

Cover Story



Partnering for parks: Cooperative options for providing recreation services

In last month's Michigan Township News, we focused on how local governments within Michigan are working across jurisdictional boundaries to share and cooperate in providing services to residents. We also emphasized how inter-jurisdictional, community-wide planning can build local economies and organize physical amenities, a process often referred to as placemaking.

*Some of the most essential components of place for many Michigan communities are their parks and recreation programs—places like **Lake Township** Park in Benzie County, where thousands of visitors come each year to swim at the mouth of the Platte River, and **Robinson Township** (Ottawa Co.), where residents participate in over 100 different types of recreation programs from tennis, basketball and soccer to cartooning and a mother/daughter tea party.*

Whether your township is part of a large rural agricultural region or part of a major metropolitan area, parks and recreation are an essential part of the community. This article will focus on ways in which local municipalities can work together to provide maintenance and financing for community parks and recreation services.

IMPROVING QUALITY OF LIFE

Local governments are responsible for providing many of the essential public services needed for the everyday functioning of a community. In many communities, police and fire protection, snow-plowing and road maintenance, and sewer and water are considered necessary government services. Local governments also arrange for a number of non-essential public services that contribute to the sense of place and to the overall quality of life in a community. High-speed Internet zones, community festivals, public libraries, and parks and recreation programs are a few of the non-essential services that many citizens desire. The level and quality of these services can heavily influence whether people choose to live in a particular community.

To provide for adequate levels of essential and non-essential services, local governments must invest in both infrastructure and personnel. However, local governments throughout Michigan are encountering unprecedented financial constraints. Squeezed between falling revenues and increasing costs, local governments have few options: either cut services or raise revenues, or find a combination of the two.

In some cases, however, there may be other alternatives. Local governments may be able to save costs through the sharing of services, consolidation of government services, or both. This approach may be the key to maintaining a community's parks, trail systems and recreation services.

The social, environmental, economic and physical benefits of community park and recreation services are well-documented. In past years, local governments have used a number of strategies to provide for and fund community park and recreation services, including contracting with the private sector, applying for local, state and federal grants, and mobilizing community volunteers. Due to the troubled economy, municipalities are working across jurisdictional boundaries to continue to offer local parks and recreation. This approach was further supported by the Department of Natural Resources *Five-Year State Comprehensive Outdoor Recreation Plan*, which covers 2008-2012. Referencing a survey of recreational professionals, the plan indicates that the most important efforts local jurisdictions must pursue are increased funding and inter-jurisdictional cooperation and collaboration.

In many instances, cooperation in providing community-wide parks and recreation is easier than other forms of inter-jurisdictional cooperation. Parks and recreation facilities tend to serve people across large geographical areas and contribute to the community's overall sense of place. In many cases, recreation infrastructure extends well beyond municipal boundaries, especially for trail systems that often traverse multiple jurisdictions. As a result, cooperation may be a simple necessity.

Some local government may be reluctant to give up complete autonomy in the management and development of parks and recreation facilities. For example, some local leaders may feel special ownership of the parks that their governments have invested in. Such feelings can make it difficult to discuss shared control or joint operation options. Either way, inter-jurisdictional cooperation isn't always easy.

PARKS AND RECREATION IN THE NEW ECONOMY

Parks, recreation facilities and recreational programming contribute greatly to a community's sense of place. In some instances, parks become part of the iconic symbols that define a community and shape its identity. For example, the "bean" in Millennium Park is as much a symbol for the City of Chicago as the Hancock Building, Michigan Avenue or the Lake Michigan shoreline. In New York, Central Park is as identifiable as the Empire State Building or Times Square.

According to a recent report from the Trust for Public Lands, Central Park was visited by approximately 25 million people in 2010. In Chicago, it is estimated that Millennium Park is visited by over 2.5 million people each year. A 2005 study designed to examine the potential economic impacts of Millennium Park for Chicago predicted that visitor spending over the next 10 years will range from \$1.9 billion and \$2.6 billion.

In Michigan's Upper Peninsula, local jurisdictions are working to establish recreation facilities that attract tourists and young professionals and connect with the region's unique cultural heritage. Several local governments in the Marquette Region (four townships and three cities) are building a 48-mile recreational trail that will connect people to historic landmarks, museums, mines and historic downtowns as a multi-jurisdictional placemaking and economic development effort.



Communities realizing the economic benefits of recreation

Local officials across the country are realizing how much parks and recreation contribute to the overall quality of life and economic vitality of their community. In some instances, the lack of quality park facilities may even limit future economic development opportunities. The following excerpt from author Peter Harnik's *Urban Green: Innovative Parks for Resurgent Cities* describes how one such city has taken extraordinary steps to create a parks system designed to establish sense of place and attract future investment.

In the mid-1990s, for internal business reasons, the Boeing Corporation decided to move its headquarters and 500 of its top staff from Washington State to a more geographically central location. After exhausting analysis and negotiations, the choice was narrowed to the cities of Denver, Chicago and Dallas. In 2001, Boeing chose Chicago. Among other reasons, the company believed that Chicago offered its executives a higher quality of life. Besides world-class music, art, theater and food, of course, Chicago had been greening its lakefront for well over a century and had been building neighborhood parks and field houses throughout the city for decades.

The bad news hit Dallas like a bomb shell. Park advocates, who had been complaining unsuccessfully about the quantity and quality of the city's downtown parks and about the lack of park spending, spun into action. They pressed the city's corporate and political leadership about the economic necessity of a serious investment in parks. The parks department, which for years had been squeezed, was suddenly given a generous budget for an ambitious "Renaissance Plan." Four years later, a referendum on a huge park bond was held, and it overwhelmingly passed. The result was an infusion of \$45 million for land acquisition (along with \$55 million for a multitude of improvements to existing parks).

LEGAL TOOLS AND LEVELS OF COOPERATION

State enabling legislation (*see chart below*) has allowed local governments in Michigan to work across jurisdictional boundaries to provide for and finance a wide range of park and recreation services for many years. For example, more than 70 years ago, the state Legislature established the Huron-Clinton Metropolitan Authority (Public Act 147 of 1939) specifically to create and fund a regional park district in Wayne, Oakland, Macomb, Washtenaw and Livingston Counties.

There are numerous ways in which local governments can work together across jurisdictional boundaries to provide for park and recreation services. On one end of the spectrum, using the simplest form of cooperation, two or more local governments can develop and adopt a joint recreation plan for an entire community. At the other end of the spectrum, two or more local governments can establish a recreation authority, seek a millage, and oversee the development and operation of municipal recreation facilities. The unique provisions of various state statutes allow local governments to establish a cooperative arrangement that best fits the specific needs and desires of their community.

Basic Cooperation

Joint recreation plan—Two or more local governments can develop and adopt a joint recreation plan for the entire community. This form of cooperation may be best suited for smaller communities in which there are only a handful of parks and recreation services and where future development priorities and goals are narrowly defined. Once the plan is adopted by each jurisdiction, local officials can work together

to coordinate funding (including applying for grants), oversee park development and manage resources. If needed, the local governments could also establish an informal joint recreation committee to help plan for and guide these administrative efforts.

The Fife Lake community offers a useful example of basic cooperation for joint recreation planning. In 2010, **Fife Lake Township** (Grand Traverse Co.) and the Village of Fife Lake adopted a joint recreation plan. The plan outlines a series of improvements to park facilities within the village and future efforts to develop a non-motorized pathway that would traverse around the lake through both the village and township. Local leaders are currently working with regional trail experts to determine a preferred route for the pathway and explore links to other trail systems within the region.

Urban Cooperation Act: PA 7 of 1967 (MCL 124.501-124.512)—The Urban Cooperation Act permits two or more “public agencies” (township, county, city, village or school district) to jointly provide for parks and recreation services. Under the act, the joint exercise of power is established through an inter-local agreement, which may provide for the purpose, function, organization, allocation of resources and other specific provisions of the arrangement. Under the act, local governments can also share tax revenue to provide for park facilities and recreation services.

The mission of the new multi-jurisdictional collaborative should be clearly outlined within the inter-local agreement. Due to the flexibility of the act, the mission may be quite broad or very narrowly focused. For example, **DeWitt Charter**

Michigan enabling legislation for providing public recreation and parks—jointly

Act	Title	Government Units Covered	Governing Body Established by the Act
PA 157 of 1905	Township Parks and Places of Recreation	Townships	Township Park Commission or Board of Commissioners ¹
PA 90 of 1913	Parks, Zoological Gardens and Airports	Counties	County Park Trustees
PA 156 of 1917	Recreation and Playgrounds	Cities, Villages, Townships, Counties and School Districts	Recreation Board
PA 312 of 1929	Metropolitan District Act	Cities, Villages, Townships, and Parts Thereof	Charter Commission
PA 261 of 1965	County and Regional Parks	Counties	Parks and Recreation Commission ²
PA 292 of 1989	Metropolitan Councils Act	Cities, Counties, Villages and Townships ³	Metropolitan Area Council
PA 451 of 1994, Part 721	Michigan Trailways	Federal Government, Counties, Cities, Villages and Townships	Michigan Trailway Management Council ⁴
PA 321 of 2000	Recreational Authorities Act	Cities, Counties, Villages, Townships and Districts	Board of Directors

¹ Formed when two or more townships hold land jointly; it is made up of the supervisor or designee from each township

² To oversee a regional park

³ With a metropolitan area

⁴ Councils are formed pursuant to the Urban Cooperation Act (PA 7 of 1967)

This chart is adapted from Appendix A of the Department of Natural Resources Guidelines for the Development of Community Park, Recreation, Open Space and Greenway Plans.

Township (Clinton Co.) and the City of DeWitt utilized the Urban Cooperation Act to establish the DeWitt Area Recreation Authority for the sole purpose of providing for quality recreation programming. Under the agreement, the two participating jurisdictions still own and operate their own parks and recreation facilities.

According to Clay Summers, executive director of the DeWitt Area Recreation Authority, “Even though we work closely with the participating jurisdictions to help oversee the use and maintenance of their existing sports fields, the inter-local agreement has allowed us to really focus on providing quality programs for our residents, which is our strength.”

In 2004, **Vergennes** and **Lowell Charter Townships** (Kent Co.) and the City of Lowell used the Urban Cooperation Act to establish the Lowell Area Recreation Authority. The authority is charged with developing a new non-motorized trailway that connects all three municipalities. Under the inter-local agreement, the authority can purchase and acquire property, build and operate trails, hire employees, and seek and accept funding (including private donations and grants). The authority is directed by a seven-member board consisting of officials from each township board, the city council and area residents.

Last year, the authority announced that it had achieved its fundraising goal of nearly \$1.1 million for the construction of a new trail. Construction of the new trail was set to begin this spring.

Advanced Cooperation

Recreation and Playgrounds Act: PA 156 of 1917 (MCL 123.51-123.54)—The Recreation and Playgrounds Act permits two or more townships, cities, villages or counties to jointly operate park and recreation services. The act also permits any combination of these municipalities to work with a local school district to jointly operate park and recreation services. A school district may also operate such services independently. Local jurisdictions can delegate the operation of park and recreation services to a “recreation board.” The local cooperative can also appropriate funding generated from a tax levy (subject to voter approval) to the recreation board to carry out its activities. Once established the recreation board is permitted to conduct its activities on property under its own custody and management, public property under the custody of other municipal corporations or boards, and private property.

The Romeo community offers a useful example of this approach. In 1983, **Washington Charter and Bruce Townships** (Macomb Co.), the Village of Romeo and Romeo Community Schools used the Recreation and Playground Act to establish the Greater Romeo-Washington-Bruce Parks and Recreation Commission. Under the agreement, the commission is charged with supervising public parks, athletic fields, recreation centers and conducting “any wholesale and constructive form of recreation and public service designed to enhance the standard of living



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and the leisure time for adults.” In 1986 (and successive years), voters approved .75 mills for the operation of recreation services. The participating jurisdictions work very closely with the Romeo Community Schools, often sharing the same facilities.

County and Regional Parks Act: PA 261 of 1965 (MCL 46.351-46.367)—The County and Regional Parks Act allows a county to establish a “Parks and Recreation Commission” to plan, develop, preserve, administer, maintain and operate parks and recreation places and facilities. Under the act, the commission may:

- Acquire property
- Accept funding
- Levy a tax (subject to voter approval)
- Borrow money
- Issue bonds
- Charge and collect fees
- Hire staff

A parks and recreation commission must be established by resolution, approved by two-thirds vote of the county board of commissioners. A formal agency of the county, the commission must be made up of 10 members, including the chairperson or commissioner from the county road commission, the county drain commissioner (or an employee of the drain commissioner’s office), the county executive (if an elected official) or the chair of the county planning commission and seven other members, one being a member of the county board. Under the act, the county board of commissioners in two or more contiguous counties can also establish a regional parks and recreation commission. ►



In many cases, recreation infrastructure extends well beyond municipal boundaries, especially for trail systems that often traverse multiple jurisdictions. As a result, cooperation may be a simple necessity.

On paper, it may appear that the County Parks and Regional Parks Act is intended to facilitate large, single-entity (county) recreation services. However, one Michigan community has utilized the act to facilitate new collaborative opportunities and substantive park development at the local level.

In 1995, St. Clair County used the County and Regional Parks Act to establish the St. Clair County Parks and Recreation Commission. The commission is charged with managing county parks, non-motorized trails and specialized mobile recreation units for community events. The commission is funded by a voter-approved .5-mill tax levy (approximately \$3 million). From that, 25 percent of the annual millage revenue is distributed back to every unit of government within the county. The amount of the annual distribution is based on population, and must be used to support local park development and recreational programs. Over the last 16 years, \$9.14 million has been distributed back to the 33 local jurisdictions within the county. As a result of this funding option, local governments have been able to provide for recreation facilities that might not otherwise be possible. According to **Douglas Hannan, Fort Gratiot Charter Township** supervisor, "This unique funding mechanism has allowed the township to establish a number of recreational facilities that we could not have developed any other way. For example, we are currently working on developing a unique ADA-accessible canoe launch for the Black River."

In a further effort to support inter-jurisdictional cooperation, some neighboring jurisdictions within St. Clair County have pooled their millage allocation to build regional park facilities. According to Hannan, the success of this millage distribution system has led voters to subsequently approve a millage renewal three different times over the last 16 years, including in 2010, when it was approved by over 72 percent of county voters.

Metropolitan District Act: PA 312 of 1929 (MCL 119.1-119.18)—The Metropolitan District Act permits two or more townships, cities and villages (or parts of these) to incorporate into a metropolitan district for the purpose of acquiring,

owning, operating and maintaining parks. Under the act, the district's powers can include the ability to:

- Hire staff and contract for services
- Borrow money and issue bonds on the credit of the district
- Collect rents and tolls
- Sell or lease lands
- Acquire properties
- Establish a special assessment district
- Pass and enforce regulation
- Levy taxes in a sum not to exceed one-half of 1 percent of the assessed value of all real property and personal property in the district

The Metropolitan District Act requires the creation of a "charter" and "charter commission," which must be approved by the voters of the participating jurisdictions. The charter may include a millage. Any subsequent amendment to the charter would require a similar public vote.

In 2000, **Tyrone Township** (Livingston Co.) and **Fenton Charter and Argentine Townships** (Genesee Co.), along with the cities of Linden and Fenton put a charter and a perpetual .40 millage proposal before voters to operate a year-round parks and recreation district. Although the charter and millage proposals were rejected in two of the jurisdictions, voters in the remaining three jurisdictions approved the proposals, formally establishing the Southern Lakes Regional Metropolitan Parks and Recreation District. The district is directed by a full-time staff and seven-member board consisting of officials from the township board, city commissions and residents from the community. The district also works closely with the local school district.

Recreational Authorities Act: PA 321 of 2000 (MCL 123.1131-123.1157)—The Recreational Authorities Act allows two or more townships, villages, cities, counties and/or districts to establish a recreation authority for the acquisition, construction, operation, maintenance or improvement of one or more of the following:

- Public swimming pool
- Public recreation center
- Public auditorium
- Public conference center
- Public park
- Public museum
- Public historical farm

PA 321 also allows the recreational authority to acquire and hold real and personal property inside or outside the territory of the authority through purchase, lease, land contract, installment contracts, bequest and other means.

To establish a recreation authority, the participating municipalities must first prepare articles of incorporation.

This is the formal document that is filed with the state to establish the recreational authority as a multi-jurisdictional corporation. To establish a recreational authority, the articles of incorporation must be adopted by the legislative body of each participating municipality.

The Recreational Authorities Act provides a number of ways in which the authority can be funded, including grants, fees and revenue as appropriated by the Michigan Legislature or participating municipalities. The recreational authority may also borrow money and issue bonds to finance the acquisition, construction and improvement of recreation facilities. The recreational authority may also levy a tax of up to 1 mill for no more than 20 years. The authority may levy the tax only upon the approval of a majority of the electors in each participating municipality, voting during a statewide or primary election.

To date, citizens have supported millages for only three recreational authorities established under PA 321. Due to the current economic and political environment in many Michigan communities, it can be very difficult for any local entity to get a new millage approved across jurisdictions. It can be especially difficult for a recreational authority under PA 321 to get a millage passed because it requires the approval of voters in *each* participating municipality.

In 2008, the Iron Ore Heritage Recreation Authority put forward a .20 millage proposal to improve the 48-mile Iron Ore Heritage Trail in the greater Marquette region. The proposal did not move forward because voters in two of the 10 participating jurisdictions did not approve the millage. Despite overwhelming support in eight of the participating jurisdictions, the proposal was defeated in two of the least populated jurisdictions by a total of just 38 votes.

Last year, a reconstituted Iron Ore Heritage Recreation Authority was able to get a millage proposal adopted by each of the eight participating units of government. According to Carol Fulsher, executive director of the Iron Ore Heritage Recreation Authority, the flexibility of the Recreational Authority Act allowed the local governments to move forward with the millage proposal. “The act allowed us to re-create a multi-jurisdictional authority that was better equipped to secure millage funding for future trail developments,” she said. “The act allows other local jurisdictions to join us if their voters also approve the millage.”

Much like the Urban Cooperation Act, the Recreational Authorities Act allows the mission of the recreational authority to be quite broad or very narrowly focused. For example, the Newaygo Community Recreation Authority—governed by

Recreational authorities formed under PA 312

Authority	Year Established	Participating Municipalities	Nature of Effort
Southeastern Livingston County Recreation Authority	2001	Brighton Charter Township and portions of Green Oak Township (Livingston Co.), City of Brighton	Future park/recreation facilities
Crossroads Area Recreation Authority	2003	Lincoln and Richmond Township (Osceola Co.), City of Reed City	Trail development
City of Traverse City/Charter Township of Garfield Recreation Authority	2003	Garfield Charter Township (Grand Traverse Co.), City of Traverse City	Purchase and maintenance of land and buildings
City of Charlevoix, Township of Hayes, Township of Charlevoix Recreation Authority	2004	Hayes and Charlevoix Townships (Charlevoix Co.), City of Charlevoix	Community swimming pool
Flushing Area Parks and Recreation Authority	2006	Flushing Charter Township (Genesee Co.), City of Flushing	Future park/recreation facilities
Newaygo Community Recreation Authority	2006	Brooks, Garfield and Croton Townships (Newaygo Co.), City of Newaygo	Future park/recreation facilities
Howell Area Recreation Authority	2006	Oceola, Marion and Genoa Townships (Livingston Co.), City of Howell	Future park/recreation facilities
South Lyon Area Recreation Authority	2007	Lyon Charter Township (Oakland Co.) and portions of Green Oak Charter Township (Livingston Co.), City of South Lyon	Future park/recreation facilities
Iron Ore Heritage Recreation Authority	2007	Eight local governments in the Marquette area	Iron Ore Heritage Area and Trail
Tahquamenon Area Recreation Authority	2008	Luce County, McMillian and Pentland Townships, Village of Newberry	Community Center
Northwest Ottawa Recreation Authority	2009	Grand Haven Charter and Robinson Townships (Ottawa Co.), Cities of Grand Haven and Ferrysbury	Future park/recreation facilities
Headwater Recreation Authority	2010	Hillsdale and Fayette Townships (Hillsdale Co.), City of Hillsdale, Village of Jonesville	Non-motorized pathways
Civic Center South Recreation Authority	2011	Fife Lake, Mayfield and Paradise Townships (Grand Traverse Co.), Village of Kingsley	Large park with facilities

Garfield, Brooks and Croton Townships (Newaygo Co.) and the City of Newaygo—has a narrowly defined scope, focusing specifically on the development of trails, a soccer complex and a skate park. At the same time, the participating jurisdictions can continue to pursue their own recreational needs. Brooks Township Supervisor **Les Salacina** says, “The authority is one of the most positive things we have done in this community. The authority has allowed us to focus on providing for facilities that affect the entire region while maintaining our own autonomy for township initiatives.”

Programming Limitations?

PA 321 specifically allows local governments to collaborate in the provision of recreation facilities. The act does not explicitly allow for the provision of recreational programming (*see chart on page 23*). However, a number of the current recreational authorities provide a wide range of recreational programs to their citizens. It appears recreational authorities are providing for recreational programming under the guise of the “operation” definition provided under the act. It is recommended that local officials consult with their municipal attorney if there are any questions concerning PA 321 and the provision of recreation programming. (A more detailed treatment of the Recreational Authorities Act is available at www.partnershipsforchange.cc)

PARTNERING FOR PARKS

Community parks, recreation facilities and recreation programs

are extremely important public services, contributing to quality of life as well as residents’ attachment to a place. However, financial constraints appear to be forcing many local governments to reconsider their contributions to parks and recreation services.

An important and effective strategy for maintaining community parks and recreation services in this difficult economy is inter-jurisdictional cooperation. As previously described, state enabling legislation gives local governments a wide variety of ways to pool their resources and share the benefits of community-wide park and recreation services. The primary challenge for local leaders appears to be figuring out which approach is best for the whole community—physically, organizationally and politically.

Cooperative park and recreation programs must be developed locally, by cooperative planning processes. Circumstances and resources vary from community to community. However, with a little time, lots of patience and a strong commitment to inter-jurisdictional cooperation, local governments can develop effective frameworks under which superior community-wide parks and recreation services can be provided. ■

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