Rates apply to MTA members. Non-members, call for rates.

Township	County
Telephone	Email Address
Name	Title

# of Persons	Registration Fee	Total
_____ x	_____ =	_____

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

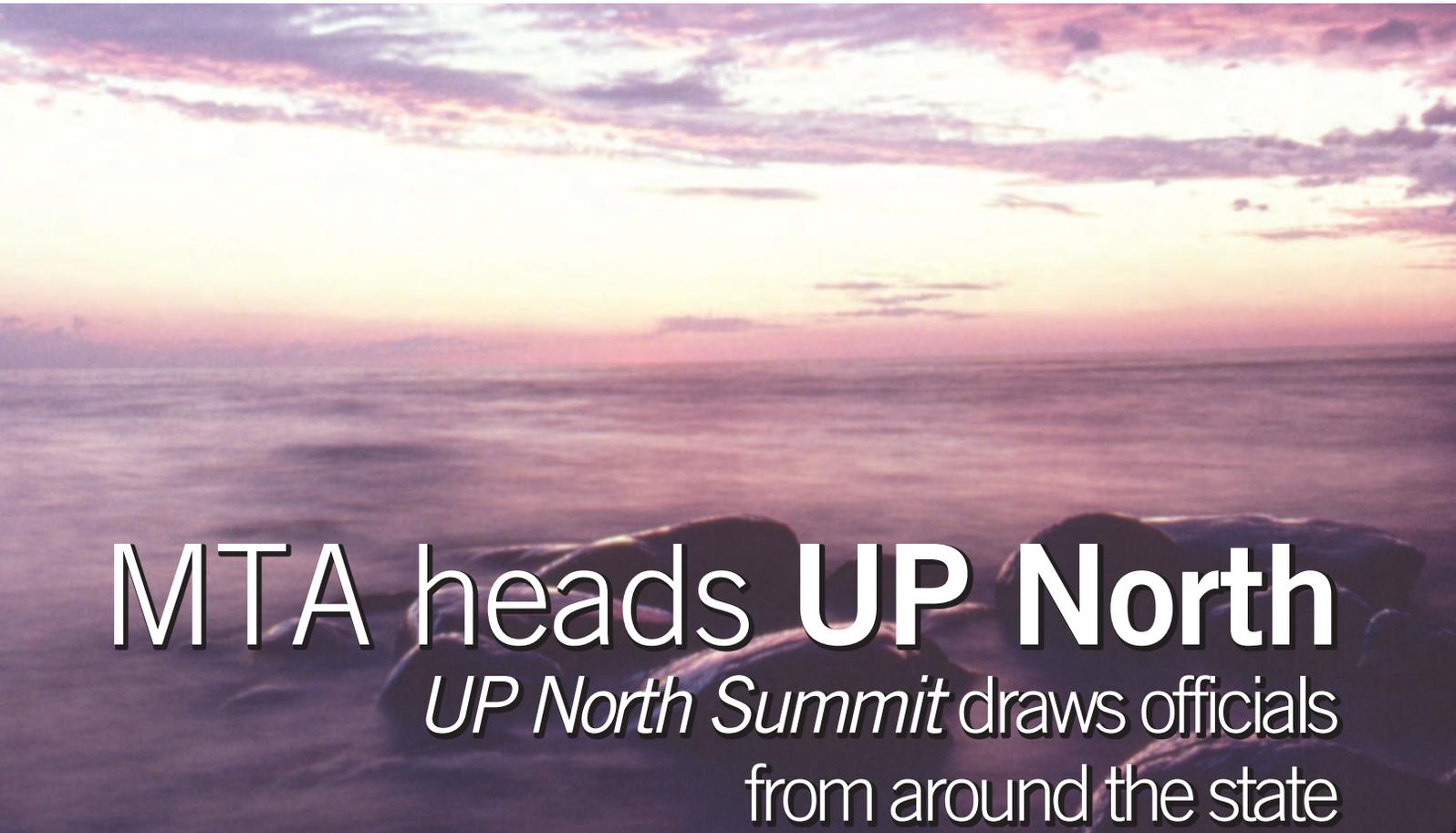
Check enclosed (payable to MTA)
 Charge to: (circle one) MasterCard VISA

/

Card #	Expires
Print Card Holder's Name	Signature



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



MTA heads UP North

UP North Summit draws officials from around the state

MTA's fifth biennial *UP North Summit* has become a summer tradition for local leaders heading to the Upper Peninsula for two days of invaluable education and networking.

Nearly 100 township officials took part in the event, which aimed to provide key training and updates on topics geared toward northern and rural Michigan townships. But it wasn't just those from the Upper Peninsula who took part in the *Summit*, held at the Island Resort & Conference Center in Harris, last month. Township leaders from all corners of the state attended the *Summit*, which featured a picturesque location and U.P. hospitality.

The smaller event, laid-back atmosphere and ample opportunity to network with officials in northern Michigan drew rave reviews from attendees. In fact, one township treasurer said that the entire event was "above and beyond all expectations!"

Echoed another attendee, "This was the best *Summit* that I have been to so far! There was a lot of excellent material that I can put to immediate use. It was a great schedule, great options and a great location. It was well worth the time

to attend." The supervisor also took advantage of the new offering of budgeting counseling sessions with MTA Member Information Services Director Michael Selden, a former municipal manager, who provided free guidance and review of a township's budgeting process. Said the supervisor, "This was very useful and valuable!"

An education-packed event

Preceding the *Summit* were two half-day educational sessions taught by MTA Member Information Services Liaison Cindy Dodge, covering "Pay, Processing and People" and "Cemeteries: Challenges and Solutions." The all-new *UP North Legal Institute* was also held, in partnership with the Michigan Association of Municipal Attorneys. The following morning, MTA Executive Director Larry Merrill officially opened the *Summit* at the general session, which

addressed key issues that township officials may face in the year ahead—including a discussion on the state proposal and legislation seeking to overhaul Michigan’s property assessing system. The assessing update and discussion was cited by many officials as one of the highlights of the important two-day event.

Some 17 vendors participated in our sold-out “Northern Market Expo,” allowing attendees to visit with companies offering township services. Following the mini-expo, officials took advantage of breakout educational sessions covering topics from recruiting and retaining volunteer firefighters to recreation plans, and banking and investments to a legislative update that numerous attendees called one of the most useful parts of the event.

The day rounded out with an “open mic” general session, “Ask the Experts,” where Merrill, Selden, Dodge, MTA Government Relations Director Judy Allen and MTA Legal Counsel Rob Thall, from Bauckham, Sparks, Thall, Seiber & Kaufman, PC, fielded far-ranging questions on all aspects of township governance from attendees. Day one concluded with an opportunity to discuss the day’s topics over a festive fiesta dinner—complete with great camaraderie and delicious fare.

The final day kicked off with a legislative panel featuring Reps. Sara Cambensy (D-Marquette), Beau LaFave (R-Breitung Chtr. Twp.) and Scott Dianda (D-Calumet), and Marty Fittante, chief of staff for Sen. Tom Casperson (R-Wells Twp.), who discussed the state budget, challenges and successes legislators face in addressing local issues, revenue sharing and property exemptions, as well as legislation impacting personal property taxes and the proposed assessing reforms. Lawmakers emphasized the importance local engagement and the value of input from township officials. MTA thanks each of the legislators for participating in this important panel. Ending the event was a general session on communicating through conflict, along with breakout sessions on expectations in a 21st century township, Open Meetings Act compliance, election tips and tricks, and an assessing panel.

Attendees are already marking their calendars for the next *UP North Summit*, coming in 2020!

At the Summit



2018 Summit Sponsors





Breaking barriers

Female fire chiefs take the lead at township departments

In a mostly-male field like fire service, female leadership is rare to nearly non-existent. But a few women in Michigan—including two in townships—are breaking barriers.

Amy Brow, fire chief in **Van Buren Charter Township** (Wayne Co.), and **Regina Waszkiewicz**, fire chief in **Mikado Township** (Alcona Co.), have earned their way to the top of their departments. They've overcome the skepticism and negativity they faced earlier in their careers to prove that they are just as capable of getting the job done as men. They can haul equipment and save victims from burning buildings with the best of them. And they aren't afraid to take charge.

Both women recently shared their stories with MTA.

'I have the ability to change perceptions'

Amy Brow knows how it feels to be the outsider. In her more than 25 years as a professional firefighter, she found herself in the middle of a world designed for men. Throughout her 24-hour shifts, she was often the only woman at the station. Firefighters slept in an open dorm, with beds next to one another without barriers. And while the women's restroom was tiny, the men's was large and spacious. That

meant if men wanted to gather there to make plans and talk, Brow was left out.

Brow was one of five women hired in 1992 at the Ann Arbor Fire Department in an effort to make the department more diverse. But once she was brought on board, she says that no effort was made at that time to help her to feel part of the team.

Now, as the Van Buren Charter Township Department of Public Safety fire chief, Brow is determined to foster inclusivity. A department that's truly inclusive goes beyond diverse hiring practices to make people feel welcome.

"In the fire service, there's a position for everybody," Brow said. "Inclusion is the best way to do that."

Brow was brought up to value hard work and pursue her dreams. Though she didn't have any family members who were firefighters, she was always drawn to emergency services. She liked the idea of a job where every day, and sometimes even every hour, is different.

First as a paramedic and then as a firefighter, her job also required her to find solutions to problems right away. Now, she says, she's become impatient with tasks that call for a slower approach.

"We're called to take care of something, and we have to take care of it now," Brow said. "We don't get to come back in a week. We have to come up with a solution right away."

While she wasn't the only woman on her Ann Arbor department, fire service is a traditionally male-dominated field known for the brotherhood among firefighters. Fitting into that world wasn't always easy, especially when older firefighters told her up front that they didn't want women into the department. Brow said she appreciated their honesty—at least they said it to her face instead of behind her back.

But eventually, the tide changed. Brow moved up the ranks, becoming assistant chief. As an officer, she was treated with a new level of respect, instead of resentment.

Her persistence and hard work paid off this spring, when she was hired as Van Buren Charter Township's fire chief, based on her merits and 25 years of experience. True, she still runs into the occasional resident who's surprised to see a female fire chief. Contractors who visit the fire station sometimes don't realize who she is until someone introduces her. But Brow says she feels welcomed into the community and accepted in her position, which has given her a barrier-breaking opportunity that she's happy to take.

"I have the ability to change perceptions, that women can be fire chiefs," Brow said. "I can show the young girls that here I am, and I made it."

'We're all capable of doing whatever we choose to do'

When Regina Waszkiewicz first joined the fire department, she was greeted with a few crossed arms and angry glares.

As a farm girl who says she'd rather work on cars than shop or paint her nails, becoming a Mikado Township (Alcona Co.) volunteer firefighter wasn't out of the ordinary for her. But some older firefighters took her position as a personal affront. Some worried she wouldn't have the physical strength to drag them from a fire if the worst happened. One firefighter told her in no uncertain terms that women had no place in the fire service.

Waszkiewicz didn't let them drive her away. Instead, she proved them wrong. She always picked the biggest guy to drag during training exercises. She turned down offers to pick up heavy equipment, politely informing them that if she needed help she'd ask for it. And she didn't miss a fire run as long as she could help it.

This year, when she was named the Mikado Township Volunteer Fire Department chief, not one person on the otherwise all-male service uttered a word against her. After

two decades, she's more than earned their respect not just as a woman, but as a fellow firefighter.

"I don't feel that there's anything women can't do," Waszkiewicz said. "I would like to show young women that you can be strong and choose to do what you want based on that alone, not what society says you should do because you're a girl."

Serving on the fire department is something of a family tradition. Waszkiewicz's father joined the department in the early 1980s, and several other family members and friends were also involved. At first, she'd planned to be a first responder. But when a firefighting class opened up in Alcona County, and she heard the department needed more firefighters, she decided to jump in.

She hadn't even finished her first firefighter training course in 1998 when her scanner rang—a fellow firefighter's house was struck by lightning and was engulfed in flames. At that moment, it didn't matter that she was inexperienced, or that the run was far more dramatic than the typical call for the paid on-call department. She raced to the fire station and jumped on the truck like everyone else.

The next thing she knew, she was suited up and following her dad into the fire. At one point, she hunkered down in a hallway as burning debris rained over her helmet and turnout gear.

"I thought, this is crazy! Why am I doing this?" she said.

The adrenaline rush she felt afterward more than made up for the terror. That was it. She was hooked.

Over the years, Waszkiewicz slowly moved up the department's ranks, spending the last 10 years as a training officer. That was no easy task in a rural department, where finding young people who are available and able to make that commitment isn't easy. Meanwhile, she worked as a diesel mechanic and even met her husband working together in a diesel repair shop. She also ran a farm and opened a lawn care business, providing her with enough flexibility to drop everything for a fire run.

Then, when the former chief announced his retirement earlier this year, another firefighter nominated Waszkiewicz to take his place. While she was a little apprehensive to take on such a huge responsibility, she was also excited. Being nominated was evidence of the confidence and respect she had spent years earning from her peers.

Waszkiewicz is no stranger to breaking out of stereotypical female roles. Now, as fire chief, she hopes she can encourage other women to pursue their passions and goals, even if it's in a male-dominated field.

"I just wish everyone would stop making things about whether you're a man or a woman or what color your skin is," she said. "We're all humans and we're all capable of doing whatever we choose to do if we put the effort into it."

aroundthe**state**

townships in the spotlight



Southfield Township

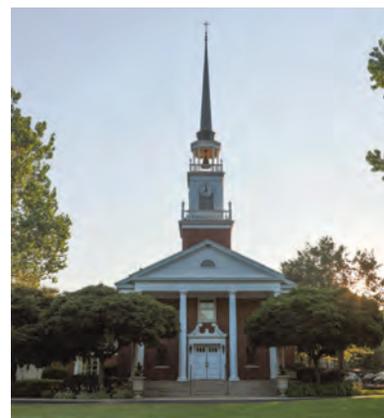
Southfield Township (Oakland Co.) was first surveyed in 1817, according to the plan by Michigan territorial governor Lewis Cass. The first settlers came from nearby Birmingham and Royal Oak, as well as the states of New York and Vermont. The area was settled by John Daniels in 1823.



In July 12, 1830, Ossewa Township was founded. Just 17 days later, on July 29, 1830, the name was changed to Southfield Township. The township took its name from its location in the “south fields” of **Bloomfield Township**. A U.S. post office was established in 1833 and the first township hall built in 1873. Geographically, it was known as Town One North, Range 10 East, containing the Franklin, Rouge and Clinton Rivers, with several grist and saw mills. In 1860, 296 families called Southfield Township home.

Today, the majority of what was once a 36-square-mile township is now in the City of Southfield and City of Lathrup Village. In the 1950s, cities and villages began to incorporate within the township. Most of what was left of the township was formally incorporated as a city in 1958 to protect it from

annexation attempts by the city of Detroit. The township now includes three villages—Beverly Hills, which in population is the largest village in the state, Bingham

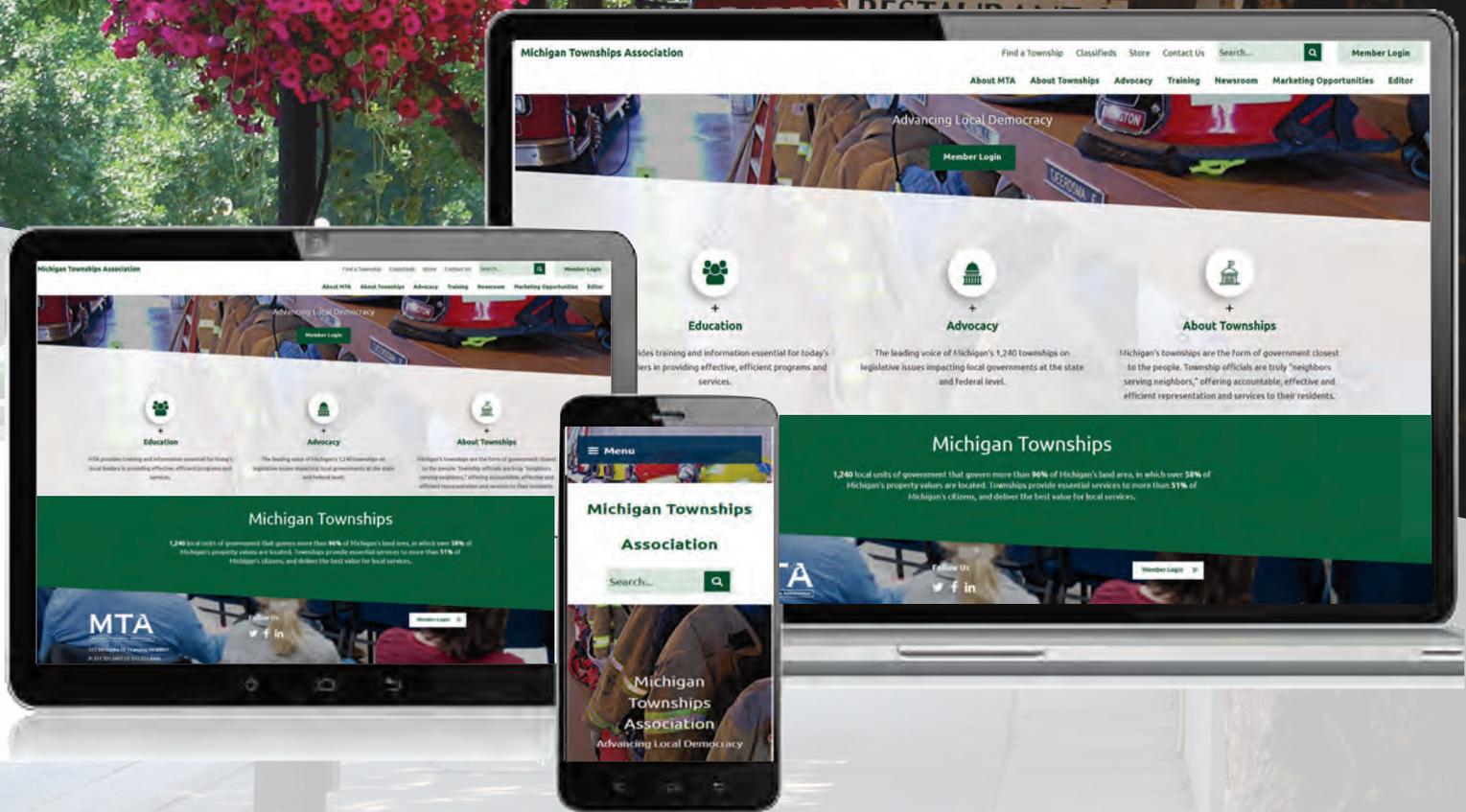


Farms and Franklin. There are just 19 residents who live in the township only, making Southfield Township one of the states’s least populated townships.

The township is predominately residential with small shopping areas available in the villages of Beverly Hills and Franklin. The only substantial commercial area runs along the western boarder of Bingham Farms. Dodge Brothers Park No. 6, now known as Beverly Park, provides recreation to the community. The township also has one privately owned cemetery, with 137,000 grave sites.

The township contracts with the villages for police, fire, water, sewer and road maintenance. Before the township built and moved into its current township hall, it shared a building with the Village of Beverly Hills. The City of Southfield maintains the previous township hall and fire station as a historic site.

We've made some changes to www.michigantownships.org!



All-new look ... same invaluable information

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- Easy access to member-only information

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