

# Michigan Township Focus

DECEMBER 2013

OFFICIAL PUBLICATION OF THE MICHIGAN TOWNSHIPS ASSOCIATION

## What's in your plan? Envisioning your township's future

Local control is still good policy, and good politics  
page 3

MTA keynoter talks thriving in a high-demand world  
page 20

Join the parade at MTA's 2014 Annual Conference  
page 32

*You Serve Others. We Serve You.*



*Insurance and Employee Benefits can seem like a complicated puzzle. At Burnham & Flower Insurance Group, we help you put together all the pieces.*

As a Public Servant, you work to provide outstanding service to others in your community. You deserve the same treatment from your insurance and employee benefits provider. You can count on us to deliver the products, service and support you want and deserve.

Since 1966, Burnham & Flower Insurance Group has specialized in Michigan townships and understands your unique coverage needs. We are your *single source* for Group Benefits, Property & Liability, and Group/Individual Retirement Planning. In addition to comprehensive coverages, we provide risk management services, employee education, onsite reviews, online enrollment, 24/7 access to each employee's benefits information, and much more.

**Burnham&Flower**  
INSURANCE GROUP

*Serving Michigan Townships Since 1966*



Scholarship Sponsor

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

Securities offered through Harbour Investments, Inc. Member FINRA/SIPC.

# contents

December 2013 | Volume 1, Number 5



**MTA** Official Publication of the Michigan Townships Association

## mta officers

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

**First Vice President**  
Douglas Merchant, Supervisor  
Arcada Township (Griatiot Co.)

**Second Vice President**  
Linda Preston, Supervisor  
Pokagon Township (Cass Co.)

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

**Secretary**  
Diane Randall, Supervisor  
Roscommon Township  
(Roscommon Co.)

**Immediate Past President**  
Bill Renn, Supervisor  
Chandler Township (Huron Co.)

## editorial & design

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

## mission statement

The Michigan Townships Association promotes the interests of township government by fostering strong, vibrant communities; advocating legislation to meet 21st century challenges; developing knowledgeable township officials and enthusiastic supporters of township government; and encouraging ethical practices of elected officials who uphold the traditions and unique characteristics of township government and the values of the people of Michigan.



## featured articles

### 16 Thriving in a high-demand world

MTA 2014 Conference Keynoter Andy Core explores how to create a work-life balance and stay inspired as a public official.

### 20 What's in your plan? Envisioning your township's future

Strategic planning brings township leaders and residents together to develop a vision for the future of the community. Learn how this road map can lead your township to a place of change and vision realized.

### 32 Join the parade at MTA's 2014 Annual Conference

Townships can boost community pride through the creation of an official township flag—and endear further inspiration at MTA's Annual Parade of Flags ceremony.

## in this issue

- |                    |                     |
|--------------------|---------------------|
| 3 Local View       | 14 Capitol Close-up |
| 4 News & Notes     | 28 Knowledge Center |
| 8 Hello, MTA ... ? | 34 Legal Review     |
| 10 Financial Forum | 36 Around the State |
| 12 Inside Lansing  |                     |

## mta board of directors

Vacant, Dist. 1

William Luetzow, Richmond Township (Marquette Co.), Dist. 2

Peter Kleiman, Harris Township (Menominee Co.), Dist. 3

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

Harold Koviak, Burt Township (Cheboygan Co.), Dist. 5

William White, Elk Rapids Township (Antrim Co.), Dist. 6

Ken Gauthier, Sanborn Township (Alpena Co.), Dist. 7

MTA Executive Committee member-at-large

Doug Mansfield, Union Township (Grand Traverse Co.), Dist. 8

Steven Ebels, Clam Union Township (Missaukee Co.), Dist. 9

Diane Randall, Roscommon Township (Roscommon Co.), Dist. 10

Connie Cargill, Golden Township (Oceana Co.), Dist. 11

Yulanda Bellinger, Morton Township (Mecosta Co.), Dist. 12

Dennis Bragiel, Kawkawlin Township (Bay Co.), Dist. 13

Lawrence Krohn, Oliver Township (Huron Co.), Dist. 14

Joel Hondorp, Byron Township (Kent Co.), Dist. 15

Douglas Merchant, Arcada Township (Griiot Co.), Dist. 16

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

Bill Deater, Grant Township (St. Clair Co.), Dist. 18

Jeff Sorensen, Cooper Charter Township (Kalamazoo Co.), Dist. 19

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

Pauline Bennett, Addison Township (Oakland Co.), Dist. 21

Linda Preston, Pokagon Township (Cass Co.), Dist. 22

Donald Rogers, Coldwater Township (Branch Co.), Dist. 23

Al Boggs, Rome Township (Lenawee Co.), Dist. 24

Lance Schuhmacher, Oceola Township (Livingston Co.), Dist. 25

To find your MTA District, visit

[www.michigantownships.org](http://www.michigantownships.org)

or call (517) 321-6467.

## postal requirements

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

*Michigan Township Focus*, Issue 5 December 2013 (ISSN 2330-9652), is published monthly, except for a combined January/February issue. MTA membership provides a subscription to township board members, the manager/superintendent, planning commission chairperson and township attorney. Member counties also receive subscriptions for elected officials, the equalization director and road commission chairperson. Annual membership dues include \$30 for a one-year subscription to *Michigan Township Focus*. Additional member subscriptions are available for \$30 per year. Subscription rate for residents and firms in member townships is \$40 per year (schools and libraries may subscribe for \$30 a year).

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

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

*Michigan Township Focus*, © 2013

Michigan Townships Association, all rights reserved.

## allied service provider index

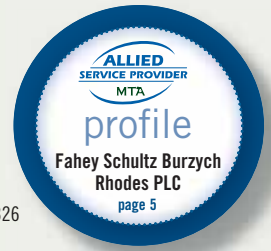


### president's round table

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

**Municipal Employees' Retirement System of Michigan**  
1134 Municipal Way  
Lansing, MI 48917  
(517) 703-9030  
[www.mersofmich.com](http://www.mersofmich.com)  
**See ad on page 25.**

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



### leadership circle

**Asphalt Materials Inc.**  
3737 Fisher Rd.  
Columbus, OH 43228  
(614) 634-6024  
[www.asphalt-materials.com](http://www.asphalt-materials.com)

**Burton & Associates**  
2019 Fourth St., Ste. 1  
Jackson, MI 49203  
(517) 782-5320  
[www.burtonandassociates.com](http://www.burtonandassociates.com)

**Foster, Swift, Collins & Smith P.C.**  
313 S. Washington Sq.  
Lansing, MI 48933-2193  
(517) 371-8100  
[www.fosterswift.com](http://www.fosterswift.com)  
**See ad on page 13.**

**Ted Hartleb Agency**  
3717 S. Westnedge Ave.  
Kalamazoo, MI 49008  
(269) 385-5911  
[www.hartlebagency.com](http://www.hartlebagency.com)

**Bauckham, Sparks, Lohrstorfer, Thall & Seeber P.C.**  
458 W. South St.  
Kalamazoo, MI 49007  
(269) 382-4500  
[www.michigantownshiplaw.com](http://www.michigantownshiplaw.com)  
**See ad on page 9.**

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

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

**Wightman & Associates Inc.**  
2303 Pipestone Rd.  
Benton Harbor, MI 49022  
(269) 927-0100  
[www.wightman-assoc.com](http://www.wightman-assoc.com)  
**See ad on page 29.**

**BS&A Software**  
14965 Abbey Ln.  
Bath, MI 48808  
(517) 641-8900  
[www.bsasoftware.com](http://www.bsasoftware.com)  
**See ad on page 5.**

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

**Mika, Meyers, Beckett & Jones PLC**  
900 Monroe Ave. NW  
Grand Rapids, MI 49503  
(616) 632-8000  
[www.mmbjlaw.com](http://www.mmbjlaw.com)  
**See ad on page 35.**



### keystone club

**Carlisle Wortman Associates Inc.**  
605 S. Main St., #1  
Ann Arbor, MI 48104  
(734) 662-2200  
[www.cwaplan.com](http://www.cwaplan.com)  
**See ad on page 28.**

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

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

**EMC Insurance Companies**  
5826 Executive Dr.  
Lansing, MI 48911  
(517) 394-2500  
[www.emcins.com](http://www.emcins.com)

**HME Inc.**  
1950 Byron Center Ave.  
Wyoming, MI 49519  
(616) 534-1463  
[www.firetrucks.com](http://www.firetrucks.com)

**Michigan CLASS, administered by Cutwater Asset Management**  
15309 Meadowwood Dr.  
Grand Haven, MI 49417  
(800) 388-8797  
[www.michiganclass.org](http://www.michiganclass.org)

**Miller, Canfield, Paddock & Stone PLC**  
150 W. Jefferson Ave., Ste. 2500  
Detroit, MI 48226  
(313) 963-6420  
[www.millercanfield.com](http://www.millercanfield.com)  
**See ad on page 26.**

**Nickel & Saph Inc. Insurance Agency**  
44 Macomb Place  
Mount Clemens, MI 48043  
(586) 463-3135  
[www.nickelsaph.com](http://www.nickelsaph.com)

**Pontem Software**  
215 Dexter  
Eaton Rapids, MI 48827  
(888) 742-2378  
[www.pontem.com](http://www.pontem.com)  
**See ad on page 17.**

**Thrun Law Firm P.C.**  
2900 West Rd., Ste. 400  
East Lansing, MI 48823  
(517) 484-8000  
[www.thrunlaw.com](http://www.thrunlaw.com)

**Tyler Technologies**  
1194 Oak Valley Dr., Ste. 150  
Ann Arbor, MI 48108  
(800) 457-3863  
[www.tylertech.com](http://www.tylertech.com)

**Wade Trim**  
25251 Northline Rd.  
Taylor, MI 48180  
(734) 947-9700  
[www.wadetrim.com](http://www.wadetrim.com)  
**See ad on page 22.**

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

# Local control. Does it still mean anything?

Throughout Michigan's history, the state Legislature—regardless of the party in power—has expanded the discretion, authority and resources of local governments. Conservative lawmakers honored the principle of strong local control to limit inappropriate expansion of state power. Liberals typically favored expanding local taxing authority and revenue sources to provide a wider range of public services. Lawmakers of both persuasions recognized



that Michigan citizens trust their local governments and want them to have the resources and authority to keep people and property safe and provide a good quality of life for residents.

Supporting local control has historically been good policy, and good politics.

Today, however, the state Legislature is reversing the historical trend of empowering local governments, and there appears to be a number of reasons why the principle of local control lost its policy and political panache. Financially struggling local governments invite state intervention in the fiscal affairs of all local governments. Lawmakers also seem all too willing to pick winners and losers by exempting some property from taxation and shifting the burden of funding local government services to those lacking political influence. There is little agreement as to whether there even is a rational boundary between policy matters that are of statewide importance and those that are strictly local in nature.

No doubt there will always be examples of local government officials making decisions that antagonize some person or interest group. Should the costs of local governments responding to Freedom of Information Act requests be subsidized by other taxpayers? What compelling state interest is advanced by limiting the ability of local governments to request millage increases to support local services? When local governments require businesses subject to local consumer protection ordinances to pay fees that cover the administration and required inspection costs, lawmakers threaten to impose caps on the amounts that can be charged and dictate inspection frequency. Consequently, other taxpayers will end up footing a big part of the costs, and business owners know they won't be re-checked for years to come.

Why shouldn't the Legislature intervene when a local government overreaches, overregulates or appears to gouge a ratepayer? Well, costs vary greatly among local governments, which are already prohibited from charging fees that exceed administrative costs or the cost of providing a service. "One size fits all" regulations imposed statewide do not appropriately address local circumstances. The Legislature's track record for timely revisiting legislatively imposed local government fees is not reassuring—look no further than the \$3 per month "trailer tax" on mobile homes set in 1959 and still in effect today.

But perhaps the most compelling reason why state lawmakers should resist the temptation to usurp local control is out of respect for the voters who elect their local officials to make policy decisions such as these. If local officials act contrary to the public interest, the voters will rectify the problem at the ballot box. Even if lawmakers have the power to intervene in local affairs, the likelihood of adverse unintended consequences will be avoided by lawmakers resisting the temptation to become entangled in local issues.

## Local control is still good policy, and good politics.

Nonetheless, attacks on local control are likely to continue unabated. Interest groups know how to wield influence, and the general dissatisfaction with government at all levels gives lawmakers usurping local control the appearance of acting in the public interest.

MTA's Political Action Committee helps level the playing field, but it is equally important for township officials to establish and maintain ongoing communications with their lawmakers to be trusted sources of insight and perspective. 2014 is an election year, and questioning House and Senate candidates to ascertain their support for local government is a legitimate policy question and a means to educate candidates.

Local control is still good policy, and good politics. Local officials just need to take the time to make the case.



## ATTENTION TREASURERS

### Reminder for tax collection office hours

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

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

In 2013, the available days for required December office hours are Wednesday, Dec. 25 through Tuesday, Dec. 31. Treasurers must choose one day (unless a bank assists in collection). (MCL 211.44(2))

In 2014, the last day to pay 2013 property taxes without incurring any interest or penalty is Friday, Feb. 14, 2013. (MCL 211.44) Treasurers may choose to hold office hours. In 2014, the last day to pay 2013 property taxes before they are returned as delinquent is Friday, Feb. 28. (MCL 211.45) Treasurers must hold office hours.

*Learn more on MTA's Tax Collecting Web page, on the members-only section of [www.michigantownships.org](http://www.michigantownships.org). After logging in, search for "tax collecting" or access the page via the "Index of Topics" under the "Answer Center" tab.*

## HEALTHY LIVING

### Townships recognized for promoting active communities

Townships that support walkable, active living communities help promote healthy, economically viable neighborhoods, boost Michigan's housing market, and create environments in which to live, work and play. Three townships were recently recognized by a statewide program for taking steps to encourage a health quality of life in Michigan.

**Davison Township** (Genesee Co.) received a silver level award from the Promoting Active Communities (PAC) program, which helps communities assess their built environment, policies and programs related to active living.

**Grosse Ile Township** (Wayne Co.) and **Waterford Charter Township** (Oakland Co.) each earned a bronze level award.

The award for Davison Township comes on the heels of the completion of a 1.8-mile public trail through the township and neighboring city of Davison. The township includes more than four miles of trails, offering residents and visitors alike the opportunity to bike and walk in a natural setting. The township is working toward providing a walkable community to encourage physical activity, economic development opportunities and quality of life, create a sense of place, provide safe routes to school and connections to adjacent communities, and support the active living concept.

**Grosse Ile Township**, an island community enveloped by the Detroit River International Wildlife Refuge, offers miles of water trails, and a paved trail system for biking, walking and jogging. The township has more than six parks and recreation areas, as well as green spaces and woods that all help to promote the community as a home for an active lifestyle.

**Waterford Charter Township** has 1,478 acres of park space, along with 25 miles of shared-use paths, plus tennis courts, soccer fields and golf courses. The township will use its PAC assessment as a starting point to better understand what can be done to encourage active living. Noted Clerk **Sue Camilleri**, "Communities that offer their residents choices in ways to promote a sense of community and a healthy lifestyle will be the communities that succeed in the future. To encourage people and businesses to choose Waterford as their home, we must offer amenities such as bike paths and parks."

The townships join 142 communities within 57 counties in Michigan to receive the PAC award since 2000.



**'OBAMACARE' MANDATES**

## Affordable Care Act impacts new hire waiting period

Beginning Jan. 1, 2014, the federal Affordable Care Act (ACA) mandates that employers—including townships—can no longer have new hire benefit waiting periods greater than 90 days under the Public Health Service Act. Townships will not be able to require new employees to wait any longer than 90 days after being hired to be eligible to receive medical benefits.



Also effective Jan. 1, 2014, employers may see changes in available health plans for individuals and small group markets that reflect the following rating factors: family size, geographic rating area, age and tobacco use.

For additional ACA resources and information—including a timeline of deadlines impacting townships—MTA-member township officials can visit the “Affordable Care Act” Web page on the members-only portion of [www.michigantownships.org](http://www.michigantownships.org). (To log in, click on “Member Login” in the upper right-hand corner of the home page. Not sure of your password? Click on “Forgot Your Password?” on the log-in page to have a link sent to you to reset your password.)

### 2014 MTA Conference Sponsor



## Complete integration for a comprehensive solution

The need for easy access, instant information, and improved productivity are just a few of the issues municipalities face concerning financial management software. Our solution is to provide total integration between applications. This means processes are seamless with ready access to the data and functionality you need. Our Financial Management Suite integrates fully with all BS&A applications, including Purchasing, Utility Billing, Community Development, and Internet Services...providing a municipality-wide view of your finances, empowering you to make strategic decisions.



For more information:  
(855) BSA-SOFT  
[www.bsasoftware.com](http://www.bsasoftware.com)

# profile



Advertorial

## Fahey Schultz Burzych Rhodes PLC

### Your Township Attorneys™

Township law is Fahey Schultz Burzych Rhodes PLC's specialty—and its passion. Based in central Michigan, the firm represents more than 80 townships across the state. It offers responsive, affordable legal expertise to townships of any size.



**Experienced.** Fahey Schultz Burzych Rhodes PLC knows townships. Led by Bill Fahey and Steve Schultz, its 10 lawyers have more

township law experience than any firm in the state. From annexation to zoning (and everything else from A to Z), their attorneys help townships manage the most difficult legal issues.

**Responsive.** The firm's lawyers get back to you. They are always available when you need legal help, and respond to calls or emails within one hour, usually immediately. With 10 dedicated township attorneys, they handle your most immediate and demanding legal problems.

**Affordable.** Fahey Schultz Burzych Rhodes PLC controls costs. To operate more efficiently, effectively and successfully, they make optimum use of applied technology. Continuous improvement of our legal systems and rigorous training guarantee townships personal and customized legal service at affordable rates.

To keep up to date with all the developments in township law, be sure to subscribe to Fahey Schultz Burzych Rhodes PLC's free monthly publication, *Township Law E-Letter*. For more information, visit [www.fsbrlaw.com](http://www.fsbrlaw.com) or contact Bill Fahey at (517) 381-8150 or [wfahey@fsbrlaw.com](mailto:wfahey@fsbrlaw.com).

Participation in the Allied Service Provider program does not constitute or imply MTA's endorsement of the company or its products/services. Visit Fahey Schultz Burzych Rhodes PLC at the 2014 MTA Expo, in Booth 200. For more information, turn to the Allied Service Provider Index on page 2 or visit [www.michigantownships.org/asp.asp](http://www.michigantownships.org/asp.asp).

## Limited budget? Ways to attend the MTA Conference cost-effectively

So ... you've taken a look at the MTA Annual Educational Conference & Expo registration brochure. You see the value of having the opportunity to add to your knowledge, master new skills, gain new ideas, and network with your peers. There's only one problem—you have limited funds available to cover the costs associated with attending this event.



If you want to be part of the 2014 MTA Annual Educational Conference & Expo, Jan. 28-31 at the Grand Traverse Resort, there are ways to save costs, including:

- **Share a ride or a room:** Those registered for Conference can access the 2014 MTA Conference group in *Community Connection*, MTA's social networking site, to reach out to fellow attendees looking to share a ride to Conference, or split costs by sharing a hotel room. Click on the *Community Connection* icon on the home page of the members-only section of [www.michigantownships.org](http://www.michigantownships.org) to get started. (Need help? Email [tammie@michigantownships.org](mailto:tammie@michigantownships.org).)
- **Register by the early-bird deadline:** It sounds obvious but it is surprising how many officials wait too long to register and end up missing out on the maximum discounts being offered. Take advantage of the early-bird rate—and save up to \$75 on your registration fee—by registering by Dec. 18, 2013.
- **Reserve a room at a hotel with lower room rates:** Several hotels in MTA's room block offer incredibly reasonable rates—as well as free WiFi, breakfast and parking! Complimentary Conference shuttle service is also available to and from the Grand Traverse Resort and additional hotels with MTA room blocks.
- **Consider commuting:** If you live close enough, commuting may be your most cost-effective option, especially if you can carpool with others from your area.
- **Bring a refillable water bottle and snacks:** Although most evening activities include food and beverages, you may want to bring a refillable water bottle and snacks to munch on throughout the day.

Remember, the value received from attending the MTA Annual Conference & Expo will far outweigh the expenses incurred.

## Two caucus elections slated at MTA Conference

Two caucus elections—for MTA Districts 1 and 16—will be held on Jan. 30, during the 2014 MTA Conference & Expo, to elect new directors to the MTA Board of Directors. Those Districts encompass the following counties:

- **District 1:** Gogebic, Houghton, Ontonagon and Keweenaw Counties
- **District 16\*:** Gratiot, Ionia and Montcalm Counties

Elected officials from MTA-member townships in Districts 1 and 16 are eligible to run for the MTA Board. Officials who wish to run for District director can campaign for the position before the caucus, though there are no requirements for prior announcement of candidacy.

Specific times and locations for the caucus elections will be published in the Conference program received on-site.

*\*Correction: Clinton County was inadvertently listed as part of District 16 in the November Township Focus. Clinton County is part of MTA District 20. We regret the error.*

## MTA welcomes new Allied Service Provider



Please join MTA in welcoming **Burton & Associates**, of Jackson, Mich., to the Allied Service Provider program at the Leadership Circle level.

Visit Burton & Associates at Booth 115 at the 2014 MTA Expo, held in conjunction with MTA's Annual Educational Conference, Jan. 28-31 at the Grand Traverse Resort. For more on the Allied Service Provider program, turn to page 2 or visit [www.michigantownships.org/asp.asp](http://www.michigantownships.org/asp.asp).

### mta events | december

3	<i>Policy Matters! Using Board &amp; Administrative Procedures to Manage Your Township</i> workshop, Gaylord
4	<i>Policy Matters! Using Board &amp; Administrative Procedures to Manage Your Township</i> workshop, Mt. Pleasant
5	<i>Policy Matters! Using Board &amp; Administrative Procedures to Manage Your Township</i> workshop, Lansing
18	Early-bird registration deadline for MTA's 2014 Annual Educational Conference & Expo, Jan. 28-31, at the Grand Traverse Resort in Acme Township
24-25	MTA office closed for Christmas holiday
31	MTA office closed for New Year's Eve holiday



### DECEMBER

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

2013 taxes due and payable to local unit treasurer and become a lien on real and personal property. (MCL 211.40)

Deadline for foreclosing governmental units to transfer list of unsold 2013 tax foreclosure parcels to the clerk of the municipality in which the parcels are located. (MCL 211.78m(6))

**By 3** Petitions to place proposals on Feb. 25 ballot filed with county and local clerks. (If governing law sets an earlier petition filing deadline, earlier deadline must be observed.) (MCL 168.646a)

**By 5** Post-election campaign statements filed. (Books closed Nov. 25.)

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

An owner of property that is a "principal residence" on May 1 may appeal to the December board of review in the year for which an exemption was claimed or in the immediate succeeding three years if the exemption was not on the tax roll. An owner cannot appeal to the December board of review if property was owned and

occupied as a principal residence some time from May 2 to Nov. 1 but Form 2368 was not timely filed. (MCL 211.7cc(20))

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

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

**16** Form 600/L-4016 Supplemental Special Assessment Report due to the State Tax Commission (STC).

**By 17** Ballot wording of proposals qualified to appear on Feb. 25 ballot certified to county or local clerks. (MCL 168.646a)

**31** Tax day for 2014 property taxes. (MCL 211.2(2))

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

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

verification of a foreclosure entity. (MCL 211.7cc(5))

All taxes due and liens are canceled for otherwise unsold 2013 tax foreclosure parcels purchased by the state or transferred to the local unit or the Michigan Land Bank Fast Track Authority. (MCLs 211.78m(12) and 211.78m(13))

### JANUARY

**10** Supervisor/assessor must send or deliver personal property statements no later than Jan. 10.

**By 11** Absentee voter ballots for Feb. 25 election must be available for issuance to voters. (MCL 168.714)

**16** through Feb. 4. Precinct inspectors appointed for Feb. 25 election. (MCL 168.674)

**By 19** Notice of close of registration for Feb. 25 election published. (MCL 168.498)

**24** Townships with a state equalized value of \$15 million or less must distribute taxes collected through Jan. 10. All other local units must disburse taxes collected within 10 business days after the 1st and 15th of each month, except in March. (MCL 211.43)

**26** Last day to register for Feb. 25 election. (MCL 168.497)



**HUBBELL, ROTH & CLARK, INC**  
Consulting Engineers

TRUSTED ENGINEERS, ENVIRONMENTAL SCIENTISTS, ARCHITECTS



A Tradition of Personal Service & Successful Projects

Established in 1915

Engineering. Environment. Excellence. (248) 454-6300

www.hrc-engr.com



Our board is facing a difficult and controversial decision. Can we put the question on a ballot for the voters to decide?

No, a township board has no general authority to put questions on the ballot for the voters to decide unless a law specifically gives that authority. If a township board puts a question on a ballot, and no statute authorizes a township board to put such a question on the ballot, then it is an unlawful “advisory ballot.”

According to Attorney General Opinion 6143 of 1983, “Statutory powers specifically delegated by the Legislature to a municipal corporation or a board of education may not be redelegated by that body to the electors.”

The issue in that opinion was whether a township board could place on a ballot the question of when school taxes could be collected in the township. The Revised School Code Act, Public Act 451 of 1976, MCL 380.1, *et seq.*, gives a school district board of education the exclusive authority to decide to impose a school summer tax levy. A township board cannot exercise authority it does not have, and therefore any such ballot question would be advisory only. Any expenditure to put advisory questions on a ballot is an unlawful use of public money for a non-public purpose.

Also, even assuming that a township board had such authority, neither the board of education nor the township could redelegate that decision-making authority to the electors by placing the question on a ballot. Any ballot questions delegating a township board’s authority to the electors would be advisory only, and any expenditure to put advisory questions on a ballot is an unlawful use of public money for a non-public purpose.

The Legislature can grant the public the right of referendum on local government actions by including that right in specific statutes. Although there are many statutes granting the right of referendum, they are limited in scope (*see box at right*).

It is a lawful expenditure of public money, however, for a township board to survey its residents or conduct public hearings or forums or otherwise seek the input of residents, property owners, taxpayers and other stakeholders to assist the board in exercising its legislative authority and administering township programs and services.



Do residents have the right to petition for a referendum on remodeling the township hall?

Where there is no statutory authority to conduct a referendum, a ballot question held for that purpose would be an unlawful advisory ballot.

The public does have a right of referendum on a variety of questions regarding township government, but only where a statute expressly grants that right. The applicable statute will specify the conditions that must be met for a particular type of referendum.

## Township Actions Subject to Right of Referendum

### **MCL**

35.864  
38.451  
38.517a  
38.561

41.8  
41.95

41.95  
41.350s  
41.416

41.424

41.804

42.2  
42.6a

42.34

54.221

78.5  
117.9  
119.2  
121.3  
123.41

123.461

### **Action To:**

Purchase lands for veterans memorials  
Establish a civil service system  
Establish a fire or police civil service system  
Establish a firefighters and police officers retirement board  
Reestablish the annual meeting  
Approve elected officials’ salary resolutions where no annual meeting is held  
Establish a salary compensation commission  
Provide water supply and sewage system services  
Borrow money under the Township and Village Public Improvement and Public Service Act  
Acquire and fund by millage a free public park, resort, bathing beach or other place of recreation  
Establish a special assessment district for police or fire protection  
Incorporate as a charter township  
Establish a charter township salary compensation commission  
Annex a portion of a charter township to a contiguous city or village  
Authorize the cost of establishing section corners and quarter posts in a township  
Annex territory to a home rule village  
Annex territory to a city  
Transfer authorities to a metropolitan district  
Join a charter water authority  
Establish a community center in a township of up to 10,000 inhabitants  
Levy taxes and appropriate funds for a center open exclusively to youth under 21 years of age and aimed at curbing juvenile delinquency within the community

- 123.958b Lease a building from a building authority
- 123.1010 Incorporate a city or village on order of the State Boundary Commission
- 124.25 Approve a 425 Agreement for conditional transfer of property
- 124.288 Contract with a municipal water, sewage or waste management authority
- 124.416 Contract with a metropolitan transportation authority
- 124.458 Withdraw from a public transportation authority
- 124.505a Share property tax revenue under the Urban Cooperation Act
- 124.508a Impose a surcharge on households for recycling or composting programs
- 124.604 Join an emergency services authority
- 124.663 Join a metropolitan area council
- 125.139 Adopt a joint municipal planning ordinance
- 125.653 Create a municipal housing commission
- 125.1262 Issue bonds under the Industrial Development Revenue Bond Act
- 125.3402 Adopt a zoning ordinance
- 125.3813 Establish a planning commission
- 141.133 Issue bonds under the Revenue Bond Act
- 141.2517 Issue a municipal security to pay for capital improvement items
- 168.656 Divide a township into more than one election precinct
- 168.951 Recall elected officials
- 211.205a Adopt separate property tax limitations with a county
- 285.202 Promote the township's agricultural interests through MSU Extension
- 324.4307 Issue bonds for a water or sewer system or solid waste facility
- 324.4703 Form a joint municipal sewage disposal and water supply district
- 324.4709 Contract with sewage disposal and water supply district
- 397.173a Join a district library
- 397.322 Bonds for a free township public library
- 397.352 Consolidate two townships' libraries
- 436.2101 Permit sale of spirits and mixed drinks
- 436.2105 Permit sale of spirits and mixed drinks in unincorporated portions of township
- 436.2111 Prohibit beer and wine sales between 2 a.m. and 12 midnight on Sunday
- 460.842 Issue bonds through a joint municipal electric power and energy agency
- 486.504 Purchase water for a water system

*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.




**BAUCKHAM SPARKS**

[michigantownshiplaw.com](http://michigantownshiplaw.com)

**Representing Townships  
in all areas of law, including:**

Annexation • Environmental  
Litigation • Ordinance Adoption  
Ordinance Enforcement • P.A. 425 Agreements  
Sewer and Water Agreements  
Special Assessments • Tax Tribunal • Zoning  
Lawful Expenditures • Open Meetings Act  
Freedom of Information Act  
Personnel Issues

**Available as special or general counsel.**

**BAUCKHAM SPARKS**  
458 W. South Street  
Kalamazoo, MI 49007-4781  
Telephone: 269.382.4500  
Facsimile: 269.382.2040  
[www.michigantownshiplaw.com](http://www.michigantownshiplaw.com)



**Q** Our bank fees are increasing, while our investment returns have been declining. Should we consider changing banks? How can we reduce fees?

The township's fees may be increasing due to two factors: increased Federal Deposit Insurance Corporation (FDIC) premiums paid by the banks, and the loss of investment income. Many banks were able to reduce or eliminate fees in exchange for slightly lower than market rates paid on township investments. As interest income reached "zero" due to the Federal Reserve's actions to stimulate the economy and help financial institutions survive, many banks could no longer "cover" fees through investment returns.

Before switching banks, the township should first look internally at its processes to determine if costs can be reduced. Meet with the township's bank and determine if fees can be eliminated by consolidating or eliminating unnecessary bank accounts, and other cost-saving approaches. If any lessons are to be learned from the recent financial meltdown, all financial institutions are not the same, nor should they be judged solely on investment returns and low costs. A good banking relationship with a solid bank may be worth higher fees.

**Q** What bank accounts can and cannot be "pooled"?

According to the state *Accounting Procedures Manual for Local Units of Government in Michigan*, the Current Taxes and Debt Service and Construction Accounts accounts cannot be pooled.

Townships should also review local ordinances and discuss with legal counsel prior to implementing a pooled investment program. Most computer software programs are set up to accomplish pooled investments and use of common disbursement accounts, and should make the transition smooth. Please note, however, that investment income, net of fees, must be allocated to all participating funds.

**Q** Can we use remote deposit capture (RDC)—scanning and depositing checks directly to our bank account, without actually going to the bank?

Yes, we believe townships have authority to make deposits through the automated clearinghouse (ACH) system, provided the township has followed the requirements of Public Act 738 of 2002. Local units of government are required to approve a

resolution authorizing payments and credits using the ACH, which contains the following: approval of an ACH policy; designation of electronic transfer officer; documentation of payments; and establishment of a system of internal controls.

MTA's website, [www.michigantownships.org](http://www.michigantownships.org), contains sample resolutions and policies.

**Q** How does the process work?

The RDC process is relatively simple: Once the township has established an RDC relationship with its bank, a designated official can scan each deposit items (i.e., checks) into digital image files using a desktop scanner and personal computer. The image files are transmitted to the township's bank electronically. Often, banks recommend the use of a particular brand of scanner that is compatible with the bank's RDC solution.

**Q** Are there special risks associated with RDC?


While RDC can be a time-saving tool for townships, the service is not without risks, such as:

- Intentional or unintentional redeposit of the item, either into the township bank account or a township employee's personal bank account, thus exposing the township to monetary liability should such items clear after they have been deposited.
- Potential fraudulent use of remitter's bank account numbers, from inappropriate access to deposited items, kept on file at the township.

Townships should take protective measures, including:

- Limiting access to bank-mandated paper files of deposit items maintained by the township.
- Timely destruction via secure shredding and incineration, with dual controls over the process.

Information provided in *Financial Forum* should not be considered legal advice, and readers are encouraged to contact their township auditor and/or attorney for advice specific to their situation.



*experience*  
*knowledge*  
*integrity*

**PSLZ, LLP**  
CERTIFIED PUBLIC ACCOUNTANTS

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

Governmental Accounting  
Auditing  
Financial Consulting  
Services

# THANK YOU 2013 MTA-PAC CONTRIBUTORS!\*



## **PLATINUM LEVEL**

Judy Allen  
Joanne Boehler  
Kenneth Gauthier  
Edward Hak  
Penny Haney  
Doug Merchant  
Larry Merrill  
Denny Olson  
Richard Stauffer  
Jim Stover

## **GOLD LEVEL**

Raymond Augustein  
Pauline Bennett  
William Deater  
Ann Nieuwenhuis  
Diane Randall  
Donald Thall  
Patrick White

## **SILVER LEVEL**

Bill Anderson  
Eilert Barnes  
Chris Barnett  
Francis Bell  
Garry Boldrey  
Dennis Bragiel  
Alan Briolat  
Charles Briolat  
Frank Butts  
Charles Center  
Della Di Pietro  
Omer Doran  
Jerry Duck  
Michael Flood  
William Gadwau  
Alfred Gareau  
John Gaudett  
Scott Harvey  
Joel Hondorp  
Linda Howard  
Robert Jacokes  
Wayne Kellogg  
Peter Kleiman  
Charles Korn  
Harold Koviak  
Larry Krohn  
Walter Krzycki  
Vince LaFramboise  
Warren Malkin  
Doug Mansfield

James Marion  
Mickey Martin  
G. Richard McCloskey  
D. Dale Mohr  
Julia Morford  
Thomas Paige  
Jim Pitsch  
Linda Preston  
Richard Reaume  
Ronald Reid  
Rick Richardson  
Donald Rogers  
Mayelene Rood  
Patti Jo Schafer  
Lance Schuhmacher  
Sharon Schultz  
Jeffrey Sorensen  
Deborah Spicer  
Barbara Stevenson  
Mark Therrian  
Debra Thomas  
Henry Vaupel  
Peter Villemure  
Marlin Walters  
Robert Weise  
William White  
Neil West

## **BRONZE LEVEL**

Molly Agostinelli  
Ruth Albaugh  
Michael Appel  
Joy Archer  
Alex Arends  
Carol Asher  
George Augustyniak  
Johanna Balzer  
Kenneth Barnett  
Anthony Bartolotta  
Tammy Beal  
Pat Beauchamp  
Charles Beckwith  
Deward Beeler  
Jean Beethem  
Yo Bellingar  
Dianne Berenbrock  
Sandra Bloomfield  
Marsha Bouwkamp  
Timothy Braun  
Jerry Bridges  
Edward Brosowski  
Julie Brown  
Lee Brown  
Connie Cargill  
William Carlson  
Ronald Cischke  
Marjorie Clark  
George Cochran  
Denise Cook  
John Cox

Neil Crawford  
Kenneth DeWeerd  
Isadore DiMaggio  
Richard Dougherty  
Sheryl Feazel  
Joyce Feraco  
Tina Fleischmann  
Roger Freis  
Norman Fullmer  
Allyn Garavaglia  
Kevin Gillette  
Dwight Gingrich  
Karl Gipp  
Sandra Goodale  
John Gort  
Norman Groner  
Sandra Gustman  
Gary Hakes  
Robert Hanvey  
Donna Harju  
Linda Hartman  
Donna Heeres  
Karen Hemenstall  
Jack Hetherington  
Carol Hoffman  
Marilyn Hoffman  
Monica Hoffman  
Mary Holcomb  
Stephen Hole  
James Houston  
Jean Howe  
James Jacob  
John Jenkins  
Dawn Johnson  
Gary Johnson  
Richard Johnson  
Mary Ellen Keel  
Anna Kelly  
David Kieft  
Michael Krager  
Linda Kramer  
John Kroggel  
Gordon Kruskie  
Brenda Lambert  
Bethel Larabee  
Pete LaRue  
Glenn Leep  
Thomas Lehman  
Paul Lehto  
Diane Lewis  
James Lisowski  
William Luetzow  
Lawrence Mahoney  
Judy Maie  
Bill Mangham  
Jerry Marchetti  
Don Martin  
Gerald Masters  
Fred Maxwell  
David Mayhew

David McCormick  
Diane Morrison  
John Mulder  
Alan Myaard  
Thomas Noreen  
Steve Northrup  
Glenn Nykamp  
Shirley Olson  
Darrell Oman  
Thomas Oonk  
Tina Papineau  
Eugene Pellizzaro  
Bernard Pepper  
Melanie Priebs  
Richard Reed  
Donna Reichard  
Wesley Reinbold  
Oliver Richards  
James Ringler  
Karen Rosa  
Beth Salmela  
Rita Sands  
Don Schultz  
Linda Schweihofer  
William Schweitzer  
Roger Seely  
Susan Sikkema  
Cynthia Sink  
Charles Smith  
Joseph Stevens  
Constance Stone  
Theresa Stroud  
Paul Swartzendruber  
Donna Theibert  
Janice Thelen  
Christopher Thompson  
Tom Tithof  
Ira Todd  
Wayne Trepanier  
Linda Trombley-Robitaille  
Lynn Tyll  
Donald Ulsh  
Sharon Vanderveer  
Esther VanSlooten  
Mary VerHage  
Wayne Warner  
Paul Wasek  
Shirley Wazny  
Dale Weidmayer  
Marian Werner  
William White  
Alexander Williams  
Angela Wilson  
Kevin Young  
Jesus Yruegas  
Edward Zylstra

## **MEMBER LEVEL**

John Anderson  
Diane Bajko

Contribution Levels	
Platinum	\$300+
Gold	\$150-299
Silver	\$50-149
Bronze	\$25-49
Member	\$20-24

Judy Bigney  
Stuart Bloomfield  
Richard Cooper  
Robert Corrin  
Tony Crosser  
Steve Ebels  
Robert Fleming  
Tom Frazier  
Rosalie Fryske  
David Garvin  
Larry Green  
Michael Haggerty  
Lorraine Hawkins  
Barbara Henley  
Don Hilton, Sr.  
Madalyn Hubble  
Roger Jamieson  
Scott Jarvis  
Steven Karpiak  
Jack Keck  
Barbara Kemp  
Diane Kleiman  
John Linnerson  
Denise MacFarlane  
Alvar Maki  
Olga Mancik  
David McNeill  
Gregory Petrimoulx  
Gordon Pickerd  
Dale Pomeroy  
Barbara Price  
Jill Rankinen  
Bill Renn  
Michael Rife  
Trudy Roberts  
Sharon Rogers  
Bernard Saxman  
Arnold Sirtola  
Ruth Skiera  
Jay Spencer  
Marilyn Strickland  
Ronald Styka  
Roy Sweet  
Gregory Thomas  
Judy Trudell  
Chris Vella  
William Wagner  
Cinda Walton  
Margaret Winslow

\*As of November 12, 2013

Call MTA today to make your MTA-PAC contribution! (517) 321-6467

## Property tax exemptions extended to disabled veterans, spouses

Gov. Rick Snyder has signed a bill extending property tax exemptions to more disabled military veterans and their un-remarried, surviving spouses who own and use the home as their homestead.

Public Act 161, sponsored by Sen. David Hildenbrand (R-Lowell Chtr. Twp.), received final passage by the Legislature in October.



Before the bill was passed, military veterans with service-related disabilities received a property tax exemption on their principal residence if their disability required their home to be modified for accommodations.

This new act changes the law in two ways. First, the exemption is extended to veterans who have been “permanently and totally disabled” as a result of their military service, who are certified by the U.S. veterans administration to receive assistance for specially adapted housing, and who are rated by the U.S. Department of Veterans Affairs as unemployable. They must also be entitled to veterans benefits at the 100 percent rate and be a resident of Michigan.

Second, the act extends the exemption to the principal residence when owned by the surviving spouse of a deceased disabled veteran, as long as the spouse does not remarry. The residence is eligible even if the veteran passes away before the exemption is granted.

The measure was signed into law by the governor on Nov. 12, 2013, and has immediate effect. Eligible disabled veterans will be able to apply for a 2013 exemption at the December board of review. An exemption will cancel the July and December 2013 taxes but will not cancel any taxes levied before 2013. Additionally, the law requires an affidavit be filed but does not require this affidavit to be an official State of Michigan form. A standard affidavit form is not planned to be developed by the State Tax Commission at this time.

## Sales studies of agricultural properties to change

On Nov. 13, 2013, Gov. Rick Snyder signed Public Act 162 into law, impacting sales studies for agricultural property.

Sales studies are part of the process used to ensure property taxes are being assessed equally and in proportion to fair market value. These are conducted by local assessors and county equalization directors who review the recent

sales of similar property. However, agricultural property sometimes is sold for nonagricultural purposes where a buyer may be willing to pay more than if the property were to be used as farmland. In these situations, the transaction would artificially increase the fair market value of the entire class.

The new law, sponsored by Sen. Bruce Caswell (R-Adams Twp.), would exclude agricultural property from the sales study if, upon a transfer of ownership, an affidavit had not been filed attesting the property would remain agricultural. Under the measure, assessors and equalization directors, in finalizing agricultural sales studies, must determine whether an affidavit had been filed for the property. If one had not been filed, the property would have to be reviewed to determine if the classification is correct or should be changed. Additionally, the assessor for the local tax collecting unit must contact the property owner to determine why an affidavit had not been filed. Unless the assessor is convinced otherwise, the property could not be included in the sales study for agricultural property if the affidavit was not filed.

While the new law has immediate effect, the State Tax Commission indicated that if sales studies for the agricultural class for 2014 equalization are finalized or nearly finalized, those studies do not have to be redone for 2014, but the requirements of the new law must be met for 2015 studies.

If sales studies for the agricultural class for 2014 equalization are not yet finalized or not yet nearly finalized, equalization directors and assessors should take all necessary steps to comply with this new requirement.



## Personal property tax changes enacted, forms available

With the enactment of the recent personal property tax act changes (Public Acts 153 and 154), recent bulletins adopted by the State Tax Commission (STC) have been released, as well as the new affidavit form for the small-parcel exemption. Bulletin 11 provides detailed information regarding the Eligible Personal Property Tax Exemption, which goes into effect Dec. 31, 2013, for the 2014 year. Bulletin 12 details information regarding changes to certain exemption programs due to the personal property tax changes.

Additionally, the STC adopted Form 5076—the Affidavit of Owner of Eligible Personal Property Claiming Exemption from Collection of Taxes. This is the affidavit that must be filed no later than Feb. 10, 2014, to obtain the eligible personal property tax exemption. Additional information can be found on [www.michigantownships.org](http://www.michigantownships.org) regarding the eligible personal property exemption and requirements to file personal property statements.

## New laws streamline process for military veterans to become firefighters, EMTs

Some military veterans who want to become firefighters and emergency medical technicians may now be able to use their military experience to meet state requirements.



Public Act 165, sponsored by Rep. Gail Haines (R-Waterford Chtr. Twp.), and Public Act 166, sponsored by Rep. Ray Franz (R-Onekama), were recently signed into law by Gov. Rick Snyder and take effect in February 2014.

Under the Public Health Code, all medical first responders, emergency medical technicians (EMTs),

paramedics, EMT specialists and emergency medical services instructor-coordinators must be licensed by the Department of Licensing and Regulatory Affairs (LARA). Anyone at least 18 years old may be licensed after completing an approved education program. PA 165 will allow military veterans who served as a military health care specialist to apply for an EMT license (within two years of honorable discharge) without completing the education program.

PA 166 amends the Firefighters Training Council Act, which requires firefighters to pass a knowledge and skills exam. The new law allows the state fire marshal to waive firefighter exam requirements (Part 1 and/or Part 2) for military veterans who met the state's requirements while serving.

## MISS DIG legislation primed for signature

The Legislature has passed legislation creating the "MISS DIG" Underground Facility Damage Prevention and Safety Act. Senate Bills 539 and 540, introduced by Sen. Mike Nofs (R-Battle Creek), aim to protect public utility underground facilities, such as gas, cable, buried electrical lines and pipes.

Under the legislation, a governmental body will no longer be immune from liability pertaining to underground facilities. A facility owner/operator could file a complaint with the Michigan Public Service Commission seeking a civil fine and, under certain circumstances, damages from the governmental body for violations of the MISS DIG act. Governmental bodies may be subject to a civil fine of up to \$5,000 for a first offense, up to \$10,000 for a second offense within 12 months of the first offense, and a fine up to \$15,000 for an offense within 12 months of the second offense.

Included with a second offense, a governmental body may be required to provide safety training to all personnel involved in underground utility work or excavating. A third offense may include not only a civil fine of up to \$15,000 but the governmental body may be held liable for damages it caused to the underground facility—by having to pay the owner/operator the cost of repair of the damaged facilities.

Once signed by the governor, the bills will take effect April 1, 2014. The compliance date for individuals engaging in farming operations begins May 1, 2014.

## FOSTER SWIFT

FOSTER SWIFT COLLINS & SMITH PC || ATTORNEYS

Learn more at [FOSTERSWIFT.COM](http://FOSTERSWIFT.COM)

### Helping townships create winning legal strategies



#### Contact

Anne M. Seurync

P: 616.726.2240

E: [aseurync@fosterswift.com](mailto:aseurync@fosterswift.com)

From simple to complex strategies, Foster Swift addresses townships' general counsel and speciality matter needs.

LANSING | FARMINGTON HILLS | GRAND RAPIDS | DETROIT | HOLLAND

## Rep. Dave Pagel (R-Oronoko Twp.)

**R**ep. Dave Pagel knows his success isn't the result of careful planning. Everything from his 30-year career in the apple business to his work as an elected official can be traced back to an opportunity.

After changing his major from engineering, Pagel returned home from Michigan State University with a degree in agricultural business. He went to work on his father's farm without ever dreaming that within two years, he would own a fruit packing and marketing business, which he still runs today. And when a local school board needed new members, he threw his name into consideration, never imagining him that it would start him on a path to one day becoming a state legislator.

Today, as a first-term member of the Michigan House of Representatives, Pagel wants other Michiganders to have similar opportunities for success.

"I want to make a positive difference for Michigan families and to give our next generation greater opportunities for success," Pagel said. "I am extremely proud to be from Michigan, so I want to be someone who helped Michigan grow stronger as a great place to live."

A key to creating more opportunities is pushing Michigan to continue its economic rebound, Pagel said. Lawmakers need to pass policies that promote a healthy business climate, as well as building on the state's natural strengths in agriculture, tourism and manufacturing. They also must focus on education, both at the K-12 and university level.

"We have great universities, but we need to work to make Michigan a place where the brightest and best graduates want to stay and build their lives," Pagel said. "These talented individuals will help businesses by providing a quality workforce, and also will start new businesses themselves."

Pagel believes townships and local governments will continue to play a strong role in Michigan's future, just as they do today. He's seen the importance of townships up close, when his father served as a township supervisor for 20 years.

Consolidation and regionalism could play a role in cases where townships could provide services more efficiently by joining with another municipality, said Pagel, who served as chair of the Berrien County Board of Commissioners for four years, from 2008 to 2012. He wants to remain open to the possibility of regional or county-wide organizations providing services in some circumstances, but overall, he does not believe that the primary role of townships will experience much change.



**For Rep. Dave Pagel (R-Oronoko Twp.), public service is in his blood. Not only did the first-term state legislator serve as a county commissioner, his father was a township supervisor for 20 years.**

"There may be new partnership arrangements and shared services as things evolve and local governments become more efficient, but township government will continue to be strong," Pagel said. "I do not see Michigan centralizing these roles at the county level. Each township is unique and is best able to meet the needs of its citizens."

As vice chair of the House Local Government Committee, Pagel addresses a wide variety of issues that affect townships and municipalities. In a given week, he may see bills coming across his desk ranging from public notice requirements and drain code issues to emergency services and animal control.

Pagel says he didn't come to Lansing with a list of laws he wanted to pass. His goal has always been to offer experience and a pragmatic voice to the law-making process.

"I wanted to exercise the leadership skills I have developed as a business owner, president of a school board and chair of our county board," Pagel said. "I wanted to represent southwest Michigan with integrity. These goals remain."

### Spalding DeDecker Associates, Inc.



#### Engineering & Surveying Consultants

Infrastructure | Land Development  
Surveying | Landscape Architecture

(800) 598-1600 | [www.sda-eng.com](http://www.sda-eng.com)





# Rep. Andy Schor (D-Lansing)

**R**ep. Andy Schor dreams of a future where Michigan is once again a national leader. He envisions a thriving economy and top-notch schools that draw families to live, work and play in the state.

Since college, Schor has known he didn't want to leave that future to chance. He wants to play an active role in making it happen.

Schor, a first-term state representative from Lansing, has spent the bulk of his career working in policy and public service. He has no plans of stopping until his legacy is complete.

"I want to be able to say that I did my part to ensure that my communities—Lansing and **Lansing Charter Township** (Ingham Co.)—and other communities throughout Michigan are places that attract and retain residents," Schor said. "My hope is that my legacy is of getting Michigan back on track to being a leader nationally and internationally."

As a student at the University of Michigan, Schor got his first taste of serving the public during a three-month stint at the Manhattan office of U.S. Sen. Daniel Patrick Moynihan (D-New York). The experience gave him a passion for public service and motivated him to pursue it after graduation.

His career choice led him to a job in the Michigan Senate for five years, followed by another two years working in the Michigan House of Representatives. Later, he became the assistant director for state affairs at the Michigan Municipal League, where he specialized in economic development and land use.

As a former Ingham County commissioner, Schor understands the challenges that local governments face. He said that as fewer tax dollars and resources are available, townships and other local governments will still have to provide more services.

"Even though townships will have less resources at their disposal, residents' needs will continue to grow," Schor said. "My hope is that as the economy rebounds, so will the ability of locals to provide for their constituents."

Regionalism could be a method of savings and help local governments provide services, but only under the right circumstances, Schor said.

"I'm supportive of consolidation as long as it makes sense and is supported by the residents affected by consolidation efforts," he said.

Schor has worked closely with MTA on bills that have moved through the House Elections and Ethics Committee, where he also passed a bill allowing voters to use a signature



As a former Ingham County commissioner, state Rep. Andy Schor (D-Lansing) understands the challenges that local governments face.

stamp to execute their election documents. As a House Regulatory Reform Committee member, he has partnered with local governments to preserve local control on issues such as liquor licenses and occupational licensure.

Economic development is a key issue, one that he discusses at length as a member of the Michigan Competitiveness Committee. Schor believes Michigan must focus on attracting and retaining talent in order to continue improving the economy. He has introduced bills that address issues such as placemaking and talent attraction, as well as bills that would seek to improve schools by creating incentives for balanced calendars and all-year schools.

Since coming to the House 10 months ago, he also played a key role in expanding Medicaid for 400,000 Michigan residents.

"More than anything else, I want to have a positive impact on moving our state forward," Schor said.

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

P&N represents 46 Michigan communities as Township Engineers. If you're looking for someone who speaks your language, give us a call.

**Prein & Newhof**  
www.preinnewhof.com 517.484.3333

# Thriving in a high-demand world

**C**on•sci•en•tious: A person wishing to do what is right, especially to do one's work or duty well and thoroughly.

Following my first contact about serving as the 2014 keynote at the Michigan Townships Association's Annual Educational Conference, I already knew that the MTA Conference attendees would be a pretty conscientious bunch.

And like so many who serve the public, and who also have very demanding schedules, township officials can easily fall victim to the "More With Less Paradox"—in which the positive attributes of drive and responsibility, combined with a demanding schedule, trigger people to live in a way that sabotages their ability to reach their goals.

*Editor's note: Andy Core, an expert in work-life balance, has spent 16 years mastering the art of inspiring people to become energized, healthy, motivated and better equipped to thrive in today's hectic society. As MTA's 2014 Conference keynote, Core will share his formula for staying passionate*

*about your role in the community, and offer insights into how to exceed the expectations that others place on you. Township Focus asked Core to provide*



*a glimpse into his philosophy and "know-how." Learn more from Core this January at the Grand Traverse Resort.*

## A day in the life

Does this sound your typical day? *The morning alarm blares. Snooze button. Snooze button. Snooze button.*

Two important facts and a lesson: One, nothing sabotages a day faster than starting it with a little procrastination. Two, there is no form of real, actual torture that will break your mind and body faster than multiple sleep interruptions. The lesson? The snooze button is secretly plotting to destroy you. *With a grunt of frustration and physical aches, you get up, "Ugh, I've got so much to do..."*

Snoozing yourself into being behind schedule creates a rushing energy, which in turn leads you to think first of stimulation ("Coffee, I need

coffee!") instead of connecting with *why* you are working so hard. The speed and busyness of your day can fuel a lack of focus and a sense of disconnection with what is important. You may end up thinking of yourself as "struggling" rather than as "thriving."

*"Breakfast? I'll just grab some caffeine and get something to eat on my way to or at the township hall."*

Caffeine can be effective for productivity and health, but too much caffeine, on an empty or mostly empty stomach, creates the perfect biochemical storm for a 3 p.m. energy crash. *You land at the township hall, and it goes well ... until around 9:30 a.m., when the first energy lull hits. Time for a little office trick-or-treating or a break-room doughnut.*

The first three hours of work are the most productive time in your entire day. You will never be in a better state to be productive, patient, persuasive ... or any other P word that means you get a lot accomplished. This routine sabotages your peak work time, resulting in more work tomorrow. *Lunch. Open the menu and the debate begins. Heart-healthy option or a burger?*

Living inside the "More With Less Paradox," it is too easy to think, "You know, it has been a stressful day. I deserve that cheeseburger."

*BOOM, the post-lunch lull hits you head on.*

The day continues, but its tone has been set. Your available energy reserves are low, but the need to keep going causes you to switch to an emergency stress-based fuel—cortisol. This might keep you going, but at a high cost. Cortisol is not a clean energy. It builds up and increases crankiness and reduces our ability to innovate.

You make it to the end of the work day, but often with lingering guilt at how long your to-do list still is. That frustration bleeds into your downtime, and you find yourself thinking, "Why am I so cranky? Why can't I be more

organized? Why do I have so little patience? Why am I so wiped out?"

*In a flash, it's time for bed. "I'm exhausted, but why is it so hard to get to sleep or stay asleep?"*

As soon as sleep starts to deepen ... the alarm blares into action and it is time to start another day.

## Strivers and thrivers

As an expert in stress, motivation and wellbeing, I've been researching adults in high-demand jobs for 23 years. Each time I immerse myself into a new field, such as township government, I find two categories:

**Strivers.** Those who work hard and often meet their goals at work, but who also struggle with high levels of stress and fluctuating levels of motivation.

**Thrivers.** Those who work hard, consistently meet their goals at work, and thrive professionally and personally.

Have you ever wondered, "Why do some hard-working adults thrive, while others struggle?" Thrivers are rarely smarter than strivers, and they don't care more about their work. They just think and live better. The bottom line is that thrivers are better at the "Core Four":

- Mentally approaching their work, especially under pressure
- Keeping their energy up
- Having a clear understanding of why they are working so hard
- Designing the flow of a day

As an example of the "Core Four" in action, consider a 2011 research study from the University of Michigan and Portland State University on what energizes us at work.

First, think about what you do when you are running out of energy at work or the township hall. Most people take a break of some kind, grab more caffeine, go for a walk, get a snack, switch tasks, etc. But what works? What fuels us best? Could you be accidentally tripping yourself while thinking that you are moving full steam ahead?

If you are like the majority of the 214 knowledge workers who were surveyed in the 2011 study, you would:

1. Check email.
2. Switch to another task.
3. Make a to-do list.
4. Offer help to someone at work.
5. Talk to a coworker/supervisor.

Of these most common breaks, which ones were shown to increase energy and vitality? None.

What breaks were positively related to vitality? What steps can help you thrive more at work? What ideas can you pass on to your township colleagues that will energize them? These six evidence-based ideas fuel the Core Four:

- **More goal-setting, less reorganizing:** Setting a new goal and chasing it down, even if it is a small goal, will energize you more than reorganizing your to-do list.
- **More learning, less worry:** Under stress, people thrive more by focusing on learning something new, not by worrying about failing, what they might miss, or even by winning.

- **More feedback, less venting:** Everyone needs to vent, but don't do it at work. Venting in the workplace is one of the few double jeopardy work breaks, meaning that it is connected to both low vitality and high fatigue. Having high energy at work comes from seeking and giving quality feedback.
- **Help more, offer less:** Human beings are at their best when they help others, give to others and show concern for others. Those who struggle with fatigue will, with open hearts, offer help to others. Those who rated high in vitality more often actually *do* something to help others.
- **More meaning, less distraction:** Reflecting on what gives you meaning in your public and professional work will energize you even more than taking a break.

To thrive in today's busy world, change your day so that it includes more of these elements, and the Core Four will fuel your leadership for the greater good of your communities.

Learn more from Andy Core at the Opening Session of MTA's 2014 Annual Educational Conference & Expo, which kicks off the Conference on Wednesday, Jan. 29, at the Grand Traverse Resort in Acme Township (Grand Traverse Co.). Core will share further insights on thriving in a high-demand world at a special breakout session, from 1 to 2:15 p.m. on Jan. 29. For more about the Conference, turn to pages 18-19, or visit [www.michigantownships.org/conference.asp](http://www.michigantownships.org/conference.asp).



**Pontem** SOFTWARE  
ALLIED SERVICE PROVIDER MTA

Flexible, Affordable, Easy-to-Use Software Solutions  
Backed by Unparalleled Customer Service and Support

**Fund Accounting**  
• General Ledger  
• Accounts Payable  
• Payroll  
• Cash Receipts/Management

**Cemetery Management**  
• Integrated GIS or Basic Mapping  
• Image/Document Management  
• Online Burial Search

**Property Tax**  
• Tax Administration  
• Tax Receipting  
• Patriot AssessPro  
• Online Property Tax Search Add-on

**AssessPro**  
Now Certified for Use in Michigan  
Offering a Powerful, Proven Full Cycle Software Solution for Property Tax Administration

Free Upgrades to Next Generation Products  
You'll Never Buy Software Again!

Discover the Difference Pontem Can Make!  
Call, Email or Ask for a Free Demo, Today!

(888) 742-2378 www.pontem.com sales@pontem.com

**2014 MTA Conference Sponsor**



# HARVEST THE K

Have a grand experience in Grand Traverse

Gain inspiration from the innovation of the Grand Traverse region at MTA's **61st Annual Educational Conference & Expo**, Jan. 28-31, 2014, at the **Grand Traverse Resort in Acme Township** near Traverse City. "**Harvest the Knowledge**" that can be gleaned from the foremost local government thought leaders and governance experts, as well as your fellow township officials!

You don't want to miss:

- **60-plus breakout sessions**, showing you how to successfully carry out your statutory duties and fulfill your role on the board.
- **Tuesday Track sessions**, including all-day sessions on township land use and managing meetings, and the MTA Auditor and Legal Institutes.
- **Evening networking events**, including the 2014 MTA Annual Banquet, "3-D" Welcoming Reception (*sponsored by Bendzinski & Co.*), Par-Plan "Beach Party" Fun Night (*sponsored by Michigan Township Participating Plan*), and Afterglow Gala (*sponsored by Burnham & Flower Insurance Group*).



**REGISTER TODAY!**

Download a registration brochure or register online at [www.michigantownships.org/conference.asp](http://www.michigantownships.org/conference.asp).  
Housing reservations are accepted at [www.grandconnection.com/mta2014](http://www.grandconnection.com/mta2014).

# 2014 Conference Sponsors

## Platinum



## Gold



## Silver



## Bronze



# KNOWLEDGE

## Head to Grand Traverse this January!

Network with friends and colleagues old and new, take part in **educational sessions** that will equip you with knowledge and know-how to better serve your community, meet with vendors at the **100-booth MTA Expo**, and save a little time for **evening entertainment and fun!**

## Take advantage of early-bird rates to SAVE \$\$\$!

Register by the **Dec. 18 early-bird deadline**, and save \$75 when registering for the full Conference!

# What's in your plan?

# Envisioning your township's future

A printout of the township parks and recreation department's strategic plan is never far from Vanessa Hardy's desk.

The parks and recreation director of **Comstock Charter Township** (Kalamazoo Co.) reaches for the document anytime a resident suggests a buying a piece of property, hosting a concert in a park or starting a children's nature program. A quick scan of the department's mission and goals will tell her if the suggestion is a good fit, or if it conflicts with the township board's vision. Hardy knows that without the strategic plan, she could become distracted by her department's day-to-day operations and lose sight of the big picture.

Since the 1990s, the township's parks and recreation department has relied on a five-year strategic plan to guide its priorities, decisions and projects. What started as a necessary stepping stone to applying for Michigan Department of Natural Resources (DNR) grants has become a vital tool used not just by Hardy, but also by members of the parks board.

Their painstaking planning has paid off with multiple grants, updated facilities and preparation for recreational trends, such as trails. They're not always able to meet every goal, but over the years, they've learned that isn't really the point.

"You'll never get to do everything," Hardy said. "Your plan is more of a direction. It helps me stay focused on our mission."

Comstock Charter Township isn't alone in its reliance on strategic planning. For decades, businesses, nonprofit organizations and local units of government have gathered demographic information and public input, set goals and created action plans to lead them into the coming years.

Townships that use this process decide for themselves what they want their future to look like. They take a hard, honest assessment of their current status, and how that compares to their ideal future. Then, they determine what they must do to realize change.

Strategic planning goes beyond simply creating a document that the township board must approve. It brings community leaders and residents together and ensures that each is on the same page. It guides township board members and officials to make decisions that are in line with the overarching mission and goals for the community.

Different approaches to this process may work for different townships. Some might choose to hire a consultant and spend several months gathering data and crafting a large document. Others may decide to complete the plan in-house, or to finish much of the planning during a short retreat. Your plan may cover the entire township, or just one department. What each plan will have in common is the goal of working toward a vision for the future.



## What is a strategic plan?

A strategic plan is essentially a guide to help your township reach its desired destination. It's a road map designed to lead your township to a place of change.

Since the 1960s, strategic planning has evolved into a long-term process used by both businesses and the public sector to guide them toward a clearly defined vision. Over the years, the focus has shifted to the process itself as units of government, nonprofit organizations and business leaders integrate strategy and long-term thinking into their everyday decisions.

Townships that create strategic plans take a step back from the day-to-day operations and scrutinize their current realities. They evaluate what the township is doing well, and where it needs improvement. They also look outside the township for positive opportunities—as well as upcoming challenges. These assessments are not accepted as facts that cannot be changed. A strategic plan allows the township to address problems and threats while enhancing its strengths.

Plans of this nature cover a span of several years and involve a great deal of time, information about the community and public involvement. They require elected and appointed officials to envision what they want their township to look like in the next 10 years or so. Multiple forums and meetings must be held to provide residents with an opportunity to voice their opinions and offer input into the direction of the township. Goals are set, and strategies are created to help meet those goals. And long after the strategic plan is in place, board members and department heads must constantly evaluate the township's progress, and whether any components of the plan should be changed.

A strategic plan is not simply a list of projects to be completed and checked off. It is a living document that, in reality, is never truly complete. It's not a magic fix that guarantees success. Rather, it is a tool to be used daily as a township moves into the future.



This continuing education article and accompanying self-assessment is worth 2.0 elective credits in MTA's Township Governance Academy (TGA). See page 27 for details.

### OBJECTIVES

- To understand the concepts and tools of the strategic planning process
- To learn why strategic planning is important to the township
- To recognize the importance of tracking and evaluating the strategic plan on an ongoing basis

### CORE COMPETENCIES

- Possess vision, especially relative to the township's needs or potential
- Utilize strategic planning to attain objectives



A strategic plan is a guide to help your township reach its desired destination. It's a road map designed to lead your township to a place of change.

## Why plan?

Many officials might say they already plan for their township's future. They use a master plan to make zoning decisions and carefully outline their finances in their annual budget.

**Mark St. Charles**, supervisor of **Green Oak Charter Township** (Livingston Co.), knew he and his board had a grasp of their township's big picture, but that picture was easily lost in the daily demands of running a local government.

Going through the strategic planning process gave him assurance that he and his board had the same priorities for the township. They knew they didn't have conflicting agendas and could work more efficiently to improve their community. "From time to time, you have to take a break from the day-to-day governance of the township, have a meeting, roll up your sleeves and talk about the bigger picture," St. Charles said.

Board members and officials who know what's important to their community aren't pressured to attempt to take on every project that comes across their desks. They know where the township is headed, and they have a plan to get there. Residents feel a sense of ownership as they are brought into the conversation of what the future should look like, and they become more active participants in bettering their community.

Townships that plan ahead are more likely to be proactive, rather than reactive. Their leaders are familiar with the community's current status, and they're aware of upcoming trends and changes that may pose a threat. Instead of addressing threats as they come, townships with strategic plans know far in advance how to use their strengths and positive opportunities to manage, or even avoid, potential problems. Their plan provides them with a framework and context that helps them make smart decisions that are in their township's best interest.

The cycle of continual planning can also help to keep townships from becoming stuck in a rut. Without evaluating

strengths, weaknesses and goals on a regular basis, local governments can become satisfied with the status quo, and eventually become stagnant. Strategic planning forces officials to think about the future, and it encourages them to brainstorm fresh ideas that reinvigorate their communities.

Deciding not to do a strategic plan may actually disqualify your township or department from grant opportunities. Many grants, such as some offered by the DNR, require strategic plans from applicants and have detailed guidelines for acceptable plans. The act of strategic planning could open up your township to more funding opportunities.

## Getting started

One person alone cannot create a strategic plan. Though the initial idea may start with one individual, it must spread to the rest of the township board to see movement.

A good first step is to take the idea to the entire board for discussion. Board members can then decide whether they want to move forward, and if they do, they should take formal action. Some boards may decide to form a strategic plan task force or committee, with a few members and even people from the community assigned to lead the project.

Townships that engage in strategic planning should map out a schedule and overview of what they want their process

Trusted professionals delivering  
America's infrastructure solutions

**ALLIED**  
SERVICE PROVIDER  
MTA

**WADETRIM**

Engineering | Landscape Architecture | Operations  
Planning | Sciences | Surveying

800.482.2864 | [www.wadetrim.com](http://www.wadetrim.com)



to include. For **Filer Charter Township** (Manistee Co.), hiring an outside consultant was the best option. Officials agreed that a professional could efficiently lead the board and residents through the process, and they applied for a grant with the help of the Manistee County Alliance for Economic Success. Once their grant was awarded, they hired a consulting firm to gather demographic information, organize public meetings and create a planning document.

Hiring a knowledgeable, skilled person allowed the township to finish its strategic plan much more quickly than it could have on its own, Zoning Administrator **Lynn Kooyers** said. The consultant directed them to use techniques and strategies that were proven to work in her previous experience. Using a consultant also allowed the township's small staff to avoid becoming bogged down and overworked with additional duties.

"It was very helpful for us to have someone who had been through this process before with different communities," Kooyers said. "I felt that the professional guidance was well worth the fee."

Another option for townships that would like professional help but aren't sure of the price tag is asking for help from a regional government association. Green Oak Charter Township Clerk **Michael Sedlak** reached out for help from the Southeast Michigan Council of Governments (SEMCOG), which allowed each board member to fully participate in the planning process without stepping back to act as a facilitator—and without paying a higher price. "We all felt strongly that I needed to be a participant and not a moderator," St. Charles said. "Having another facilitator allowed me to be an active participant, and not a moderator."

Townships should also map out the logistics before entrenching themselves in the process. Officials should determine who will lead the charge of tasks such as scheduling meetings and sending notices. Decide in advance if the township wants to target certain groups in the community for involvement, and how often they should be involved.

Officials should also pick a schedule that works best for their township. For example, Green Oak Charter Township chose to complete the bulk of its planning at a board retreat. Others, including Filer Charter Township and Comstock Charter Township, spread their meetings throughout the course of several months. (Remember, if the meetings include a quorum of the township board, they are subject to the Open Meetings Act, requiring proper notification and recordkeeping of action taken.)

Townships that don't use a consultant might benefit from seeking out other townships that have completed the process for advice on necessary legal steps. Other organizations, such as the DNR, might also require specific details that could help townships that are starting their first strategic plan.

## Going public

Another important decision to make is how your township will involve the public in creating the strategic plan. This part of the process could come in a variety of forms. Some townships, such as Green Oak Charter Township, get

an idea of what the public wants to see by conducting an in-depth survey. The feedback from the survey responses is then used by the strategic planning committee to determine priorities and values.

Filer Charter Township chose to conduct a series of focus group meetings, giving everyone who wanted to attend an ample opportunity. Invitations were mailed to key people from sectors such as business, industry and transportation, ensuring that the meetings would be well-attended. The board had identified priorities before gathering the focus groups, and each was printed on a large display board. Then, members of the public who attended the meetings were given pushpins that they used to mark the priorities most important to them. The priorities that received the most pushpins became the township's priorities.

"People appreciate being asked their opinion about where they live," Kooyers said. "Involving people early made a big difference. They took pride in the fact that they were included."

Comstock Charter Township's parks and recreation department tries to keep the public involved even before it's time to start a new strategic plan. In addition to a five-year survey and workshops, Parks and Recreation Board Chair **Linda Law** seeks public input at least once a year to stay in tune with the needs of the community. It's better to hear what the community has to say on an annual basis, not just every five years, she said.

## Cast the vision

Strategic planning is essentially a two-part process. Before you can develop a strategy for change, you need to know where you're headed. Creating a vision is a crucial first step in setting a direction for your township. Once you have completed this step, the rest of your strategic plan will address how your township can achieve the vision.

This is a time to gather a variety of people and perspectives. Your strategic planning committee could involve township leaders, and even residents and members of the business community, and ask them to think creatively about their community's future. Visioning is a chance to imagine what your township would be like in an ideal world.

The visioning process alone could take weeks, depending on the timeline and method your township has chosen. Some townships may choose to spread this part of strategic planning over multiple board meetings, or hold a special meeting dedicated to visioning. It could be done in community workshops, or in an informal setting among strategic plan committee members.

In Filer Charter Township, the hired consultant took a consensus of township planners before crafting a vision statement. Planners were given questions to consider in advance, then met to discuss their answers. Their thoughts were eventually turned into a one-page, detailed vision statement outlining ideal conditions for the township.

Other townships may find that their vision can be conveyed in a shorter statement. Comstock Charter Township's parks and recreation strategic plan is significantly

shorter, using a bulleted list describing what leaders want the department to be like.

Whatever the length, the vision statement should set the foundation for the strategic plan. It should be descriptive while instilling pride in residents and inspiring them to join in the effort of improving the community. At the same time, leaders should be able to measure their success and weigh decisions against the vision statement.

If your township already has a vision or mission statement, leaders should take a fresh look at it. Re-evaluate your statement based on current conditions and decide if it's still applicable. Chances are that it should at least be updated.

## You are here

Each set of driving directions includes two locations—a starting point and an ending destination. The vision statement sets the destination for a township, but leaders can't start developing strategies to reach that destination until they know their current location. To accomplish this, township officials should conduct an assessment of both their township's internal conditions and external factors that may have an impact. This is typically referred to as a SWOT analysis—strengths, weaknesses, opportunities and threats.

A township's internal scan can involve reviewing any piece of information that officials can get their hands on—Census data ([www.census.gov](http://www.census.gov)); information from MTA, such as salary studies ([www.michigantownships.org](http://www.michigantownships.org)), or from regional planning groups; facilities such as water, sewer, transportation and telecommunications; local employers and industries; and assets such as parks, natural resources and attractions. Future projections of population and economic changes may also play a role. The committee should consider which services the township performs well, and whether any need improvement. Public input could also be used at this point to get an accurate portrait of how residents perceive their community and if there are needs that are not being met.

Once the scan is complete, the committee should make a list of the township's strengths and weaknesses. Study the information that was gathered and determine whether these items should be considered positive or negative. For example, Green Oak Charter Township lists strong leadership and natural environment assets as strengths, while an outdated police station and a lack of community engagement are listed as weaknesses. Ask yourselves question after question to determine the root issue of problems in your community.

The township should also conduct an external scan of factors that may affect the community but are beyond the leaders' control. These could be industrial or recreational trends, the economic climate and other short- or long-term changes that could impact your township. Opportunities could mean people, organizations or facilities that are under-utilized assets. Your committee could also consider grant



**Different approaches to the strategic planning process may work for different townships. What each plan will have in common is the goal of working toward a vision for the future.**

funding opportunities from public and private sources of which the community hasn't taken advantage.

Once the scan is complete, list the opportunities and threats that your township faces. In Comstock Charter Township, the parks and recreation department listed an energetic community with an interest in pursuing improvements as an opportunity, while a challenging economy was considered a threat.

Your strategic planning committee will likely find that many of the issues identified in this exercise will fall into categories, such as infrastructure, transportation, public safety and economic development. Grouping similar issues into one category can help narrow your scope and determine the major priority areas for your township.

The analysis may result in more category areas than can possibly be addressed in the next five years. Committee members should rank the categories in order of importance and, if you have more than a handful, eliminate the least important items. The eliminated items can always be included in the next strategic plan if they don't make the cut this time.

## Goals and objectives

With the SWOT analysis complete, leaders should be able to see clearly how the township falls short of its vision and what needs to change. Your strategic planning committee should then turn the needed changes into general goal statements. A goal should not be mistaken for a project to be assigned. It is instead a realistic, achievable direction that will lead to change.

In Comstock Charter Township, the parks and recreation board had a vision for its parks to be considered valuable assets for relaxation, recreation and learning. However, a weakness identified in the SWOT analysis was a lack of funding in the department. The parks and recreation board combated this weakness by setting a goal of establishing

partnerships with businesses, other government entities, and local and regional parks and recreation programs and services.

By partnering with outside programs, the township is able to host summer day camps in its wooded areas, even though it doesn't have the capacity to provide the staff and programming. "We don't have the money for programming, but we have the space," Hardy said. "We're able to join with partners and host programs that we couldn't offer on our own."

Township goals should then be broken down into objectives, a word that is often used interchangeably with the word "goals" but is actually quite different. Where goals are more general, objectives are specific and include outcomes and dates. For example, Filer Charter Township set a goal of encouraging a healthy local economy through more development. An objective was then to expand its sewer system in order to accommodate that development.

### It's all about strategy

If the strategic planning process ended with setting goals and objectives, a township's plan would likely become a document of nice ideas that gathers dust on a shelf. Strategy is absolutely necessary to turn the township's vision into a reality. Your strategy should answer the question of *how* your township will reach its goals. It should translate into assignments and tasks that can be evaluated on an ongoing basis.

This process should start by answering a basic question—how do we meet this goal? The strategic planning committee

should spend time brainstorming strategies and thinking through all possible consequences of each one. Ask yourselves if the strategy addresses the root of the problem, or only an effect of the problem. Decide as a group which strategies will be the most effective, and include them in your plan.

These strategies are then broken down even further into a tactical plan. This is the nitty gritty of how your plan will be carried out in the township's daily operations. Your tactical plan is what turns your plan into action once it receives final approval by the township board. It should assign tasks to specific employees and community groups, and include deadlines to accomplish those tasks. Your tactical plan should have a metric so that it can be easily measured in the evaluation process. Give your tactical plan a timeline so that it doesn't stretch out indefinitely.

Green Oak Charter Township's board nailed down its strategies and tactical plan during its intensive retreat. Members divided into teams and volunteered to champion tasks such as revamping the township website, purchasing land for a new public safety facility and developing a piece of property into a new park. They assigned themselves deadlines and outlined measures for success.

Not only did this system provide the township with a plan of action, it also ensured that the tasks were spread among multiple people, and no one was left to carry the bulk of the weight. "Instead of one person trying to do everything, everybody divided up into teams," St. Charles said. "I can't



## OFFER YOUR EMPLOYEES AN ALL-AROUND GREAT BENEFIT.

With the MERS 457 Supplemental Retirement Program, your employees can have greater retirement security, with no cost to your township. That makes the MERS 457 Program a great way to offer or add benefits for your employees, without adding to your bottom line. That's called a win-win situation, there's no other way around it.

### THINK ABOUT TOMORROW TODAY

just call us at 800.767.2308,  
or visit [www.mers457.com](http://www.mers457.com).



# cover story

do everything, nor do I want to. It's nice to let somebody else handle it."

## Evaluating the process

With your plan complete and approved, it's easy to move on and forget about the goals and strategies that once energized and excited your township leaders. Frequent evaluation helps to ensure that your plan remains an integral part of your community's future.

Strategic planning experts recommend that the township board set aside time on a regular basis to check in with your strategic plan's progress. Your township could hold a town hall or strategy meeting every year, or even every six months, and invite the public to participate. Ask for a progress update at board meetings to keep the plan at the front of leaders' minds.

Board members should also monitor changes in the community that may affect your plan. Factors that you considered as you created your strategies may be different later, and you may choose to adjust your plan. For example, Comstock Charter Township's parks and recreation department had planned to create a dog park during their five-year planning cycle. Later, they learned that plans were already in the works for a dog park in a county park that is

inside their township. Law decided there was no need to duplicate the county's services, and that the township's focus would instead be to help enhance that service.

Your strategies shouldn't be considered a to-do list that will one day be complete. Township leaders should certainly keep plan deadlines in mind, and discuss what went wrong if a deadline is missed. However, this does not mean that your strategic plan was unsuccessful. Some goals that were set may be unrealistic. Others may take longer to reach than originally anticipated.

The goal of strategic planning is to help your township move toward a destination. It's not about the destination itself. The process will prove even more valuable to your township.



Bethany Mauger, MTA Staff Writer

## 2014 MTA Conference Sponsor



### The Law Firm for Townships

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



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

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



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



# Continuing Education Self-Assessment

Participants enrolled in the Township Governance Academy (TGA), MTA's credentialing program, may obtain 2.0 elective credits for successful completion of this quiz. (To receive credit, this quiz must be completed by December 1, 2017.) 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, "What's in your plan? Envisioning your township's future," beginning on page 20. 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, 512 Westshire Dr., Lansing, MI 48917. 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](mailto:tga@michigantownships.org), or visit [www.michigantownships.org/members/tga.asp](http://www.michigantownships.org/members/tga.asp) on the members-only section of MTA's website.

## TGA Continuing Education—December 2013 What's in your plan? Envisioning your township's future

NAME: \_\_\_\_\_ TOWNSHIP & COUNTY: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

- 1. According to the article, strategic planning has evolved into a:**
  - a. short-term process used by businesses and the public sector as a guide to a clearly defined vision
  - b. short-term process used by businesses and the public sector to focus in on the finished product
  - c. long-term process used by businesses and the public sector as a guide to a clearly defined vision
  - d. long-term process used by businesses and the public sector to focus in on the finished product
- 2. A strategic plan is:**
  - a. a list of projects to be completed and checked off
  - b. used daily as a township moves into the future
  - c. typically completed within 10 years
  - d. a tool that guarantees success
- 3. A good first step in strategic planning is:**
  - a. forming a task force or committee
  - b. taking the idea to the entire board for discussion
  - c. mapping out a schedule of what the public wants
  - d. conducting an in-depth survey
- 4. The vision statement:**
  - a. should set the foundation for the strategic plan
  - b. should be conveyed in a detailed statement outlining ideal conditions for the township
  - c. should be conveyed in a short statement, describing what leaders want
  - d. should be written by a hired consultant after consulting with township planners
- 5. What is the difference between a goal and an objective?**
  - a. A goal is specific; an objective is more general
  - b. An objective is specific; a goal is more general
  - c. A goal and objective mean the same thing
  - d. The board sets goals; the task force or committee sets objectives
- 6. The tactical plan:**
  - a. is continuous and ongoing
  - b. cannot be measured
  - c. is the evaluation process
  - d. assigns tasks and deadlines
- 7. Once your strategic plan is complete and approved:**
  - a. strategies should be considered a to-do list that will one day be complete
  - b. goals and strategies are quickly forgotten
  - c. frequent evaluation helps ensure it remains part of your township's future
  - d. changes in the township or region shouldn't impact the success of the plan
- 8. Which of the following statements is true:**
  - a. The strategic plan should cover no more than five years
  - b. The strategic plan must include a mission statement, goals, strategies and budget information
  - c. Hiring a consultant is critical to the success of the strategic plan
  - d. There is no single "right" way to develop a strategic plan
- 9. Townships with a strategic plan are more likely to:**
  - a. address threats as they come
  - b. be proactive rather than reactive
  - c. be unaware of upcoming trends that may pose a threat
  - d. recognize an opportunity to avoid litigation
- 10. The visioning process:**
  - a. should be set by residents and members of the business community
  - b. should be set by the strategic planning committee
  - c. should gather a variety of people and perspectives
  - d. should be set by the township board

## Still time to attend MTA's December *Policy Matters!* workshop

Every township should have written administrative policies and procedures. It's essential that township board members adopt policies that are mandated by law—but also those that simply make life easier—and adapt them for your township's specific circumstances. Join Catherine Mullhaupt, MTA's director of Member Information Services, for *Policy Matters! Using Board & Administrative Policies to Manage Your Township*, and learn what



makes administrative policies and procedures useful. Dates and locations for this full-day workshop are:

**Dec. 3: Treetops Resort, Gaylord**

**Dec. 4: Comfort Inn & Suites, Mt. Pleasant**

**Dec. 5: Ramada Inn, Lansing**

Space is still available—but hurry, time is running out! Visit [www.michigantownships.org/training.asp](http://www.michigantownships.org/training.asp) to register online or download a registration form.

## TGA candidates: Are you ready to graduate?



If you are a Township Governance Academy (TGA) candidate and think you'll have completed graduation requirements by the time MTA's 2014 Annual Educational Conference & Expo rolls around in January, here's a checklist to help you determine your TGA graduation status:

- Have you completed all of the coursework in the TGA curriculum (or will have following the conclusion of the TGA course, *Land Use: Defining Your Township's Future*, offered on Tuesday, Jan. 28 in **Acme Township**)?
- Have you turned in all of your Practical Application Commitment Forms? You should have completed (and submitted) the first part of the form after each class, and then forwarded the second part to MTA with the "summary of results" portion completed following your projected completion date.
- You need 18 electives credits to graduate. These can be obtained by attending MTA events or completing continuing education articles from *Township Focus*. (These articles are available on the members-only section of [www.michigantownships.org](http://www.michigantownships.org). Click on "Township Governance Academy" under the "Training" tab to access an archive of articles.)
- To apply for graduation at the MTA Conference, you must complete a Final Project Reporting Form and an Overall Tracking Form and send them to MTA by Dec. 31. While some of your graduation requirements may not be completed by this date, fill in the anticipated date of completion for those items.



Graduates will be recognized during the Conference's Opening Session on Wednesday, Jan. 29. A special luncheon for TGA graduates will follow the Opening Session, courtesy of ITC Holdings, Corp. Questions? Call (517) 321-6467, or email [tga@michigantownships.org](mailto:tga@michigantownships.org).

## Zoning Administration Services

from  **CARLISLE** | **WORTMAN**  
associates, inc.

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



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

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

**Contact Doug Lewan**

**734-662-2200 • [dlewan@cwaplan.com](mailto:dlewan@cwaplan.com)**



**LANDPLAN**  
INCORPORATED



**Rural Community  
Planning & Zoning Services**

**Mark A. Eidelson, AICP**  
President

517.347.2120  
fax: 517.347.2234

[landplanning@comcast.net](mailto:landplanning@comcast.net)

4211 Okemos Road, Suite 15  
Okemos, MI 48864

PO Box 1808  
Traverse City, MI 49685-1808

**[www.landplan-eidelson.com](http://www.landplan-eidelson.com)**

## TGA scholarships available

Whether you're already enrolled in MTA's Township Governance Academy, or it's something you or your fellow board members are considering, scholarships are available to assist with costs for this comprehensive credentialing program.

A limited number of scholarships, up to \$1,000 each, are available to assist elected officials from MTA-member townships that may not be in a financial position to provide the funding necessary for completion of the program. Applications are due March 1.

MTA is grateful for the support of our main sponsor—BS&A Software—along with our supporting sponsors—Burnham & Flower Insurance Group, Foresight Group and ITC Holdings, Corp.—for funding the scholarship program.

Download the scholarship application at [www.michigan-townships.org](http://www.michigan-townships.org) (click on "Township Governance Academy" under the "Training" tab on the members-only section), or call the MTA Education Center at (517) 321-6467 to have the appropriate paperwork sent to you.



Learn more about TGA at "How to Earn Your TGA Credential," a free session held Jan. 28 at MTA's Annual Educational Conference & Expo. Turn to pages 18-19 for more on the Conference.



[www.manniksmithgroup.com](http://www.manniksmithgroup.com)

- Municipal Engineering ●
- Parks & Cemeteries ●
- Grant Assistance/Procurement ●
- Water & Wastewater Design ●
- Construction Management ●
- Landscape Architecture & Sustainability ●
- Transportation Planning ●
- Archeological & Historical Services ●
- Wetland Studies & Mitigation ●

Monroe  
734.289.2200

Canton  
734.397.3100

Lansing  
517.316.9232

Detroit  
313.961.9500

Traverse City  
231.929.7330



# BUILDING COMMUNITIES.



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

[www.Wightman-Assoc.com](http://www.Wightman-Assoc.com)



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

Benton Harbor  
269-927-0100

Portage  
269-327-3532

Allegan  
269-673-8465

# MTA Institutes offer education for today's municipal auditors and attorneys

## Auditor Institute



Township auditors and financial officers alike will benefit from the 2014 MTA Auditor Institute, which provides an overview of current financial issues affecting Michigan townships.

Held Tuesday, Jan. 28 from 9 a.m. to 5 p.m. at the Grand Traverse Resort, the Institute is offered in conjunction with MTA's 61st Annual Educational Conference & Expo. Upon arrival, go to the Michigan Ballroom on the Lobby Level to check in.

Earn eight hours of Accounting & Auditing CPE credit by attending this year's Institute, which includes sessions on reporting entity changes (GASB 61), deferred inflows/outflows (GASB 65) and future GASB statements. Delve into the aftermath of group audit standards and using specialists under new clarity standards. Learn more about controls over electronic fund transfers and other tools to help your townships protect funds.

*Moderator:* Joe Heffernan, CPA, Audit Partner, Plante & Moran, PLLC

## Legal Institute



Connect with fellow attorneys from throughout the state at MTA's 2014 Legal Institute for Township Attorneys and discuss recent statutory changes, court and attorney general opinions, and other trends affecting township government.

Held Tuesday, Jan. 28 from 9:30 a.m. to 4:30 p.m. at the Grand Traverse Resort, the Institute is offered in conjunction with MTA's 61st Annual Educational Conference & Expo. Upon arrival, go to the Michigan Ballroom on the Lobby Level to check in.

Your attendance keeps you on the cutting edge of legal news and changes that impact local government. Hot topics on the agenda include new challenges in employment law and funding capital improvements. Get informative updates on changes to zoning law, along with updates on the Freedom of Information and Open Meeting Acts.

*Moderator:* Kenneth Sparks, MTA Legal Counsel, Bauckham, Sparks, Lohrstorfer, Thall & Seeber, P.C.

### Cancellations and Substitutions

Written requests received by Dec. 18, 2013, will be refunded the registration fee less a \$25 processing fee; requests made between Dec. 18, 2013, and Jan. 8, 2014, will be refunded half of the registration fee. No refunds will be issued thereafter or for no-shows. Substitutions may be made for a \$10 processing fee.

## Registration Form

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

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

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

Firm Name \_\_\_\_\_

Mailing Address (street, city, zip) \_\_\_\_\_

Township(s) Represented (include county) \_\_\_\_\_

Telephone (include area code) \_\_\_\_\_

Email Address (where confirmation is sent if registered by Jan. 8.) \_\_\_\_\_

I would like to attend the:  Auditor Institute  
 Legal Institute

# of Attendees	Registration Rate	Total
_____	<b>EARLY-BIRD rate:</b> \$199/attendee <i>For paid registrations received by Dec. 18, 2013.</i>	_____
_____	<b>REGULAR rate:</b> \$224/attendee <i>For paid registrations received from Dec. 19, 2013, to Jan. 8, 2014.</i>	_____
_____	<b>ON-SITE rate:</b> \$274/attendee <i>For paid registrations received after Jan. 8, 2014.</i>	_____

**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 _____



# upcoming MTA workshop

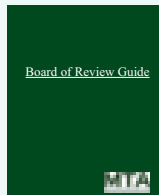
## REGISTRATION INFORMATION

### 2014 Board of Review Training

To assist board of review members, alternates, township supervisors and assessors in preparing for 2014 board of review sessions, MTA is conducting half-day *Board of Review Training* at 12 locations throughout the state.

Concurrent sessions offered at each location allow participants to choose the appropriate level and topics of interest. The advanced session is geared to experienced board of review members, while the basic session acquaints newer board of review members with their statutory duties and requirements. A light lunch is included. Dates and locations are:

- Feb. 4** Holiday Inn Near U of M, Ann Arbor
- Feb. 5** Bavarian Inn Lodge, Frankenmuth
- Feb. 6** Ramada Inn, Lansing
- Feb. 11** Franklin Square Inn, Houghton
- Feb. 12** Bay College, Escanaba
- Feb. 13** Little Bear East Arena, St. Ignace
- Feb. 18** Van Buren ISD Conference Center, Lawrence
- Feb. 19** Hilton Airport, Grand Rapids
- Feb. 20** McGuire's Resort, Cadillac
- Feb. 25** Sanctuary Inn (formerly the Holiday Inn), Alpena
- Feb. 26** Treetops Resort, Gaylord
- Feb. 27** Comfort Inn & Suites, Mt. Pleasant



SPECIAL DISCOUNT:

Members may purchase a 2014 edition of MTA's comprehensive and updated *Board of Review Guide*, at a discounted rate of \$31.50, when registering for the class. The books will be distributed at check-in.

Registration check-in and a light lunch begin at noon. Sessions are from 12:30 to 4:30 p.m.

**Instructors:**

- Cindy Davis, MTA Member Information Specialist & MCAO
- Barbara Van Gelderen, Supervisor/Assessor, Manlius Township (Allegan Co.) & MAAO (3)

**Cancellation, Substitution & Switching Policy**

Written cancellation requests received at the MTA office at least two weeks prior to the event date will receive a full refund. No refunds will be issued thereafter. You may switch workshop locations at no charge if you notify MTA of the change at least one week prior to the workshop; otherwise, a \$25/person fee will be assessed. You may substitute another individual for your registration at any time without incurring a charge; please notify MTA of the change.

## Registration Form

Please indicate which session EACH person will attend AND whether a book is desired.

TOWNSHIP	COUNTY
NAME & TITLE	Attending: <input type="checkbox"/> Advanced <input type="checkbox"/> Basic <span style="margin-left: 20px;">Need a book? <input type="checkbox"/> Yes <input type="checkbox"/> No</span>
NAME & TITLE	Attending: <input type="checkbox"/> Advanced <input type="checkbox"/> Basic <span style="margin-left: 20px;">Need a book? <input type="checkbox"/> Yes <input type="checkbox"/> No</span>
NAME & TITLE	Attending: <input type="checkbox"/> Advanced <input type="checkbox"/> Basic <span style="margin-left: 20px;">Need a book? <input type="checkbox"/> Yes <input type="checkbox"/> No</span>
NAME & TITLE	Attending: <input type="checkbox"/> Advanced <input type="checkbox"/> Basic <span style="margin-left: 20px;">Need a book? <input type="checkbox"/> Yes <input type="checkbox"/> No</span>
TELEPHONE	EMAIL ADDRESS (where confirmation will be sent)

**Which location will you attend?**

- Feb. 4: Ann Arbor
- Feb. 5: Frankenmuth
- Feb. 6: Lansing
- Feb. 11: Houghton
- Feb. 12: Escanaba
- Feb. 13: St. Ignace
- Feb. 18: Lawrence
- Feb. 19: Grand Rapids
- Feb. 20: Cadillac
- Feb. 25: Alpena
- Feb. 26: Gaylord
- Feb. 27: Mt. Pleasant

**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

**REGULAR** rate\*: \$99 For paid registrations received after Jan. 15.

**DISCOUNTED** rate\*: \$79 For paid registrations received by Jan. 15.

\_\_\_\_\_ (# registered) x \$ \_\_\_\_\_ (rate) = \$ \_\_\_\_\_

\_\_\_\_\_ (# of books) x \$31.50/book\* = \$ \_\_\_\_\_

**AMOUNT ENCLOSED = \$ \_\_\_\_\_**

\*Rate applies to MTA members



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](http://www.michigantownships.org). Questions? Call (517) 321-6467.



# Join the parade

**T**his year, **Elmwood Charter Township** (Leelanau Co.) is celebrating its 150th anniversary. The township's official sesquicentennial is Dec. 21, 2013, and the township has been planning a series of celebratory events that will run through the summer of 2014. Part of that celebration is a community-wide design contest for an official township flag.

After witnessing the Township Parade of Flags several years ago at MTA's Annual Educational Conference & Expo in Detroit, Supervisor **Jack Kelly** knew that he wanted his township to be able to participate in the annual township pageantry. The township's sesquicentennial seemed to be the perfect time to make that happen.

In addition, Kelly learned that in 2014, MTA was bringing its annual conference practically to Elmwood Township's backyard—to the Grand Traverse Resort in **Acme Township** (Grand Traverse Co.)—and he set his plan into action.

"With it being our township's 150th anniversary this year, and the MTA Conference coming up north for the first time ever, it just seemed like the ideal opportunity," Kelly said.

The township put out a call among the community for flag design entries. Kelly also reached out to school officials at the Pathfinder School in the township, and hopes that students at the pre-kindergarten through eighth grade academy will submit entries as well.

Flag designs from the community are due to the township by Dec. 15, and Kelly hopes the township will have its flag in time to participate in the 2014 Township Parade of Flags.

Does your township have its own flag? Why not bring it to MTA's Annual Conference & Expo, being held Jan. 28-31, and take part in what many attendees call "the most inspirational part of Conference!" A registration form is on page. 33.

Don't have a flag? Here are some tips to get you started.

**What size should the flag be?**

The standard flag size is 3 feet-by-5 feet. However, some townships have banners that work well.

**What should be on the flag?**

Township flag designs cover a wide range of subjects. Michigan townships have designed flags with township logos, farms, sheep, bears, Great Lakes freighters and even buzz-saw blades. The flags commonly include the township name, its incorporation date, and a motto or the county name. Choose a design that represents what is unique or outstanding about your township.

You may consider holding a flag design contest for local schoolchildren, as many townships—like Elmwood Charter Township—have done. You may wish to limit the number of colors allowed in the contest. Oftentimes, the more colors in a design, the more expensive the flag may be to produce.

**What’s the best way to make a flag?**

There’s no one right way to make your flag. Is someone in your township talented in sewing or another craft? Some townships have produced hand-sewn or hand-painted flags. In some cases, townships produce their first flag by hand and then have additional flags made commercially, particularly for outdoor use.

There are two common commercial methods for making flags: appliquéd and screen-printed. Appliquéd flags are sewn

together and may include embroidery. Screen-printed flags are printed with inks or dyes. The method you choose may depend on how many flags you plan to make, whether the flag will be used indoors or outdoors, and how complex the design is. If you want a single flag for use in the township hall and the Parade of Flags, an appliquéd flag may be the best choice. If your township wants several flags to use indoors and outdoors, screen-printing may be more economical.

**How long does it take to make a flag?**

The production method you choose and the complexity of your flag’s design will dictate the amount of time needed to produce a flag. On average, you should allow at least one month for the actual production.

**What’s the average cost of a flag?**

The price of a custom flag varies according to the production method, the design complexity and the number of flags you order. The township may wish to ask several flag companies for an estimate, based on your design. Flag accessories often come in sets that include a flag pole, base, tassel and an eagle or other finial for the top of the pole.

*For more information on MTA’s Parade of Flags, contact MTA Knowledge Center Communications Director Jenn Fiedler at (517) 321-6467 or email [jenn@michigantownships.org](mailto:jenn@michigantownships.org).*

Register today!



**The Township Parade of Flags will kick off MTA’s 2014 Annual Conference’s Opening Session on Wednesday, Jan. 29.**

Register today to take part in the Parade—what some attendees call “the most inspirational part of the Conference!” To register, fax this form to (517) 321-8908, or email [jenn@michigantownships.org](mailto:jenn@michigantownships.org) by Jan. 10, 2014. Information and instructions will be emailed (or mailed, if so specified) to all Parade participants prior to Conference.

Township/County \_\_\_\_\_  
Contact Person \_\_\_\_\_ Title \_\_\_\_\_  
Township Address \_\_\_\_\_  
Email Address \_\_\_\_\_

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

**Questions?** Call Jenn Fiedler at (517) 321-6467 or email [jenn@michigantownships.org](mailto:jenn@michigantownships.org).



## Court rules volunteer firefighters are employees

The U.S. 6th Circuit Court of Appeals ruled in August that volunteer firefighters who are paid substantial wages—not nominal fees—are employees, not volunteers, for purposes of the Fair Labor Standards Act (FLSA) and Family Medical Leave Act (FMLA). In this case, the city paid an hourly wage for responding to calls that equaled the hourly wage paid by neighboring departments to full-time firefighters. In a 2-1 decision in *Paul Mendel v City of Gibraltar*, the court reversed the district court's summary judgment for the city and remanded the matter for further proceedings.

According to the court, “Specifically, the question before us is whether the wages paid to the firefighters constitute ‘compensation’ or merely a ‘nominal fee.’ If the hourly wages are compensation, then the firefighters are employees under the FLSA. Conversely, if the wages are merely a nominal fee, then the firefighters are volunteers expressly excluded from the FLSA’s definition of employee.”... “The regulations define ‘volunteer’ as [a]n individual who performs hours of service for a public agency for civic, charitable, or humanitarian reasons, without promise, expectation or receipt of compensation for services rendered.” 29 C.F.R. § 553.101(a); see also 29 C.F.R. § 553.104(a) (employing similar language). The regulations proceed to recognize, “Volunteers may be paid expenses, reasonable benefits, a nominal fee, or any combination thereof, for their service without losing their status as volunteers.” 29 C.F.R. § 553.106(a). The specific provision addressing nominal fees provides, in part, “A nominal fee is not a substitute for compensation and must not be tied to productivity. However, this does not preclude the payment of a nominal amount on a ‘per call’ or similar basis to volunteer firefighters.” 29 C.F.R. § 553.106(e). Finally, the regulations caution, “Whether the furnishing of expenses, benefits, or fees would result in individuals’ losing their status as volunteers under the FLSA

can only be determined by examining the total amount of payments made (expenses, benefits, fees) in the context of the economic realities of the particular situation.” 29 C.F.R. § 553.106(f).

Applying the economic realities test, the court held “that the hourly wages paid to the Gibraltar firefighters are not nominal fees, but are compensation under the FLSA. The firefighters do not receive ‘a nominal amount on a ‘per call’ or similar basis.’ Rather, they render services with the promise, expectation, and receipt of substantial compensation. Each time a firefighter responds to a call, he knows he will receive compensation at a particular hourly rate—which happens to be substantially similar to the hourly rates paid to full-time employed firefighters in some of the neighboring areas. Essentially, the Gibraltar firefighters are paid a regular wage for whatever time they choose to spend responding to calls. These substantial hourly wages simply do not qualify as nominal fees”

The court referenced *Purdham v. Fairfax Cnty. Sch. Bd.*, 637 F.3d 421, 433–34 (4th Cir.2011), which held that “a School Board’s payment of a fixed stipend to a golf coach was a nominal fee where: (1) the stipend amount did not change based on either how much time and effort the coach expended on coaching activities or how successful the team was; and (2) the approximate hourly rate to which the coach’s stipend could be converted was only a fraction (less than ¼) of the hourly wage he received as a full-time security assistant employed by the School Board.”

## Liquor Control Code does not preempt zoning ordinance regulations

*Maple BPA, Inc. v. Charter Township of Bloomfield*, \_\_\_ Mich. App. \_\_\_, Decided Aug. 6, 2013, Approved for publication Sept. 19, 2013—After the Michigan Liquor Control Commission (LCC) denied Maple BPA’s application for a liquor license on the basis that it did not comply with

Bloomfield Township's zoning ordinance, Maple BPA sought a declaratory judgment that the ordinance was unconstitutional. But the court concluded that "state law does not preempt the field of liquor control regulation." The court held that Bloomfield Township's ordinance was not arbitrary and capricious, that it was uniform under the Michigan Zoning Enabling Act, and that it is constitutional.

Maple BPA operated a convenience store with gas pumps, and it applied to the LCC for a specially designated merchant license to allow it to offer retail sale of beer and wine for off-premises consumption. Under the Liquor Control Code, the LCC cannot prohibit an applicant for a specially designated merchant license from owning fuel pumps if the pumps are at least 50 feet from where customers would purchase alcohol. The township's zoning ordinance permits retail package outlets that may sell packaged alcohol.

But as part of the license application, the township passed a resolution that it did not want to allow "gas stations to sell beer and wine" and that Maple BPA's registers were too close to where customers dispensed fuel. The township also determined that Maple BPA would not comply with the township's zoning provisions requiring at least 2,640 feet between all retail package outlets.

The LCC denied Maple BPA's application on Nov. 3, 2008, finding that Maple BPA did not comply with the township's zoning ordinance.

The township subsequently amended the zoning ordinance to remove the spacing requirement for retail

package outlets and ban the sale of all alcoholic beverages at gasoline service stations.

The court upheld the township zoning ordinance. Among other things, the Court reiterated its conclusion in *Jott, Inc. v Clinton Charter Township*, 224 Mich. App. 513, (1997), "that the Legislature did not intend to preempt the field of liquor control. We reasoned that 'it has long been recognized that local communities possess 'extremely broad' powers to regulate alcoholic beverage traffic within their bounds through the exercise of general police powers, subject to the authority of the [Commission] when a conflict arises.' In the context of that zoning regulation, we noted that the Commission explicitly recognized local authority in the area prohibited by the local regulation, which supported our conclusion that the Legislature did not intend preemption in that context."

The court concluded that the LCC's decision to recognize local zoning authority indicates "that the Legislature did not intend to preempt every local zoning statute that concerns alcoholic beverage sales."



**Catherine Mullhaupt,**

MTA Director of Member Information Services

## Legal counsel that helps local governments work effectively.



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

For more information on how our Local Government Law team can assist your community, visit [mmbjlaw.com](http://mmbjlaw.com).

**Mika Meyers**  
Beckett & Jones PLC

900 Monroe Ave NW Grand Rapids, MI 49503  
[mmbjlaw.com](http://mmbjlaw.com) 616-632-8000



# aroundthe**state**

townships in the spotlight



## Genoa Charter Township

**G**enoa Charter Township is located in south central Michigan in Livingston County between the cities of Brighton and Howell. The Grand River Avenue corridor and I-96 provide direct access to the township's business district and residential community. The community is centrally and strategically located within 45 miles of Detroit, Lansing, Ann Arbor and Flint. Lakes and wetlands, rolling hills and meadows, state parks and wildlife abound in the beautiful country classic community with executive living. The township was once home to farms and lake cottages. Over the past 25 years, its population has doubled. Residents who once owned small summer cottages on one of the area's many lakes now call Genoa Charter Township their permanent home. The unique architecture of the community spans many decades. Whether it is the Italianate Cube, the Greek Revival or the Country Cottage—you will find it here. Oak Pointe, Chilson Hills, North Shore and Pine Creek are residential developments with a variety of designs and price ranges in homes that meet most every dream.

Recreation abounds in the 36 square miles of opportunity. Golfers can choose from both private and public golf courses to improve their game. Mount Brighton/Vail is a major recreational destination for skiing and golf. Swimming, fishing, camping, hunting, horseback riding, ice skating and cross country skiing are just some of the many activities available to residents in the nearby Brighton State Recreation



Area. Bike and walking paths are being expanded and constructed each year, allowing pedestrian traffic along the main roads.

The downtown districts of Howell and Brighton with their unique shops and many restaurants are just minutes away. Shopping is just around the corner at Grand River and Latson Roads. Cleary University offers an attractive array of courses at its Genoa Township campus. Brighton, Howell, Hartland and Pinckney School Districts are all located within the township boundary and offer classes from Eastern, Washtenaw and Lansing Community Colleges.

The Woodland Saint Joseph Mercy Health Center opened its doors in 2001 and recently, WellBridge, an assisted living facility, began operation. The township is just completing a master plan that will allow for a "campus district" south of Grand River Avenue off Latson Road. The township encourages development within the boundaries of its zoning ordinance that provides for rural traditional to edgy urban development. The new Genoa Park located on the site of the township hall includes two regulation soccer fields, playground equipment for toddlers to middle school-aged children as well as a sled hill, water misting feature and picnic table pavilion, along with a walking path that descends to a small pond near the new fire station.

Today, local officials think that the township has it all—the deer have come back and people are living in a community that cares about retaining the rural and naturally spectacular community.

—Submitted by Polly Skolarus



*keep growing*

with

**MTA**

MICHIGAN TOWNSHIPS ASSOCIATION

MTA works hard to make it easy for YOU to be the best township official you can be! Your community deserves no less, and MTA has the tools and learning opportunities to help YOU deliver your very best to those who have put their trust in you!

Educational opportunities include ...

Annual Educational Conference & Trade Expo

Board of Review Training

MTA On the Road regional meetings

Professional Development Retreats

Township Governance Academy

Seminars on timely township topics

eLearning Library

—*and more!*

*Plus ... invaluable resources at YOUR fingertips!*

Legislative efforts on behalf of YOUR township

MTA Member Information Services  
*just a phone call away*

Publications geared to YOUR role in the township

Online toolkits and information on township topics exclusively for MTA-member township officials

—*and more!*

[WWW.MICHIGANTOWNSHIPS.ORG](http://WWW.MICHIGANTOWNSHIPS.ORG)

Ph: 517.321.6467 • Fax: 517.321.8908



# Grant Awards

## Only from the Par Plan

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



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

THE MICHIGAN TOWNSHIP PARTICIPATING PLAN

