

Michigan Township **INSIGHTS**

June 30, 2023

July 10 deadline to apply for MI Fire Equipment Grants

Townships and authorities with part-time, on-call or volunteer firefighters have limited time to apply for a grant to purchase fire equipment through the [MI Fire Equipment Grant Program](#) before the **July 10 deadline**. The MI Fire Equipment Grant Program provides up to \$10,000 to purchase fire equipment like turnout gear. Grants may also be requested to reimburse for eligible fire equipment expenses incurred on or after Aug. 1, 2022. Additional information—like FAQs, program guidelines and application material—is available on [the grant program website](#). Questions on the grant program or eligibility should be emailed as soon as possible to Treas-MIFireGrant@michigan.gov.



Legislature approves FY 2023-24 budget with number of one-time funding

Discussions wrapped up with the passage of the state's Fiscal Year 2023-24 budget Wednesday evening—the largest budget in the state's history. The Legislature and governor reached an agreement on the \$81.6 billion budget, combined with \$6 billion in additional spending for the current fiscal year and approval of the Natural Resources Trust Fund projects. Budget highlights that impact townships include:

- \$64 million in increase in constitutional revenue sharing (determined by sales tax revenue collections)
- \$14 million or a 5% increase in the base for Cities, Villages and Township (CVT) revenue sharing, with 1% of that amount tied to a requirement that the local unit obligate all of its American Rescue Plan Act money by the end of 2023 (a full year prior to the federal requirement)
- \$6 million or a 2% one-time appropriation for CVTs for public safety initiatives such as public safety

Michigan Township Participating Plan

Insurance Solutions for Public Entities



Upcoming MTA Training

Now You Know

- **July 12: [Summer Legislative Update](#)
- **Aug. 9: [Spending Public Money](#)

U.P. Education Extravaganza

- **July 18: [Cemetery Management & Administration](#)
- **July 18: [Insights into Planning & Zoning](#)
- **July 19: [Financial Fundamentals](#)
- **July 19: [Hot Topics for Township Fire Departments](#)

MTA QUICK LINKS

[MTA COVID Relief Webpage](#)
[Answer Center](#)
[Training](#)
[Advocacy](#)
[Classifieds](#)
[Community Connection](#)
[Webcasts](#)

- employee recruitment, retention, training, equipment and infrastructure improvements
- \$1.6 billion through the federal Broadband Equity, Access, and Deployment (BEAD) Program to expand high-speed internet access to over 200,000 Michiganders in unserved and underserved areas across the state
 - \$39 million additional funding for local roads
 - \$80 million for local bridge bundling—all for the repair and replacement of local bridges
 - \$30 million (one-time funding) for renewable ready community grants to assist local governments with the establishment of wind, solar and energy storage facilities
 - \$9 million for lead service line replacement
 - \$233 million (one-time funding) for water infrastructure projects, including lead line replacements and wastewater infrastructure improvements
 - \$280 million for local water infrastructure projects
 - \$37 million (one-time funding) to remediate PFAS and emerging contaminants
 - \$10 million for remediation of orphaned oil and gas wells
 - \$450,000 for municipal assistance to provide support for State Revolving Fund programs for water infrastructure projects
 - \$5 million for aggregate mapping
 - \$20 million (one-time funding) for the presidential primary
 - \$46 million for secretary of state for the implementation of Proposals 1 and 2, with up to \$30 million for incentive grants to counties to coordinate implementation of early voting by local governments and incentivize multijurisdictional coordination
 - \$11.5 million (one-time funding) for implementation of Proposals 1 and 2 to Secretary State to include software updates and drop boxes
 - \$30 million for the recruitment, retention and well-being of first responders
 - \$15 million for fire gear equipment grants not to exceed \$3,500 per full-time member of the fire department
 - \$18 million for in-service training for licensed law enforcement officers
 - \$1.8 million for firearm safety and response—\$500,000 (one-time) grant program for local law

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ALLIED SERVICE PROVIDERS



* [Asphalt Materials, Inc.](#)

* [Bauckham, Sparks, Thall, Seeber & Kaufman, PC](#)

* [Consumers Energy](#)

* [Fahey Schultz Burzych Rhodes PLC](#)

* [Foster, Swift, Collins & Smith, P.C.](#)

* [Hartleb Agency](#)

* [ITC Holdings Corp.](#)

* [Rosati, Schultz, Joppich & Amtsbuechler, P.C.](#)

* [Mika Meyers, PLC](#)

enforcement agencies to distribute firearm safety equipment and \$1.3 million for active shooter response training

- \$9 million for a state trooper recruit school for 50 troopers
- \$10 million for missing middle housing to increase supply of housing stock, with 30% of grants to go to rural community projects
- \$5 million for local units to access grants (up to \$50,000) for zoning updates to increase housing and address affordability issues
- \$50 million in recurring funding for the Revitalization and Placemaking grant program for rehabilitation of vacant, underused and blighted structures
- \$50 million in recurring funding for the Housing and Community Development Fund to expand access to affordable housing
- \$2.1 million increase in payments in lieu of taxes for property tax payments to local units for state lands (to align payments with current property tax estimates)
- \$31.5 million to foster local partnerships through strategic planning and projects that mitigate cybersecurity threats and risks
- \$23.3 million for 15 land acquisition projects and 30 land development projects from the Michigan Natural Resources Trust Fund



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Proposal 2 implementation bills soon to be law

Legislation to provide the statutory implementation requirements of Proposal 2022-2 was passed by the House and Senate this week and is expected to be signed by the governor. These include:

Early voting/Pre-Processing and tabulation. [Senate Bill 367](#) sets up the processes and procedures for the required nine days of

early voting for statewide and federal elections. Additionally, all communities would be allowed to pre-process and tabulate absent voter (AV) ballots prior to Election Day. The bill provides three options for each local unit to choose for conducting early voting: 1) those run by a municipality for that municipality only, 2) those under a municipal agreement (two or more municipalities in the same county working jointly to conduct early voting), and 3) those under a county agreement (agreements between one or more municipalities and the county to conduct early voting). The bill also includes changes to polling place requirements—allowing more flexibility for clerks to secure polling locations for both early voting and Election Day. Notices are required to be sent to voters indicating the early voting sites, as well as deadlines for the notices. Timelines are also established for when county clerks must decide if they will allow county agreements, for municipalities to decide which early voting method they will utilize, when agreements must be signed and when early voting plans must be complete. Deadlines and limitations on when a municipality can withdraw from an agreement are also provided. The county and municipal agreements and voting plans will determine what role each participating municipality will have in preparing for and conducting the early voting in their jurisdictions.

While many of the logistical issues will be determined by the secretary of state (SOS)—software changes, agreement templates, voting plan templates, preventing double votes, and security—the bill includes security procedures to be followed for securing tabulators and ballots at the end of each night of early voting. SB 367 includes the provisions for pre-processing and early tabulation allowing communities with a population of 5,000 and above to pre-process and tabulate AV ballots on any (one or more or all) of the eight days prior to Election Day. On the Monday before the election, any community, regardless of population, can pre-process and tabulate AV ballots. The bill also allows jurisdictions that have processed 500 or more same-day registrations in either of the last two November general elections to establish “Election Day vote centers” that would operate as a polling place for same-day registrants. These must be in the same building where the clerk provides same-day registration. AV voters would be allowed to bring their AV ballot to an early voting site to have their ballot tabulated.

Additionally, the bill allows clerks to deliver AV ballots received after 4 p.m. on the day before the election to an AV counting board that is limited to ballots received after that time. Current law permits them to be delivered to the voting day precinct of the voter. Finally, the legislation specifies the procedure for processing electronic overseas ballots and the process for tabulating AV

ballots at an early voting site and codifies the practice of clerks' time and date stamping AV ballots once the signature has been verified and approved for tabulation. The companion bill, [House Bill 4696](#), establishes a five-year felony for reporting early voting results prior to the close of polls on Election Day.

Permanent mail voter list. [House Bill 4699](#) establishes the process for the permanent absent voter (AV) ballot mailing list and refers to these voters as "permanent mail ballot voters." The bill creates a presidential primary ballot selection form for voters to select their party preference for voting in presidential primary elections and how to change this preference. Additionally, the bill provides the conditions under which an individual can be removed from the permanent list, and the notices that must be sent to the voter when this happens. Finally, the bill changes some retention periods for election materials to conform with the federal 22-month requirement.

Pre-paid postage and signature matching/curing. [SB 370](#) requires the state to provide pre-paid postage for AV ballot application returns and AV ballot return envelopes. The bill also proscribes the signature matching and curing process that voters are to use for mismatched or missing signatures on AV applications and ballot return envelopes. SB 370 also sets statutory guidance for comparing signatures and creates a "cure form" to be used to allow voters to cure the signature on election materials that are determined to be deficient. AV ballot return envelopes are allowed to be cured up to three days after the election. Additionally, the bill sets timelines on when clerks must act after they receive AV applications and AV ballots, including the notification and curing process for deficient election materials. The bill codifies the use of a driver's license or state ID signature on file with the secretary of state for applying for an AV ballot online and strikes the identification requirement for applying for an AV ballot in the clerk's office except for the day before Election Day.

Drop boxes. [HB 4697](#) puts in place the state-paid AV drop box provisions, including that each jurisdiction must have at least one drop box and additional drop boxes for every 15,000 registered voters. The bill clearly states that the SOS is to pay for the drop boxes, their installation and any required video monitoring (this does not include the cost for video data storage). The current statutory requirement for video monitoring on drop boxes installed after October 2020 is retained. Beginning in 2026, all drop boxes will be required to have video monitoring. Video monitoring must be in place for 75 days prior to any election.

Finally, HB 4697 establishes guidelines for clerks to use in determining “equitable distribution” of the drop boxes.

Voter identification for election purposes. [SB 373](#) modifies the types of photo identification that can be used for election purposes to conform with Proposal 2. The bill defines “educational institution,” now in the state Constitution, and replaces the previous language that referenced universities and colleges. The bill also adds photo identification issued by a local government to the types of ID that can be used for election purposes.

Increased precinct size. [HB 4702](#) allows municipalities to increase their precincts to up to 5,000 active registered voters from the current 2,999, and removes the provision in law that proscribes the number of voting machines a precinct should have.

AV ballot tracker. [SB 339](#) requires the secretary of state to create a new AV ballot tracking system that allows voters to receive electronic notifications regarding the status of their submitted ballot applications and AV ballots. The system must also inform the voter of any deficiencies with either the application or ballot and provide instructions for addressing any such deficiencies. The legislation exempts voters’ phone numbers and email addresses from the Freedom of Information Act.

Solar PILT legislation passed

Local units will soon have the option to enter into a solar payment in lieu of taxes (PILT) agreement for a commercial solar energy



facility or assess personal property taxes under bills that received final approval this week. [House Bills 4317](#) and [4318](#), sponsored by Reps. Curt VanderWall (R-Ludington) and Cynthia Neeley (D-Flint), moved quickly through the Senate after House passage last week. The legislation would permit a township, city or village the option to grant a 20-year property tax exemption to a “qualified solar energy facility” and establish a specific tax based on the electricity-generating capacity of the facility. The payment-in-lieu-of-taxes (PILT) agreement would also require State Tax Commission approval. MTA was neutral on the proposal after negotiating—and achieving—many changes over the last two years. Recent changes added permit a longer period for a local unit to act on an application and clarifies the PILT would only

apply to the equipment part of original application—not any additional equipment added during the 20-year period (i.e., large-scale solar battery storage). The bills go to the governor for signature.

Local intergovernmental agreements soon subject to bargaining

Local units that have collective bargaining agreements will now have their intergovernmental agreements subject to collective bargaining agreements under legislation passed this week. [House Bill 4354](#) amends the Public Employment Relations Act (PERA) to delete prohibitions against certain subjects being included in a collective bargaining agreement. While the bill was part of a public school/labor package, it impacts public employers and intergovernmental agreements. Currently, PERA prohibits decisions of a public employer to enter into an intergovernmental agreement from being subject to collective bargaining, allowing it at the sole discretion of the public employer. HB 4354 deleted that language and now will allow a decision as to whether the public employer will enter into an intergovernmental agreement to consolidate one or more functions or services to be subject to bargaining. The bill did not receive immediate effect and thus will not take effect until 91 days after the Legislature adjourns for 2023.

Brownfield development bills receive final passage

Changes to allow tax increment financing (TIF) to be used for housing development projects through the state's brownfield development plan, including previously developed properties will soon become law. Senate Bills [129](#), [130](#), [131](#) and [132](#), supported by MTA, allow TIFs to be used for housing development projects through the state's brownfield program. When a brownfield development generates new tax revenue due to an increase in property tax value, that revenue can be captured by a local brownfield redevelopment authority and given back to the property developer to reimburse certain eligible costs associated with the development. The legislation allows housing development activities to be eligible for reimbursement under the Brownfield Redevelopment Financing Act. [SB 289](#) was also finalized to amend the act to allow a local brownfield redevelopment authority (BRA) to capture revenue from sales and use taxes to pay for eligible activities through the state's transformational brownfield program and to increase the caps on annual and total allowable reimbursements. The act authorizes

BRAs to use captured tax revenues to pay for certain activities that benefit or develop eligible brownfield properties. A transformational brownfield plan is a brownfield plan created under the act that, among other requirements, must be for a mixed-use development that involves a minimum level of capital investment depending on the population of the municipality. The bills are expected to be signed by the governor.

Local grade separation grant program bills move to governor

Local units and county road agencies will soon have the opportunity to seek local grade separation grants to eliminate blocked railroad crossings in their communities under two bills sent to the governor this week. [Senate Bill 125](#), sponsored by Sen. Darrin Camilleri (D-Brownstown Chtr. Twp.), and [House Bill 4153](#), sponsored by Rep. Jaime Churches (D-Wyandotte), require the state Department of Transportation to develop a local grade separation grant program, which would require a 20% match from the applicant.

PACE expansion measures pass

The scope of the Property Assessed Clean Energy Act (PACE) will soon be expanded under two bills approved this week. [Senate Bills 302](#) and [303](#), sponsored by Sens. Darrin Camilleri (D-Brownstown Chtr. Twp.) and Kristen McDonald-Rivet (D-Bay City), expand current provisions to include agricultural property—in addition to current commercial and industrial property—and would allow a local unit of government to contract and finance for an environmental hazard. Environmental hazard projects would generally include the installation of equipment or materials intended to mitigate environmental hazards like contaminants, floods, or severe weather. In addition, the bills modify proposed PACE program project reporting requirements and specify that, for all new construction energy projects, a report would have to include a requirement that the building or other structure exceed applicable Construction Code, Uniform Energy Code and Administrative Code requirements. The bills will be submitted to the governor for enactment.



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Bills recently signed into law

[Public Act 52 of 2023](#) was signed into law this week and amends the Land Bank Fast Track Act to expand the definition of "qualified city" to include cities and townships with a population of 50,000 or more, if that city or township were not located in a county that already had a county authority. The bill did not receive immediate effect, so will not take effect until 91 days after the Legislature adjourns for 2023.

[PA 46](#) and [PA 49 of 2023](#) were also signed into law this week as part of a bipartisan package dealing with reporting of child abuse, child neglect and sexual assault. PA 46 requires the state to create training materials for mandatory reporters and require employers to provide them to employees that are required to report suspected child abuse or neglect. PA 49 prohibits individuals from using or attempting to use their professional authority to prevent certain crimes from being reported, including child abuse and criminal sexual conduct, to law enforcement or a Title IX coordinator at a postsecondary education institution.

Grant program allows communities to expand services to Michiganders

Up to \$60 million in [Community Center Grant program](#)

is available for municipalities to expand programming or work on capital projects for community centers. Townships can apply for a Capital Project Grant, a Program grant, or both, with the total request in all circumstances not exceed \$2.5 million. Examples of the Capital Project Grant include new construction, remodeling existing structures, purchasing land, purchasing equipment, purchasing and installing energy efficient heating and/or cooling equipment, installing renewable energy systems, weatherizing facility, replacing roof and windows, and/or installing/updating recreation



fields. Examples of the Community Center Program Grant include STEM education, environmental justice activities, renewable energy information, disaster preparedness, outdoor education, before or after-school education, volunteer programs, youth volunteer efforts, career or workforce training, recreational or athletic activities, senior activities, veteran support activities, food access, wraparound services, health services, behavioral services and licensed childcare. Visit [Community Center Grants](#) for more information, webinars and to apply.

BOE updates for clerks

Affidavit of Identity. The state Bureau of Elections (BOE) has [updated forms](#) required to file for office to improve clarity, reduce errors, and reduce the number of documents needed to file.

Signature instructions and training. Elections officials are required to verify the signature on an absent voter (AV) ballot application or AV ballot envelope agrees sufficiently with the voter's signature in the Qualified Voter File (QVF) or, for a ballot return envelope, the voter's signature on the AV ballot application. BOE has posted an updated Signature Verification and Voter Notification instructional document in its [eLearning Center](#), along with a new training module that clerks can review. These new resources provide detailed instructions for reviewing signatures immediately upon receipt and providing voter notification for a mismatched signature, verifying the voter's signature against the QVF, and curing missing or mismatched signatures.

Weekend hours. All clerks must report the hours the clerk's office will be open for absentee voting the Saturday and/or Sunday prior to the August election. The clerk's office is required to maintain a minimum of eight hours over those two days and the time may be split between Saturday and Sunday, or all conducted on one day. This information must be entered into the QVF no later than **Monday, July 10**, as well as posted with other township postings in a central location.

AV ballots. AV ballots must be available to all voters by the 40th day before the Aug. 8 election, which was Thursday, June 29. Beginning that day, clerks should be issuing ballots over the counter and processing ballots for voters who requested a ballot by mail. If you did not have ballots by that date, you must post a notice in your office and on your webpage and through social media accounts. The notice should indicate the date ballots will be available if that date has been provided to you. Additionally, you

should prepare for processing and issuing ballots as soon as you receive them.

Testing voting equipment. Preliminary equipment testing for the August election should begin soon after you receive ballots. Local election commissions are responsible for conducting accuracy tests in accordance with the procedures established by the secretary of state. Proper testing procedures for tabulators and Voter Assist Terminals can be found in the Test Procedures Manual in the [eLearning Center](#). In addition, training courses are available including Preparing for & Conducting the Preliminary and Public Accuracy Tests. During the testing process, BOE recommends verifying the date and time and verifying all equipment [Tamper Evident Seal](#) numbers with the seal numbers on file. If a test deck includes ballots marked by a printer and those ballots did not come from the stock that will be used on Election Day, at least three should be replaced with hand-marked Election Day ballots to ensure testing of both the program and Election Day ballots. Testing materials must be kept under seal and the seal numbers must be recorded. Use the [Tabulator Program & Security Certification](#) form and VAT Testing & Security Certification form in the eLearning Center to document this process. The public accuracy test must be conducted by a quorum of the election commission no later than **Thursday, Aug. 3**, and the meeting must be posted at least 48 hours before the test and held in accordance with the Open Meetings Act.

Drop boxes and pre-paid postage. As Proposal 2022-2 is being implemented, BOE is working to provide comprehensive guidance for drop box ordering and the prepaid postage process. If you have questions related to drop boxes or postage, please contact MDOS-BOEOperations@michigan.gov with the Subject Line: "Drop Box" or "Prepaid Postage." When using a permit, USPS will send an invoice to your jurisdiction indicating the postage cost incurred, the postage due and that the amount has been deducted from your advance deposit account. The advance deposit account is the master account established by the State of Michigan. Your jurisdiction should not incur actual charges from this mailing. If you do find that your account has been charged, please email the invoice and proof of the debit from your account to MDOS-BOEOperations@michigan.gov. You can keep these invoices for your records if you wish, however, no action is required, and you will continue to receive them for the life of the permit.

Get the latest fire risk, air quality information

As the July 4 holiday nears, township officials and their residents can check state resources for the latest information about fire risks and air quality:

- Visit Michigan.gov/DNR/FireAlert to see the [MesoWest Great Lakes Fire & Fuels map](#)—where you can check fire risk locally or in an area you plan to visit, and get details on burn permits and other helpful resources.
- [Guidance on air quality precautions](#) was issued by the Michigan Department of Health and Human Services this week, which also recommended that people use [AirNow.gov's online tool](https://AirNow.gov) to check air quality by location.

Worth the wait—July issue of *Township Focus* delayed

The July issue of *Township Focus* magazine will be hitting your mailbox a little bit later than usual. Because of the importance of numerous legislative actions that saw passage this week—including the Proposal 2022-2 implementation bills and the state budget (*see articles above*)—we decided to hold magazine production to allow us to provide our members with the most current information possible. Thank you for your patience—and look for your July issue soon!

MTA summer school delves into assessment and taxation, and township services

Spend an evening with MTA at the Evergreen Resort in Cadillac on Aug. 1 for a review of the ***Fundamentals of Assessment & Taxation***. Or join us Aug. 2 to explore funding options, legalities and ways to ensure your ***Township Services*** are hitting the mark. [Click here for all the details](#) or [here to register online now](#).

MDOT lifts traffic restrictions for 4th of July holiday

Lane restrictions on more than half of the work zones currently under construction will be removed by the state Department of Transportation (MDOT) for the Independence Day holiday. Beginning at 3 p.m. on Friday, June 30, until 6 a.m. Wednesday, July 5, work has been suspended and lane restrictions have been eased to improve traffic flow and safety.

MTA office holiday schedule

The MTA office will be closed Tuesday, July 4, for the Independence Day holiday. We will resume work on Wednesday, July 5. We wish everyone safe and happy 4th of July holiday.

Federal update for week of June 26

Check out the National Association of Towns and Townships' *Weekly Legislative Update* [newsletter](#) for an update of federal actions impacting townships.