

Michigan Township Focus

SEPTEMBER 2013

OFFICIAL PUBLICATION OF THE MICHIGAN TOWNSHIPS ASSOCIATION

Grassroots advocacy: Your voice matters



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Officials can head back to school this fall, too
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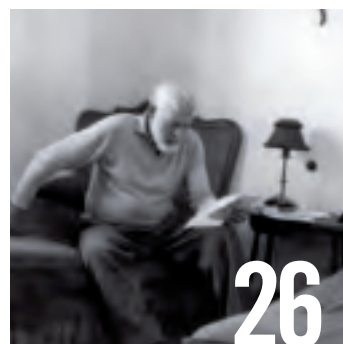
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mission statement

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.



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Local government consolidation is a local matter, but outsiders root for rationing democracy

This November, the voters in the cities of Douglas and Saugatuck will vote on the question of merging—or consolidating—their governments. Thirteen years ago, three municipalities in the Upper Peninsula merged and it was barely noticed anywhere. Today, however, local government consolidations are front page news everywhere. Statewide, consolidation advocates hope that a successful merger vote between Douglas and Saugatuck will kick-start mergers elsewhere.



The election is generating lots of interest, especially in the Capital City, where the conventional wisdom is that Michigan—which ranks 33rd in the nation in the number of general purpose local units of government per capita and 26th in local officials per capita—

has “too many local governments.” In Lansing, the election is framed as a step toward “regionalism,” but these cities in particular already cooperate in providing almost all major municipal services. Merging the only autonomous pieces left—governance, record keeping and public works—will have, at best, a marginal impact on the cost of government.

For affected voters, consolidation is a complex question of acknowledging the existence of one community, accepting shared values, and agreeing to be governed as one. To outside consolidation proponents, reducing the number of local governments is about reducing local control.

Saugatuck and Douglas do indeed present a rare set of circumstances that make consolidation proponents hopeful. The State Boundary Commission determined that the two cities are ideal candidates for consolidation—due to shared borders, similar tourism-based economies and nearly identical tax rates. A Michigan Citizens Research Council study concluded that savings “up to” \$500,000 annually could result, which is about 16 percent of the combined expenditures of both cities. Both cities are considered “financially sound.”

Opponents dispute the savings estimate, but also contend the issue is less about money and more about preserving each community’s unique character. Saugatuck is a boisterous tourist town, Douglas a quiet community dominated by single-family neighborhoods. The *Detroit Free Press* reported

that consolidation proponents, many of whom are prominent business owners in the community, have raised more than \$100,000 for polling, consultants and advertising promoting the consolidation. The expectation is that a larger city will be better able to compete for tourists, and Douglas residents would have to help finance a costly harbor dredging project. The anti-consolidation group, according to the *Detroit Free Press*, has raised \$5,000 for its campaign.

Free Press reporter Kathleen Gray portrays the consolidation election as a battle “roiling the two towns, pitting neighbor against neighbor and igniting passions that extend to the Capitol in Lansing.” Some lawmakers think consolidations should be easier, in spite of this merger being initiated by proponents simply filing a petition signed by 430 people out of a combined area of 5,101 residents. Isn’t 5 percent already a pretty low bar?

Restoring Michigan’s prosperity and promoting regionalism does not necessitate rationing local democracy.

Admittedly, township consolidation and village dissolution statutes are poorly written and greater clarity would be welcome, but opening the flood gate for expensive and divisive consolidation elections that clearly are poorly conceived is not in the public interest. A balance also must be struck for a consolidation process that is uniform and expeditious, but also provides sufficient time for careful study and dissemination of objective information.

Except for the financial resources disparity, in Saugatuck and Douglas, supporters and opponents appear very capable of presenting coherent and compelling arguments, and voters there will make an informed decision. Outsiders need to accept that local voters know better than the rest of us what is in their best interests. The voters’ decision will have no bearing on whether or not other communities decide to merge their governments, as local circumstances alone will determine whether or not consolidation should occur. Restoring Michigan’s prosperity and promoting regionalism does not necessitate rationing local democracy.

news¬es

a compendium of noteworthy items



EDUCATING YOUTH

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

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

As the debate continues to play out in Lansing regarding local government consolidation, it is our responsibility to help spread the message of what township government is—and how it impacts life each day in local communities. September provides the perfect time to send a note or call your local school superintendent or government teacher to let them know you are available as a resource. Offer to make a presentation about township government. **Remember:** Even if you have been invited to make a presentation in the past, it may take persistence to remind a teacher that you are available to visit the class year after year.

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

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

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

Need some more ideas? For tools to take into the classroom, visit www.michigantownships.org/curricula.asp.

PURCHASING PROGRAM

State purchasing program can help townships save costs

Townships may be able to save both time and money by using contracts that are already competitively bid and negotiated. The state's MiDEAL Extended Purchasing Program allows local units of government to benefit from the State of Michigan's negotiating and purchasing power by permitting them to purchase from the state's contracts on the same terms, conditions and prices as state government.

More than 320 contracts, ranging from homeland security equipment and services to park equipment, and even health care benefits, are available to MiDEAL members. The average savings to MiDEAL members who use these contracts is 25 percent.

Frequently used contracts include:

- Office supplies
- Cellular phones
- Fuel and gas
- Vehicles
- Computers
- Road salt
- Furniture

New products and services are frequently added to the program, including “green” products.

Annual membership fees apply, and vary depending on the size of the township. For further information and the complete contract list, visit www.michigan.gov/mideal or email mideal@michigan.gov.



MTA's featured Web page of the month:

Answer Center

(http://www.michigantownships.org/members/answer_center.asp)

Check out this Web page for an invaluable listing of township resources from A to Z. You'll find hundreds more pages of township information at www.michigantownships.org/members.

Township happenings

Frenchtown Charter Township (Monroe Co.) and **Plainfield Charter Township** (Kent Co.) were among the recipients of Fluoridation Equipment Grants from the Michigan Department of Community Health Oral Health Program, funded by Delta Dental Foundation, which aims to expand community water fluoridation programs.

Genesee Charter Township (Genesee Co.) took part in World Forum Foundation's International Mud Day earlier this summer by creating a mud pit in which residents could play, jump, slide and chase. For just \$220, the township purchased 10 yards of dirt, which township firefighters combined with 2,000 gallons of water to create a messy, carefree event at Bluebell Beach in the township. At least 100 residents participated in the fun-filled afternoon.

Whitehall Township (Muskegon Co.) received a risk control grant from the Michigan Township Participating Plan (the Par Plan) to fund a video surveillance system at the township hall and playground to ensure safety and security in the area. Also receiving a grant from the Par Plan to purchase new security cameras is the Bedford Branch Library in **Bedford Township** (Monroe Co.).

Share your Township Happenings with Township Focus! Email your Happenings to jenn@michigantownships.org or call Editor Jenn Fiedler at (517) 321-6467.

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Asphalt Materials, Inc. can provide unbiased opinions in selecting the right treatment, for the right road, at the right time. The company works with a number of contractors in providing municipalities quality materials and quality construction to provide for a successful project.

Asphalt Materials, Inc. is committed to building long-term relationships with its customers based on trust and confidence, creating solutions to issues affecting its customers. The company looks forward to assisting townships with their pavement needs.

For more information, visit www.asphalt-materials.com, or contact Jeremy Thomas at (734) 395-9766 or Bruce Wehr at (614) 634-6024.

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Advertisorial

MTA welcomes new staff writer

MTA welcomes Bethany Mauger to the Association team as staff writer. Mauger will work with both the MTA Government Relations and Knowledge Center Communications



Departments, where she will write for MTA's weekly and monthly electronic newsletters, *Township Insights* and *Township Voice*, as well as authoring articles for *Township Focus* (including this month's cover story! See page 12.), and assisting in the Association's social media presence and maintaining the legislative information available on MTA's website, www.michigantownships.org.

"I am thrilled to work for such a professional and well-respected association," Mauger said. "I look forward to exploring the issues that affect Michigan's townships and working with the amazing people at MTA, both in the office and in our membership."

Mauger, a resident of the City of Lansing, comes to MTA with five years of experience as a newspaper reporter, the majority of those years spent covering business and education at *The Courier-Times* in New Castle, Ind. Mauger won multiple Hoosier State Press Association awards during her reporting career, including first place awards for best economic coverage and best local coverage of the recession. Most recently, she was the communications manager of the Michigan Head Start Association in East Lansing.

mta events | september

23 Igniting Your Township Fire Department workshop, Lansing

25 Igniting Your Township Fire Department workshop, Gaylord

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Advertorial

SEPTEMBER

16 Summer taxes due. (MCLs 211.905b(10), 380.1613(4)(e), 211.44a(6))

Last day for qualified taxpayer to apply to local unit treasurer for deferral of payment of summer property tax. (MCL 211.51(7))

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

By 21 Absentee voter ballots for Nov. 5 election must be available for issuance to voters. (MCL 168.714)

26 through Oct. 15. Precinct inspectors appointed for Nov. 5 election. (MCL 168.674)

By 30 Notice of close of registration for Nov. 5 election published. (MCL 168.498)

30 Clerk delivers to supervisor and county clerk a certified copy of all statements, certificates, and records of vote directing

monies to be raised by taxation of property. (MCL 211.36(1))

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

OCTOBER

7 Last day to register for Nov. 5 election. (MCL 168.498)

15 The assessor reports the status of real and personal Industrial Facility Tax property to the STC. (MCL 207.567(2))

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

The assessor's annual report of the determination made under MCL 207.783(1) to each taxing unit that levies taxes

upon property in the local governmental unit in which a new facility or rehabilitated facility is located and to each holder of the Neighborhood Enterprise Zone certificate. (MCL 207.783(2))

By 25 Pre-election campaign statements for Nov. 5 election filed. Books closed Oct. 20.

Write-in candidates file Declaration of Intent forms for Nov. 5 election by 4 p.m. (MCL 168.737a as amended under PA 87 of 2006)

By 29 Notice of Nov. 5 election published. (MCL 168.653a)

By 31 Public accuracy test for Nov. 5 election must be conducted. (R 168.778) Notice of test must be published at least 48 hours before test. (MCL 168.798)


31 Deadline for submission of New Personal Property (PA 328 of 1998), Obsolete Property (PA 146 of 2000), Commercial Rehabilitation (PA 210 of 2005), Neighborhood Enterprise Zone (PA 147 of 1992) and Industrial Facilities Tax (PA 198 of 1974) tax exemption applications to the STC.



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Sen. Jim Ananich (D-Flint)

Sen. Jim Ananich is an educator. The teacher-turned-lawmaker, who taught for two Flint-area schools, now focuses his attentions on improving education for all Michigan students—including providing training to prepare those students with the necessary skills to join the workforce.

Creating jobs and improving the Great Lakes State for future generations are also a key focus for Ananich.

“My goal always has been to make Michigan a better place by improving the quality of education, making our communities safer, and creating an attractive environment for job growth,” said Ananich, who is serving his first term in the state Senate, representing nine townships in Genesee County’s 27th Senate District, including **Argentine, Clayton Charter, Fenton Charter, Flint Charter, Flushing Charter, Gaines, Genesee Charter, Montrose Charter, and Mundy Charter Townships**.

“We need to focus on strengthening the ability of people to work hard and get ahead. Making sure working families have more money in their pockets—through tax fairness, higher wages, reducing debt and other means—will spur job growth in our communities,” he continued. “We must do all we can to provide education and training that will allow our students to compete with anyone in the world.”

Ananich—who served two terms in the state House before coming to the Senate—believes that state lawmakers can make great strides in working together to better Michigan. “Although I do serve in the minority party, there are always opportunities to work together on common sense legislation, policies and projects that can create positive results for Michigan,” he said.

Local officials, too, can take advantage of opportunities to work together to provide better services to their residents—and impact the economic outlook for the state, said the Michigan State University alumni, who earned a master’s in public administration from the University of Michigan-Flint. “I believe that maximizing our ability to provide quality services to all of our communities is essential in our ability to retain talent in Michigan, and attract investment and jobs,” Ananich said. “Finding ways to work together and think creatively will help us compete as a region and really sell our area as the place to work, play and raise a family.

“Over the past 10 years, state revenue sharing has been slashed, so the growing benefits and opportunities to work with others is important,” he continued. “Service-sharing on essentials, such as public safety, tax assessment, purchasing and other areas, can prove to be both efficient and effective across the state. Working together to attract investment



Sen. Jim Ananich (D-Flint), above center, chats with colleagues during a recent legislative session.

and create an attractive environment for families and jobs is a better strategy than pitting communities against one another.”

A former Flint City Council member, Ananich knows well the impact that local elected officials have every day on the lives of their constituents. “On city council, I directly answered calls and emails that dealt with problems paying water bills, getting help with human services, issues with public safety, and other areas,” he recalled.

“That experience really underscored the importance and the duty we have in serving constituents in the Legislature, because often many do not know who to turn to except the leaders they help elect.”

Ananich’s roles on the legislative committees on which he serves also impact the state’s residents and its local communities. “I have the pleasure of serving as minority vice chair of the Senate Banking Committee, and also serving on the Economic Development, Health Policy and Transportation Committees,” he explained. “All four assignments play a critical role in both our state’s economic future and providing a voice for our local governments because job incentives, infrastructure investments and banking policy all play an important role in the success and health of our communities.”

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Q Our auditor informed us that it is not sufficient to simply adopt the budget before we begin spending township funds. Can you clarify this?

The Uniform Budgeting and Accounting Act requires not only the approval of the budget, but also the actual appropriation of the amounts budgeted before any expenditure can lawfully take place (MCL 141.436). To adopt the budget, the township board must pass by roll call vote a budget resolution known as the general appropriations act for the general fund and all special revenue funds. The general appropriations act must include the amounts appropriated by the township board to defray expenditures and meet liabilities for the ensuing fiscal year, plus a statement of estimated revenues, by source, in each fund for the ensuing fiscal year.

Q Toward the end of the fiscal year, our board reviews the township's cost centers. If a cost center has exceeded its budget, we prepare a budget amendment to correct the situation. Is this acceptable?

The Uniform Budgeting and Accounting Act requires the township board to prepare a budget amendment *as soon as it is apparent* that a deviation from the original budget is necessary and the amount can be determined. The amendment must indicate each intended alteration in the purpose of each affected appropriation item. (MCL 141.437)

Q Some of our cost centers have expenditure needs over the amounts budgeted for them. Do we need to have unused amounts in a contingency cost center to amend the budget?

While many townships budget an amount in a contingency cost center, that is not the only resource available for a budget amendment. Amounts can also be transferred from a cost center that has expenditures significantly below the amounts budgeted. In addition, when revenues appear to be coming in significantly higher in a particular category, the

overall integrity of the original budget can be maintained by amending both the specific budgeted revenue as well as the cost center appropriation with a pending overexpenditure. Finally, a cost center expenditure budget can be amended by reducing the fund balance expected to be carried forward to the subsequent fiscal year.


Q Are enterprise funds required to have an annual budget?

The township is not required to adopt an annual budget for enterprise, internal service, debt service and capital project funds. However, since many enterprise funds are used to post transactions of water or sewer service departments, a detailed budget may be desired by the township board to give the board control over the nature and level of department expenditures. The Department of Treasury recommends carefully planned, realistic and flexible budgets.

Q When must a charter township with a December fiscal year-end adopt its annual budget?

Charter townships have the following time tables relative to budget adoption: 150 days prior to year-end, township officers/department heads submit budgets to the supervisor; the supervisor prepares a complete itemized budget proposal and submits it to the township board not later than 120 days before the start of the fiscal year; and the public hearing on the proposed budget shall be held not later than Dec. 15 and the budget adopted not later than Dec. 31 in the year preceding the calendar year covered by the budget.

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



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We tabled a motion a while ago. How do we bring it back up?

That may depend on the form of parliamentary procedure that the board has adopted, but it will also depend on just what the board intended when it tabled the motion.

Most parliamentary procedure rules originated with *Robert's Rules of Order*, the "gold standard" of meeting rules and procedure. Note that *Robert's* is not law, and Michigan law regarding townships and public bodies "trumps" *Robert's*, but *Robert's* is still the most commonly used and comprehensive form of procedure used to help board members make decisions efficiently, effectively and fairly.

However, the official version of *Robert's* is almost 700 pages long, most of which deals with large assemblies, not boards or committees, like a township board. The downside to using the full version of *Robert's* is that it can be intimidating and complicated to use, especially if you haven't had some training in using it. I personally recommend using some of the "simplified" versions of *Robert's*, such as the official *Robert's Rules of Order in Brief*, or the independent *Robert's Rules in Plain English*, by Doris Zimmerman. They are inexpensive pocketbooks that each board member could have and refer to at meetings. They are short and to the point, with easily understood, real-life examples. When questions arise, flip to that page and get the answer without delay.

The motion to table is probably the most misunderstood—and possibly the most commonly misused—motion. In a nutshell, a motion to table means to **temporarily** postpone action on the motion. Supposedly, the motion "to table" originated with the English Parliament, where pending matters were filed in colored leather boxes on large tables in the center of the hall. If the king or queen suddenly arrived, the box for the matter at hand was literally put on the table until the monarch left the hall and business resumed. Today, a motion to table is in order (according to *Robert's*) either because the discussion of the motion is being interrupted, by a guest speaker, for example, or because the board needs more information or some other action, and it must postpone acting on the motion until a specified time or event. It is improper, however to use a motion to table to kill the motion.

So, if the board intended that the motion to table would kill the motion being considered, then the motion was improper. The board likely could raise the matter again if a board member makes a motion and gets a second, but that could depend on the actual motion subject. If there is any question, the township board should consult with its local legal counsel for specific guidance.

If the board intended to put the matter off to a future meeting, then that is a proper motion to table, but the motion to table should have stated when the matter would

come back to the board, such as, "Tabled until the October board meeting, when the supervisor will provide the board with the state's projections for bimonthly revenue sharing," for example. If done properly, then it will automatically be on the agenda for the stated meeting.



May I ask other board members what they think about a matter coming to the board for a vote?

According to MTA Legal Counsel, the two main cases on this issue are *St. Aubin v Ishpeming City Council*, 197 Mich. App. 100 (1992) and *Booth v U of M Board of Regents*, 444 Mich. 211 (1993). In the *St. Aubin* case, the court held that the Open Meetings Act (OMA) is not violated where a member of a public body conducts an informal telephone poll of the other members to determine how they would vote on a particular issue.

However, in the *Booth* case, telephone calls were made that went "round-the-horn" to find out what all the members of the board of regents were thinking. After gaining input from these "telephone polls," decisions were made to narrow the list of candidates for president. There were also closed meetings and, although no voting took place, the members



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did reach a “consensus.” The court concluded, in looking at several examples of the procedure that the board of regents used, that the OMA was violated.

The court noted that one reason for the OMA was to prevent public bodies from agreeing privately on an action to be taken, and then convening for one or two minutes to formally vote on a “privately arranged agreement.” The court concluded in the *Booth* case that, “even members of the committee acknowledge that its ‘round-the-horn’ decisions and conferences achieved the same effect as if the entire board had met publicly”

The OMA states that “decision” means a determination, action, vote or disposition upon a motion, proposal, recommendation, resolution, order, ordinance, bill, or measure on which a vote by members of a public body is required and by which a public body effectuates or formulates public policy.

The *Booth* court particularly examined whether a decision can be limited to that part of the statute that states “on which a vote by members of a public body is required.” The university argued that the “polling” was not a vote. The court rejected this argument because, even though technically a decision wasn’t reached through telephone polling, a decision was still made. The court also noted that the statute says, “and by which a public body effectuates or formulates public policy” and did not find any distinction between a committee’s “consensus” and a determination or action as it relates to the definition of “decision.”

According to MTA Legal Counsel, “An individual board member may call and ‘poll’ other individual board members

to find out how they individually stand on a particular issue—provided that this does not include any discussion of the issue and does not eliminate later full public discussion and deliberation on an issue. The polling cannot rise to the level of reaching a consensus or an agreement about a certain issue.

“If all the single board member does is ‘poll’ the other members without disclosing to the others what his ‘poll’ has discovered as to the other members’ thoughts, and the discussion and decision-making is later fully made at an open meeting, then it will possibly have met the test pursuant to the *St. Aubin* decision.

“As a result, because there is such a fine line between ‘polling’ and ‘round-the-horn’ telephone calls or discussions, we would be reluctant to advise townships to engage in this type of activity. The temptation to substitute this ‘polling’ for full public deliberations in reaching a decision is too great, which would then constitute a clear violation of the OMA. Furthermore, where several board members engage in ‘polling’ on a given issue, it would be our opinion that a court would consider such polling a ‘round-the-horn’ violation of the OMA.”

These cautions apply to face-to-face conversations, as well as phone calls, emails, texts or other communications.

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

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Grassroots advocacy: Your voice matters

Denny Olson remembers the day advocacy changed the fate of township government. In 2007, the Michigan House of Representatives was considering a bill that would shift the majority of townships' power to counties. Olson, **Breitung Charter Township** (Dickinson Co.) supervisor and 2013 MTA president, knew he could not let the bill pass without a fight.

He and township officials throughout the state picked up their phones and called every legislator they could. Armed with facts and figures from MTA, they explained how valuable townships are to Michigan residents, and that a change of this magnitude would create a major cost increase to taxpayers. As a result, the bill never made it past the proposal stage.

"Those contacts—phone calls, meetings, emails and letters—stopped that bill dead in its tracks," Olson said.

This type of citizen interaction in government, called grassroots advocacy, drives legislation on a daily basis. Phone calls, meetings and letters ensure that the voice of the people is heard, and that lawmakers pass bills that are good for their communities.

Township officials are implicitly charged with a responsibility to be advocates. More than half of Michigan residents live in townships, and local officials are elected to serve the people's best interests. This means they must play an integral role in promoting the interests of townships—at both the state and federal level. One bad bill in Lansing could have a ripple effect on every township from southern Michigan to the Upper Peninsula. Once a bill becomes a law, it is very difficult to change.

Fortunately, grassroots advocacy can be accomplished by anyone who is willing to dedicate time and effort to this important job. This article, as well as ongoing resources from the MTA Government Relations staff, will provide you with the tools you need to become a successful advocate.

Why grassroots advocacy?

The phrase "grassroots advocacy" refers to an influence of the political system that occurs at the ground level. Grassroots advocacy happens when citizens interact with and attempt to persuade their government to take certain actions. This type of advocacy can include sending an email or letter to your legislators, or meeting face to face with them. With today's technology, advocacy can be as simple as posting on a legislator's Facebook page or tweeting at his or her Twitter handle.

Advocacy is a key part of MTA's legislative strategy. MTA lobbyists meet with legislators on a regular basis, attend and testify at committee meetings, and constantly monitor the pulse of the Michigan Legislature. They need MTA members throughout the state to continuously maintain relationships with their representatives and senators, and share MTA's position on issues with their legislators.





Joel Hondorp, Byron Township (Kent Co.) clerk and MTA District 15 director, said a partnership between lobbyists and constituents is crucial for maximum effectiveness. “As township officials, we are their constituents and have influence on voters in our townships and their districts,” he said.

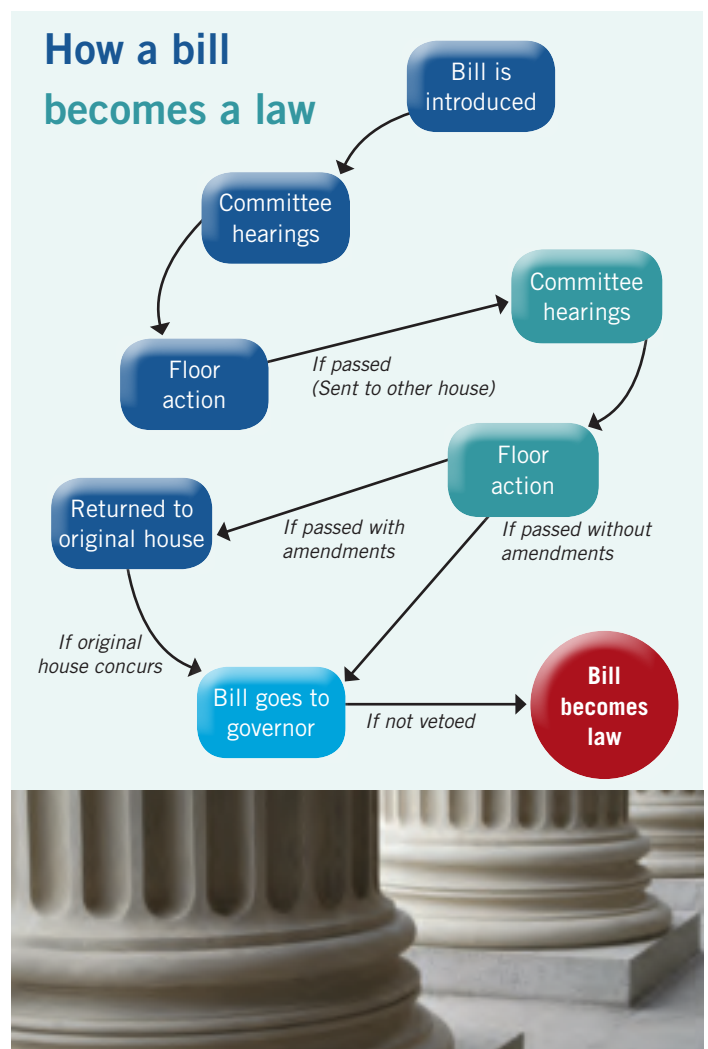
Townships especially depend on advocacy since their powers to operate are based solely on the specific authority granted to them by state laws. Townships have those powers expressly conferred or fairly implied by the Michigan Constitution or state statutes. Townships have the authority to use public money to join an association like MTA that lobbies state and federal legislatures, and may directly spend public money to lobby legislators on behalf of their citizens (*Hays v City of Kalamazoo*, 316 Mich. 443, 1947). Advocacy and lobbying are crucial to ensure townships have the ability to serve their communities and that legislation is not enacted that would be detrimental to township government.

It's about relationships

Advocacy first begins with relationships. Interactions with a lawmaker can be changed dramatically by keeping one question in mind: How can I assist this lawmaker?

Typically, legislators hear from constituents when they want something. The problem with this type of relationship is that only one person is being served. Advocacy is much more successful when it happens in a relationship built on mutual respect and trust. Rep. Amanda Price (R-Park Twp.), a former township supervisor, said she interacts regularly with officials at township board meetings and local Chamber of Commerce events, and she makes sure each elected official has her email address and cell phone number.

“These relationships are very important to me as they provide great feedback and ideas for legislation or laws that need to be changed,” Price said.





Rep. Peter Pettalia (R-Presque Isle), left, discusses township issues with Howard Lumsden, Long Rapids Township (Alpena Co.) supervisor, center, and Dennis Liske, Ossineke Township (Alpena Co.) clerk, right, during a recent visit to Lansing.

Because of term limits, township officials and lobbyists alike have a limited time frame to get to know members of the Michigan Legislature. This means building relationships with lawmakers must be done quickly and purposefully.

Township officials can take the first step by making an effort to know their legislators. Research where they're from, what they did for a living before becoming a lawmaker and where their passions lie. Find out if you have anything in common with your legislators or if there are issues on which you agree. Use these common interests or experiences to build a personal connection.

Olson starts his relationships with lawmakers by meeting them at fund-raisers, MTA events and other venues. Then, when he has a spare hour in downtown Lansing, he stops by their offices for a few minutes to say hello and talk to their staff.

Township officials can also assist their lawmakers by becoming a resource. Michigan representatives and senators consider hundreds of bills that include issues affecting townships. As part of township government, you have the unique ability to provide lawmakers with important information and insight on issues and provide answers to their questions. Olson said because of the relationships he has established, he's had occasions when lawmakers have called him during House debate seeking insight on issues before them.

At the same time, listening is just as important, said **Bob Cannon, Clinton Charter Township** (Macomb Co.) supervisor. Township officials must give their legislators time to respond and express their opinions and concerns, too.

"A big part of being an advocate is to provide, but also to listen," Cannon said.

The foundation of relationships with legislators must always be respect, even in times of disagreement. Treat their office with professionalism by referring to them as "representative" or "senator," and arrive to scheduled meetings on time. After every meeting or phone call, send a short note thanking the legislator for his or her time and reiterating your position on the issue. If legislators request further information, send them the desired facts or statistics as soon as possible.

When you think legislators or their staff are doing a good job or they vote for a bill you support, make a point to thank them. Lawmakers hear more criticism than thanks, and your words will go a long way toward building a positive relationship.

If you disagree with a lawmaker, do so professionally, without becoming angry. You will need the legislator's support on another issue sooner than you may realize. If your relationship is broken or strained, you are unlikely to be given the same consideration.

A foundation of respect and friendship helps set the stage for rich interactions with legislators and more attention to township issues in Lansing.

Be prepared

Legislators, like all individuals, tend to pay more attention to reliable sources who understand the issues and provide accurate information. This can best be accomplished by preparing for each contact and reviewing MTA's Policy Platform (*see sidebar at right*), approved annually by MTA members.

"When discussing bills or potential legislation, do your homework and be able to explain your position in a succinct manner," Hondorp said.

Also important is how the message is delivered. Lawmakers consistently hear differing opinions on the same topic. An advocate's job is to determine what sets your position apart and why this issue is important to both the legislator's constituents and the state. Each message should be accurate, clear, brief and timely. Your pitch should answer four main questions:

- How do you want the lawmaker to feel? (*support or oppose*)
- How is your position different? (*be aware of the opposing viewpoint and be able to defend your position*)
- Why should they care? (*important to township residents*)
- Why should they believe you? (*facts to back up your position*)

It is especially helpful to give specific examples that paint a vivid picture. For example, explain how the issue precisely will affect your township and don't simply say, "This bill will hurt our township." The goal is to convince legislators that

the issue should matter to them, too. Think specifically about what you would like your legislator to do. Don't make your legislator guess. Decide in advance and plan to ask for what you want.

Meetings are a critical tool

A face-to-face meeting is the most effective way to make an impression on a legislator, according to **Bob Corrin**, **Chesaning Township** (Saginaw Co.) supervisor. This one-on-one contact is critical for township officials to make an impact at the state and federal level. "It's important that they know who you are and know your face so they do listen when you contact them," Corrin said.

Township officials may choose to meet with their lawmakers in Lansing, or even in their districts. When possible, schedule these meetings, and avoid stopping by the office unannounced unless you only wish to introduce yourself or say hello.

When you call your lawmaker's office, explain who you are and ask to set up an appointment with the legislator. The staff member who answers the phone may direct you to email or write to an office scheduler with your meeting request. This gives the office as much information about your meeting request as possible and helps them decide who will meet with you—the legislator or a key staff member. It is helpful to introduce yourself, explain the purpose of your desired meeting, and offer possible dates and times for a meeting. If you do not hear from the scheduler after several days, follow up with an email or call.

Gathering a group to meet with your legislator is acceptable if the group is kept to a few people. Small meetings are better for more detailed discussions, and legislators may be more open with a small group. Let your lawmaker's staff know when setting up the appointment exactly who will attend the meeting. Decide among the group who will be the spokesperson, and discuss the meeting in advance to be sure everyone is in agreement on your goals, points to be stressed, and the "ask" or purpose of the meeting.

Before your meeting, finalize and mentally rehearse your message to ensure that you hit your key points. Consider turning your talking points into a fact sheet or position statement to leave with the legislator at your visit. This piece should be short, no more than one page long, and can be written in paragraph form or in a bulleted list. Be certain the document has been proof-read to avoid any errors.

Be respectful of your legislator by dressing professionally and arriving on time. Stick to your message as much as possible during the meeting, but remember that this is a conversation. Listen to your lawmaker's opinion, allow time for questions and respond as accurately as you can. If you don't know the answer, tell your legislator you will get back with him or her. Follow up as soon as you return home.

Don't be surprised or discouraged if you are told that you are meeting with a member of the lawmaker's staff. Legislators' schedules are unpredictable, and they are often called away by unexpected votes or meetings. Treat the staff



MTA's Policy Platform: Your voice in setting the course for the Association

Did you know that **every** MTA-member township official has the opportunity to provide input on and influence the legislative direction for the Association? Has your voice been heard?

Each year, MTA's membership gathers at the Association's Annual Meeting to discuss, ratify and vote on the resolutions that form the MTA Policy Platform for the upcoming year. This year, the Annual Meeting will be held Friday, Jan. 31, 2014, in conjunction with the MTA Annual Educational Conference & Expo, to be held Jan. 28-31 at the Grand Traverse Resort in **Acme Township** (Grand Traverse Co.).

Member townships and MTA County Chapters are also invited to submit resolutions to the Association for consideration for inclusion in the policy platform. According to MTA bylaws, those resolutions must be submitted to MTA 150 days before the Annual Meeting—this year, the deadline was Sept. 3. Notice appeared in the June editions of *Michigan Township News* and *Capitol Currents* as well as the July *Capitol Currents* and August *Township Focus*, and was also included in electronic newsletters and on the MTA website.

Once submitted, the resolutions are reviewed by MTA's Committees and the MTA Board of Directors for word selection and legality and to ensure they conform with the Association's overall goals and objectives.

MTA's Policy Platform is divided into five sections—Assessment and Taxation; Elections; Environment and Land Use; Intergovernmental Relations; and Transportation—and policies run the gamut from manufactured home taxation and medical marijuana to local government consolidations and restoring Michigan's prosperity. The goals outlined in the platform form the basis for which MTA staff seek legislative changes on behalf of townships throughout the year.

MTA-member officials should also be familiar with the policy platform, so that they are informed on the issues that are at the forefront for townships across the state, enabling them to contact their legislators to speak on behalf of—or against—legislative efforts impacting townships. The 2013 MTA Policy Platform appeared in the March issue of *Michigan Township News* magazine, and can also be viewed on the member section of www.michigantownships.org, under the "Advocacy" tab.

cover story

with the same respect you would your legislator, and continue the meeting anyway. When you write a thank-you note, mention the staff member by name. Your relationship with staff can be just as valuable as the one with your legislator.

Just a phone call away

When a meeting is not possible, phone calls are an effective way to reach out to legislators. Typically, phone calls are used to ask your legislator to vote a certain way. You may also leave a message expressing your opinion on a particular issue.

Phone calls are often the best method when an urgent advocacy need arises. MTA will call upon its members from time to time to contact their legislators before an important vote. If a legislator receives a number of calls from township officials before a vote, it can make a big difference.

When you call your legislator's office, introduce yourself and ask to speak to your legislator. Keep in mind that this will often not be possible due to the nature of a legislator's unpredictable schedule. If this happens, ask to speak with the legislative aide assigned to the issue. If no one is available, leave a message with the person answering the phone, with your name and contact information. This allows their office to track how many calls they received on an issue.

Your call should be very succinct and can even be as short as a few sentences, stating who you are, your contact information and your request, as well as a brief explanation of the issue. If it is helpful, write out your message and have it in front of you when you call.

The written word

Writing an email or letter is a painless way for anyone who is nervous about speaking with a legislator to ease into the advocacy process. This medium allows township officials to more fully explain their positions without forgetting to include any important points.

A letter or email must be well-timed to be effective. This is especially important for letters, which take a day or two to arrive at their final destination. Letters and emails must be sent in time to be read by your legislator or staff members before a vote on your issue takes place. Watch MTA publications, including the weekly *Township Insights* and the monthly *Township Voice*, or call MTA Government Relations staff to help you determine when your bill is up for a vote and when your letter should be sent.

Just as with other contacts with legislators, letters and emails should be focused and somewhat short. Letters should generally contain no more than two pages explaining your reason for writing and what you would like your legislator to do. As with any contact, the tone should be professional and courteous, even if you are writing to express disappointment with a legislator's actions.

On critical issues, MTA provides sample letters to members during an advocacy push. Township officials should personalize these letters by placing them on township letterhead and including specific information on how the issue affects your community.

Legislators' email addresses are available at MTA's website, under the "Advocacy" tab. U.S. mail should be addressed with the following information:

For representatives: The Honorable (Insert name), State Representative, P.O. Box 30014, Lansing, MI 48909-7514.

For senators: The Honorable (Insert name), State Senator, P.O. Box 30036, Lansing, MI 48909-7536.

Written communication followed by a phone call can be helpful for legislators, who are bombarded with information every day, Price said. "It is overwhelming at times," she said. "When you want to communicate important information, it is best to mail and email and follow up with a phone call."

Make it social

For those ready to enter the world of social media, effective advocacy can be accomplished very quickly. Most legislators have Twitter and Facebook profiles that are actively monitored and updated by staff, or even by the lawmakers themselves. Social media users have the ability to tweet

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directly at their representative or senator, or to post on the their Facebook page. This type of advocacy differs from writing a letter or email in that it is a real-time conversation. Your tweet or post is seen as soon as it is sent, and a lawmaker or staff member can reply almost instantly.

Twitter is especially effective and is a quick way to get started. After creating a profile, use the search bar to find your state and federal representatives and senators. To directly reach your legislator, tweet at his or her Twitter user name. This is different from simply tweeting because it is sent to your legislator as well as everyone who follows you on Twitter. This is done by writing @[TwitterUserName] within your tweet.

Each tweet is limited to 140 characters, meaning your messages should be short and concise, yet engaging and interesting. Abbreviations are acceptable in this form of communication to help you shorten your tweets. You may also want to tag your tweet with a hashtag, such as #townships, to connect your tweet to a larger conversation. An effective tweet could be similar to the following:

@Legislator Let local govts set their own rules, vote yes to fireworks bill! #LocalControl

Facebook posts have no character limit but should still be kept to a few sentences. You may write a post directly on your legislators' Facebook pages, asking them to support or oppose an issue. Insert a picture or a Web link to make your post even more effective.



MTA-PAC: Assisting township grassroots lobbying efforts

The Michigan Townships Association Political Action Committee (MTA-PAC) exists to assist in the nomination and/or election of state House and Senate candidates who are responsive to local government issues and concerns. MTA-PAC's mission is to strengthen the Association's legislative influence by supporting electable candidates who are supportive of township government and who support the majority of issues contained in the MTA Policy Platform.

MTA-PAC is a vital tool that supports MTA's efforts to battle critical issues facing township government. MTA-PAC supports MTA's Government Relations Department as it defends the role of township government and your board's right to govern your township. It has helped to thwart past legislative attacks on townships that threatened the very existence of township official's positions. MTA-PAC allows MTA to effectively lobby on behalf of townships and advocate for local authority and positive legislation.

MTA-PAC furthers MTA's goal to work with legislators to ensure legislation does not adversely impact or erode local authority, but rather enhances it. In the era of term limits with the constant turnover of legislators, it is extremely important and effective to get to know individuals early in the process. One way to accomplish this goal is to contribute to legislative candidates running for the first time. MTA-PAC aggressively supports legislative candidates who will fight for townships and supports legislators who value what township government delivers to Michigan.

"It is vital that MTA members support MTA-PAC," said MTA-PAC Chair **Joanne E. Boehler**, **James Township** (Saginaw Co.) treasurer. "This important tool gives MTA the financial resources to help elect township-friendly candidates and attend political fundraisers. The PAC is a crucial part of advocacy to ensure that the Michigan Legislature passes laws that are beneficial—and not detrimental—to townships."

For more information, visit the MTA-PAC Web page on the members-only section of www.michigantownships.org. Once you log in, click on "MTA-PAC" under the "Advocacy" tab.

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cover story

Social media can also help build a rapport with lawmakers. If you approve of your legislators' votes, tweet at them or write a Facebook post thanking them. Congratulate them upon their election or re-election, or if they are commended publicly for an accomplishment. Like their Facebook posts and "favorite" their tweets if you agree with them, and respond politely and professionally if you don't. Legislators may come to recognize names of officials, and may be more likely to listen when approached with a request or concern.

Many more possibilities

Advocacy opportunities are unlimited. Township officials should be creative and continue to try new techniques as they become more involved in the legislative process. Invite a legislator to visit a facility that provides services to residents, and explain how those services will be affected by his or her vote on an issue. Or, ask a legislator to speak at a public meeting, especially during an election year, or even to attend a township board or MTA County Chapter meeting. This provides an opportunity for personal contact without a specific request.

Each legislator's preferences will be different. One legislator may prefer to receive all requests in written

form, while another may be active on social media. Other legislators may meet regularly with local government officials, and others still may assign staff to handle all meetings.

The first step is up to you

The only way to develop a strategy that works for you is to take the first step. Write an email, send a tweet or schedule a meeting. Contact your legislator and begin the process of building a relationship. If you feel uncomfortable on your own, ask to attend meetings with a colleague who has more experience. Watch another advocate in action to get ideas and inspiration for your first legislative appointment. Contact MTA Government Relations staff at any time for assistance on advocacy or any other legislative issue.

Remember, the first step is up to you.



Bethany Mauger, MTA Staff Writer



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September workshop will ignite your township fire department

Providing fire protection may be one of the more complicated—and most important—services your township provides. Residents demand comprehensive fire protection, and state and federal mandates require fire departments to meet high standards of training and safety. MTA can

help you gain a better understanding of the myriad of hot issues facing your fire department.

Join us for *Igniting Township Fire Departments*, a full-day event that offers strategies (and incentives!) for keeping joint service agreements updated, establishing

new agreements and achieving an equitable allocation of costs between the parties. Delve into cost recovery ordinances and clear the air on fire board authority, who to bill and for what.



We'll also examine compensation, a frequent trouble-spot for townships across the state. Discuss wages for full-time firefighters, evening rates, how on-call status impacts wages and frequency of pay. Whether classified as volunteers, on-call or paid on-call, township firefighters are considered employees for federal tax purposes and their wages should be reported on Form W-2, subject to federal tax withholdings. Learn how to apply these laws (and more!) on payment of wages for volunteer, part-time and full-time firefighters.

Round out the day with an explosive session on how legislation legalizing fireworks has impacted fire departments. Identify township obligations, National Fire Protection Association standards and what requirements must be met before permits can be issued.

The class is held from 9 a.m. to 4 p.m., and includes lunch served at noon, on:

Sept. 23: Ramada Inn Conference Center, Lansing

Sept. 25: Treetops Resort Conference Center, Gaylord

Registration materials appeared in the August *Township Focus*. Download a registration brochure or register online at www.michigantownships.org, or call (517) 321-6467.

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upcoming MTA workshop

REGISTRATION INFORMATION

MTA On The Road regional meetings bring knowledge, networking

MTA On The Road one-day events are a great opportunity to connect with fellow township officials, get the inside scoop on issues impacting townships, and visit with MTA staff and vendors—all at one location.

General Session—Start the day with a general session digging into Michigan’s deteriorating roads, our current transportation revenue shortfall and whether the Legislature can reach a consensus on the proposal for transportation funding. Discover what’s going on behind the scenes in personal property tax laws as well as other key legislative issues and grant opportunities.

Following a networking lunch, educational breakouts go in-depth on the topics described below. Participants may choose to stay in one class all afternoon OR switch classes at the break and walk away with insights on both! Classes include:

Awesome Board Meetings—The opportunity to solve your township’s thorniest issues and ensure your residents are well-served with high-quality township programs is both an awesome responsibility and a personally rewarding experience. Learn how effective township boards position themselves to excel in governance and create a trusting relationship with the public, and how you can maximize your influence and effectiveness to achieve your goals.

Money Matters—Gain insight on your monthly financial reports, including tips on how to read them and what they convey. Explore planning strategies and funding options for capital improvements and major purchases, and learn what “indirect costs” really mean—and how those costs can be allocated as part of the budgeting process.

Cancellations & Substitutions

Written cancellation requests received at the MTA office by Sept. 17 will receive a full refund. No refunds will be issued thereafter. You may substitute another individual from your township for your registration at any time without incurring a charge; please notify MTA of the change.



Registration Form

Please check the location each individual will attend: **Oct. 1:** Kensington Court Hotel, Ann Arbor **Oct. 3:** Airport Hilton, Grand Rapids
Oct. 2: Bavarian Inn Lodge, Frankenmuth **Oct. 4:** Holiday Inn West, Kalamazoo

Township _____ County _____

Daytime Telephone _____ Email Address _____

Name & Title _____

Name & Title _____

Name & Title _____

Name & Title _____

REGISTRATION RATE*: \$119/attendee if registered **after** Sept. 17

DISCOUNTED RATE*: \$99/attendee if registered **by** Sept. 17

Save \$20/person by registering early!

# of Persons	_____	x	_____	=	_____
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*Rates apply to MTA members. Non-members, call for rates.

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

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

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Governmental immunity Absolute governmental immunity of executive officials not limited to executive acts

In *Petipren v Jaskowski*, ___ Mich. ___, June 20, 2013, Jaskowski, a village police chief, arrested Petipren for disorderly conduct during a community festival. Petipren argued that the chief did not have governmental immunity because he was not performing his executive duties.

The Michigan Supreme Court disagreed, clarifying:

“As used in MCL 691.1407(5), the term ‘executive authority’ encompasses all authority vested in the highest executive official of a level of government by virtue of his or her role in the executive branch, including the authority to engage in tasks that might also be performed by lower-level employees.

“Thus, the highest executive official of a level of government is entitled to absolute immunity under MCL 691.1407(5) even when performing acts that might otherwise be performed by a lower-level employee if those acts fall within the authority vested in the official by virtue of his or her role as an executive official. ...

“When the highest appointive executive official of a level of government acts within the authority vested in the official by virtue of his or her executive position and there are no questions of material fact, the official is entitled to absolute immunity as a matter of law. ... The Court of Appeals erred when it construed the term ‘executive authority’ as including only high-level tasks exclusive to an executive’s position. Because the power to arrest fell within the scope of Jaskowski’s executive authority, he was absolutely immune from tort liability stemming from Petipren’s arrest.”

This ruling applies to all township board members, as well as the police chief and fire chief.

Governmental immunity includes protection from contempt petitions for indemnification

In *In re Bradley Estate*, ___ Mich. ___, July 26, 2013, the Michigan Supreme Court examined the issue of whether a civil contempt petition that seeks indemnification damages under MCL 600.1721 imposes “tort liability” within the meaning of MCL 691.1407(1) of the Governmental Tort Liability Act, MCL 691.1401, *et seq.*

The court held that, “Consistent with the Legislature’s intent, ... the phrase ‘tort liability’ as used in MCL 691.1407(1) encompasses all legal responsibility arising from noncontractual civil wrongs for which a remedy may be obtained in the form of compensatory damages. ... Because MCL 691.1407(1) immunizes governmental agencies from tort liability, governmental entities are immune from civil contempt petitions seeking indemnification damages.”

Employment Bargaining disputes over benefit calculations subject to grievance arbitration

Macomb County, et al. v AFSCME Council 25, et al., ___ Mich. ___, June 12, 2013—The Michigan Supreme Court held, as summarized in the opinion syllabus, “Disputes over the terms or conditions of employment that are covered by a [collective bargaining agreement (CBA)] are subject to arbitration through the grievance process. When the CBA grants the retirement commission discretion to use actuarial tables to establish pension benefits, the commission’s decision to alter a long-standing method used to calculate those benefits, by itself, does not constitute the clear and unmistakable evidence necessary to overcome the CBA’s coverage and the change in calculation method does not create a new term or condition of employment that would trigger the need to bargain. Instead, the remedy for this dispute lies in the grievance and arbitration system that the parties chose to adopt.”

U.S. Supreme Court narrows definition of 'supervisor' for workplace harassment issues

Vance v Ball State University, et al, 570 U. S. ____ (2013), U.S. Supreme Court, June 24, 2013—In a new interpretation of vicarious liability for workplace harassment purposes, the U.S. Supreme Court held that, “An employee is a ‘supervisor’ for purposes of vicarious liability under Title VII only if he or she is empowered by the employer to take tangible employment actions against the victim.”

The U.S. Supreme Court outlined the context of the question:

Under Title VII, an employer’s liability for workplace harassment may depend on the status of the harasser. If the harassing employee is the victim’s co-worker, the employer is liable only if it was negligent in controlling working conditions. In cases in which the harasser is a ‘supervisor,’ however, different rules apply. If the supervisor’s harassment culminates in a tangible employment action (i.e., “a significant change in employment status, such as hiring, firing, failing to promote, reassignment with significantly different responsibilities, or a decision causing a significant change in benefits,” *Burlington Industries, Inc. v Ellerth*, 524 U. S. 742, 761), the employer is strictly liable. But if no tangible employment action is taken, the employer may escape liability by establishing, as an

affirmative defense, that (1) the employer exercised reasonable care to prevent and correct any harassing behavior and (2) that the plaintiff unreasonably failed to take advantage of the preventive or corrective opportunities that the employer provided. *Faragher v Boca Raton*, 524 U. S. 775, 807; *Ellerth*, supra, at 765.

U.S. Supreme Court sides with stricter causation test for Title VII claims

In *University of Texas Southwestern Medical Center v Nassar*, 570 U. S. ____ (2013), U.S. Supreme Court, June 24, 2013, the U.S. Supreme Court held that Title VII retaliation claims must be proved according to traditional principles of but-for causation, not the lessened causation test of motivating factor:

“A plaintiff making a retaliation claim under §2000e-3(a) must establish that his or her protected activity was a but-for cause of the alleged adverse action by the employer, ... which is more demanding than the motivating factor standard.”



Catherine Mullhaupt,
MTA Director of Member Information Services



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Building a better retirement plan

With so many different retirement programs available, municipal employers are often faced with the difficult task of navigating their plan options. Defined contribution, defined benefit, simple/SEP IRAs, and 457(b) deferred compensation are amongst the most popular plan types. Compile the different plan types on top of cost containment considerations, investment platforms, administration requirements and plan design strategies, and it can create a formula for gridlock.

Up until recent years, defined benefit plans were the retirement plan of choice for many Michigan municipalities and union groups. Popular for the guaranteed income promise at retirement, defined benefit plans have come under scrutiny for the huge liabilities many employers now carry, causing a major pinch to budgets. Poor market performance, aggressive actuarial assumptions, increasing retiree demographics and decreasing workforces are just a few of the reasons that have contributed to the growing unfunded liabilities and the shift away from defined benefit plans to defined contribution programs.

In order to ease the burdens defined benefits plans have created, some employers now require mandatory employee contributions or have closed the program to new hires all together.

With trends highlighting defined contribution programs, how can townships build a better retirement plan for their employees? There are several mechanics that go into a well-run group retirement program, including investment platform, third-party administration and ongoing service. In the end, an efficient retirement plan should meet the short- and long-term needs of both the township employer and the employees.

Investment platform

Chosen by the employer but directed by plan participants, the investment platform provides the choices from which participants will elect to invest their contributions. The employer should choose a platform that provides participants with the opportunity to construct a well-diversified portfolio. Asset allocation models, such as target date portfolios along with fixed income or guaranteed choices, should also be considered as part of a solid investment line-up. Many companies offer fund selection and monitoring services that can help to alleviate much of the difficulty an employer may face in choosing the investment choices offered within their plan.

Careful consideration should be given to the underlying investment expenses of the choices offered within the plan and the average investment cost should be factored into the overall fees of the plan. The utilization of index funds within the investment line-up is one way to bring the average fund expense charges down within a plan.

Third-party administration

An integral part of any defined contribution plan, the third-party administrator (TPA) sets the tone for plan compliance. Plan design, plan document maintenance, annual testing



requirements, contribution and distribution processing, and loan administration are just a few of the functions a TPA carries out for a defined contribution plan. A TPA will work with a township to craft its customized plan provisions that lay out vesting, contribution formulas and eligible employment classes.

Sophisticated plan design strategies may help townships contain retirement costs and ease the migration away from defined benefit arrangements. Regulations vary greatly between the private and public sectors and consideration should be given to hiring an administrator with expertise in the municipal sector. TPA services may come with additional costs to a township's plan. When hiring a TPA, be sure to ask for a complete fee schedule for all the services performed.

Ongoing service

A well-run defined contribution plan should provide ongoing service and communication to both the township and the participants. Helping participants become comfortable with their plan will facilitate ownership of their retirement preparedness. On-site enrollment meetings, participant account reviews and educational workshops are all services that may be offered by your plan's financial representative. Additional services such as investment advisory services are quickly becoming a sought-after feature as participants are seeking enhanced investment guidance.

Participant educational workshops centered on investment basics, promoting 457(b) participation, Social Security and preparing for retirement are especially important to keep employees engaged in their retirement readiness. The township's financial representative should work with the

township to develop an ongoing service plan that meets its plan's needs and expectations.

Perhaps the most important thing an employer can do is engage the services of a firm that can help implement and maintain a quality defined contribution plan. A firm that can consolidate services, offer cost economies and provide one point of contact for all plan-related needs will streamline the employer's role. A firm that supports the employer's retirement plan vision and that can help develop strategies to reduce costs is equally important.

Despite challenging economic conditions, it is possible to build a better retirement plan for your township employees. Attracting and retaining qualified staff members benefits the township and the community you serve. Township officials and administrators are encouraged to learn more about the retirement options available to your township.

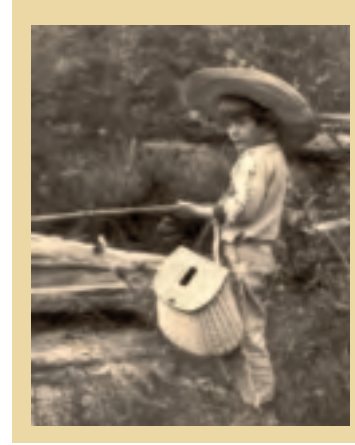


Amber Howes, Manager, Retirement Services & Administration, Burnham & Flower Insurance Group, Kalamazoo

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Township's tie to Hemingway honored

In 1919, a then-unknown Ernest Hemingway and two friends stepped off the train in **Seney Township** (Schoolcraft Co.), looking for the ideal spot for a week-long fishing excursion. That trip became the inspiration for one of Hemingway's most well-known short stories, "Big Two-Hearted River."

A historical marker celebrating Hemingway's time in Seney and the resulting famed short story was dedicated at the Fox River State Forest Campground near the township in August. The marker, located near where Hemingway was thought to have camped, is the latest in a series of Michigan Heritage Memorials provided by the Michigan Outdoor Writers Association (MOWA) to recognize key events in the state's rich natural resources and outdoor recreation history.

"MOWA's members think it's pretty special that a story about fishing on the Fox River 94 years ago is still one of Hemingway's best-loved stories. Placing this marker here has been in the works a long time," MOWA President David Graham told Upper Michigan News TV-6 at the ceremony.

The author's 84-year-old nephew, Jim Sanford, also attended the ceremony and shared stories of his uncle and his love of the Michigan outdoors and the Upper Peninsula. "I think the Fox River is a great place to put this plaque," Sanford said. "[Hemingway] would think it was well-deserved."

A restorative trip

The short story, which features Hemingway's semi-autobiographical protagonist Nick Adams, shares the story of a simple fishing trip—catching fish, camping and enjoying nature. Written after Hemingway was seriously wounded in World War I, the story also explores the devastating qualities of war, countered by the healing powers of nature.

Hemingway signed on as a member of the Red Cross during the first world war, and was sent to the Italian Front.

After he was nearly crippled when a mortar bomb exploded near him, he was sent to a hospital in Milan to recuperate for six months, and then returned to the U.S. Perhaps looking for his own escape from the horrors of war, he headed to the tranquility of the Upper Peninsula.

The area, according to Seney Township Supervisor **Don Reed**, would provide just the solitude Hemingway was seeking. "It was peaceful," said Reed, who grew up in the township. "There were beautiful ponds and excellent fishing, a beautiful trout stream. At that point in his life, he needed peace, he needed to relax. The area where he camped was out of the way; it was his time to regroup."

Noted MOWA's Graham, "There are an awful lot of people who come to northern Michigan to try to re-create that experience for themselves."

Reed, who owns the Fox River Motel in the township, concurs. "People come in and tell us that they want to trace Hemingway's footsteps," he said.

The Seney Township Campground includes a 27-mile hiking trail along the Fox River that follows the route Hemingway was believed to have taken. Area visitors can do more than retrace Hemingway's footsteps—they can also take in a Hemingway exhibit at Seney's Museum, located in its historic train depot—where Hemingway and his friends stepped down onto the tracks nearly 100 years ago.

The exhibit features photos and pieces of historical information, along with the gear that Nick Adams is described in the short story as having for his journey,



Photos: Ernest Hemingway Collection. John F. Kennedy Presidential Library and Museum, Boston.

including a can of pork and beans and a can of spaghetti that he mixes together for a meal. Reed said that about four years ago, the township also acquired a boat that Hemingway is said to have used. The boat is now part of the exhibit as well.

Reed said that he used to ask Jack Riordan, who worked at the Seney Depot when Hemingway came to town, about the author's visit. "Of course, at that time, he was just another young man getting off the train," Reed noted. "He wasn't famous yet."

The story that resulted from his time in the U.P. was one of Hemingway's first great contributions to literature, and some call it America's best fishing story. Although he fished along the Fox River, Hemingway later said that he borrowed the name of another Upper Peninsula river—the Two-Hearted River—for the title because "it had more poetry."

A connection to Michigan townships

Hemingway's connection to Michigan began when he was just six weeks old. In 1898, his parents visited northern Michigan from Chicago, and were so delighted with the area that they purchased a parcel of property with 200 feet of waterfront on Walloon Lake, in **Resort Township** (Emmet Co.). The family built a small cottage, called Windemere, which remains in the family today. Hemingway began visiting Windemere as an infant. To reach the cottage, the family traveled by steamship and train from Chicago and then boarded a small steamship that departed from **Melrose Township** (Charlevoix Co.), a spot that is recognized with a State of Michigan historical site marker.

Throughout his childhood and into his late teens, Hemingway spent his summers in northern Michigan, hunting, fishing and enjoying the natural beauty of the Great Lakes State. He married his first wife, Hadley Richardson, at Horton Bay, in **Bay Township** (Charlevoix Co.), an area mentioned in other Hemingway stories.

Although his life took him to Paris, Africa and Cuba, he remained connected to Michigan, maintaining ownership of the family cottage on Walloon Lake until his death in 1961.

"Anyone who has spent time in northern Michigan shares that experience with Hemingway," said Michael Federspiel, a member of the Central Michigan University history department and president of the Michigan Hemingway Society. "The only difference is that he wrote about it, and went on to become a famous author. Our own shared experiences connect us all with his stories."




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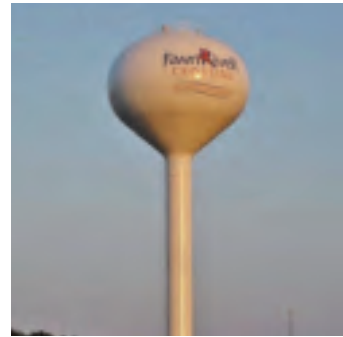
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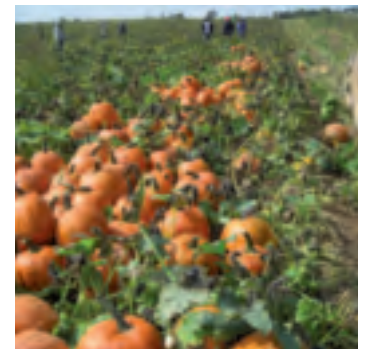
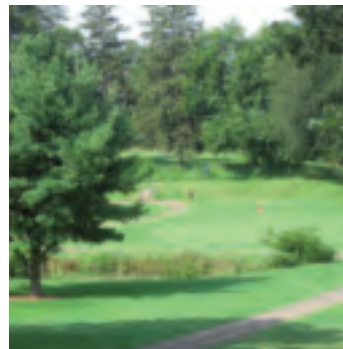
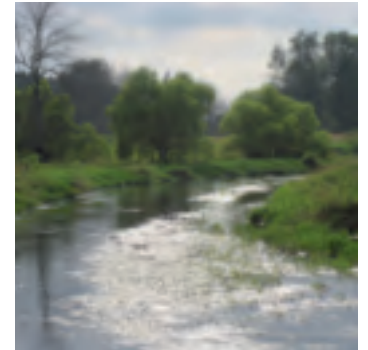
Sturgis Township (St. Joseph Co.), which was originally included in Sherman Township, was once a vast prairie, dotted with oaks and interspersed with streams and lakes. The township was named after one of the first settlers, John Sturgis, who came to the area in August 1827. Sturgis, who later became a judge in St. Joseph County, and another settler, George Thurston, broke up 10 acres of land and sowed wheat before leaving for the winter. When he returned with his family in the spring, Sturgis built a home and continued to farm the land. Additional settlers arrived, and the township was established on March 19, 1845. The first township meeting was held at the Sturgis Prairie Hotel.



St. Joseph County has more irrigated land than any county east of the Mississippi River, ensuring the success of agriculture in the area. Due to abundant groundwater, the township is able to grow specialty crops such as seed corn, snap beans and potatoes.

Township residents can enjoy many recreational activities. Located within the township is the Green Valley Golf Course and Campground. The Fawn River flows through the township and is frequently used for canoeing and kayaking.

Today, the township embraces collaboration and is part of the Tri-Township Fire Department, along with Sherman Township and Fawn River Township. Sturgis Township, along with the neighboring City of Sturgis, is reaching across state lines and collaborating with LaGrange County in Indiana in the development of the Fawn River Crossing project to promote the area. With a goal of keeping new developments cost effective, the project started with a cooperative effort to put in a new sewer line, then complete road, water and other infrastructure improvements. From water parks and arts, to great schools and numerous housing options, to opportunities for businesses and a strong labor force, the Fawn River Crossing project aims to make the area the "perfect place" to build, work, live, learn and play.





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