

MICHIGAN COUNTIES



The Hugh J. Gray cairn was created in 1938 in Antrim County to honor Michigan's 83 counties. Learn more about its history on page 12.

Credit: Mark Nixon



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ON THE COVER

THE HUGH J. GRAY
CAIRN

PHOTO CREDIT:
MARK NIXON

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Letter from the Executive Director



STEPHAN W. CURRIE
MAC EXECUTIVE DIRECTOR

“It’s a big job, but one we enjoy doing because we are here to help you be on the cutting edge of policy and make the contacts with state leaders that are essential to good governance in Michigan.”

In just a couple of weeks from when you read this, we will be convening in Lansing for our 2022 Michigan Counties Legislative Conference. It will be our first capital gathering since 2019; seems like such a long time.

Though, in the conference world, three years are the blink of an eye.

For example, when we gather at the Lansing Radisson and Lansing Center in late March, we will do so under contracts negotiated and signed three years ago. And that’s typical for the industry; venues of the proper size, location and options are few. Add in the demands of the calendar – in this case when the Michigan Legislature is in session – and you quickly see the need to act quickly.

Some members may recall we have held a couple of conferences recently when the legislators were NOT in town. That’s the downside of the need for early scheduling. While we have to grab dates at our venues years in advance, we don’t know the Legislature’s session schedules until about eight or so weeks before a conference starts. We have had to “guess” based on holidays and past legislative choices.

After this year, though, you will notice a major shift in the calendar legislative conferences for that very reason. Instead of the March-early April window, we are going to late April, which will avoid legislative breaks and the Easter holiday.

Of course, venue selection is just the start of conference planning. For the 2022 event, MAC staffers gathered the first week of January for our “topics meeting.” This session is to review policy issues and trends and select proposals for the breakout sessions at a conference. Of course, there are perennial topics, such as the Open Meetings Act, while others come from our policy committees or just a simple email from a member with a good idea.

We are gathering these ideas year-round, so if you have one to suggest, just drop a note to Communications Director Derek Melot at melot@micounties.org.

At the same time, we finalize our targets for keynote speakers. Michigan’s governor is always the top ask for us at legislative events. Thanks to the contacts built up by Governmental Affairs Director Deena Bosworth, we were able to quickly land Gov. Gretchen Whitmer this year. She will address the conference on the morning of March 23.

After that it’s not much — just finding top experts for breakouts, putting together MAC’s own presentations, setting menus, helping people register, landing sponsors and exhibitors, writing scripts, printing posters, inviting legislators ... you get the idea.

It’s a big job, but one we enjoy doing because we are here to help you be on the cutting edge of policy and make the contacts with state leaders that are essential to good governance in Michigan.

So, on behalf of President Phil Kuyers, the MAC Board of Directors and our staff, I look forward to welcoming you soon to the 2022 Legislative Conference. ♦



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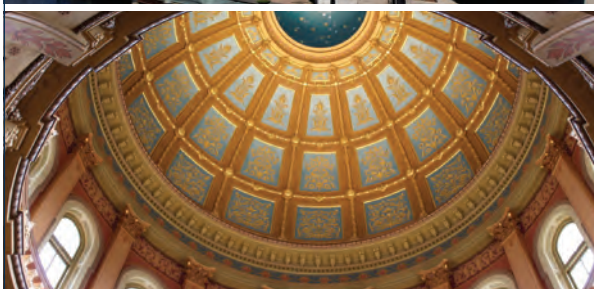
**Special thanks to Jim Maike for his \$500 to kick off the 2022 campaign*

83 COUNTIES MANY MORE STORIES

Michigan Counties is your gateway to all things related to county government in the Great Lakes State. For an annual fee of \$15, you will receive all six printed editions of the magazine (February, April, June, August, October and December).

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Letter from the President



A handwritten signature in black ink that reads "Philip Kuyers". The signature is fluid and cursive.

PHIL KUYERS
PRESIDENT, MAC BOARD OF
DIRECTORS

“As county leaders, though, we also have a duty to address the practical, the future. And I want us all to remember that with this once-in-a-generation crisis has come a once-in-a-generation opportunity.”

As you are receiving this *Michigan Counties*, we have reached the two-year mark for the pandemic here. I doubt any of us thought, in early March 2020, that we would be where we are today – or could possibly have imagined the death and pain we have suffered and seen.

It’s my habit to turn to the practical, but before I do so here, I want to make a more general point: In looking to climb out of this pandemic, this horror, don’t stop acknowledging what has happened, what has been lost. Don’t expect that people have “moved on.” Don’t hesitate to check on each other. We don’t know how we are doing unless we ask.

As county leaders, though, we also have a duty to address the practical, the future. And I want us all to remember that with this once-in-a-generation crisis has come a once-in-a-generation opportunity. Well, it’s an opportunity if we work together to make it so.

Months ago, as the size and shape of federal programs became apparent, MAC’s CoPro+ subsidiary identified consulting firms with the expertise to help guide counties, and others, in navigating federal reporting requirements and setting local priorities for investing COVID relief dollars. Executive Director Steve Currie told me recently that 20 of our member counties have signed up with these firms.

One of those is Clinton County. I asked my fellow MAC Board member, Clinton Commissioner Robert Showers, how it’s going.

“Clinton engaged Guidehouse to assist us in navigating the complexities,” he wrote. “Their consulting fees are paid for from our (American Rescue Plan) allocation, saving the county additional expenses. Guidehouse brings us a high level of confidence on how these funds can be used as they relate to county business because they were one of the prime consultants who assisted the federal government in fleshing out in practical terms what Congress has intended them to be used for.

“We have been able to set aside a large percentage of our allocation for lost revenue, fund a very successful small business relief grant program and bolster a review of broadband fiber optic availability and potential expansion throughout the county. We are very pleased.”

Here in Ottawa County, we set up a community committee last June to advise the county board on priorities. The committee members came from local government, charitable foundations, economic development, nonprofit and human service agency professions. They developed a hierarchy of needs for the \$56.6 million coming to our county that focused on five key areas:

- County operations
- Broadband
- Housing
- Social service needs
- Business stabilization

My Ottawa colleagues and I are using this advice, this collaboration, to aid in our decision-making. And while your county’s needs and priorities may differ from ours, I hope your plans are growing from a same culture of consultation.

These are just two examples of how an opportunity is being approached. One might be best for your county or not. The point is, choose a course; don’t let this opportunity past you.

The COVID crisis has revealed or worsened so many divisions in our communities. We, as local leaders, have a responsibility to find chances — any chance — to reveal or enhance collaboration, civility, unity in those same communities. ♦

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Whitmer to keynote 2022 Legislative Conference

Gov. Gretchen Whitmer will keynote the 2022 Michigan Counties Legislative Conference, addressing a plenary session of the event on Wednesday, March 23.



WHITMER

This will be Gov. Whitmer's second time to keynote our Legislative Conference, having appeared at the 2019 event.

The conference also will feature:

- A plenary session address by Larry Johnson, president of the National Association of Counties
- A MAC Legislative Update, led by Deena Bosworth, director of governmental affairs
- Remarks from MAC President Phil Kuyers of Ottawa County and Executive Director Stephan Currie

A Legislative Reception on the evening of Tuesday, March 22, during which MAC will present its County Advocate Awards for legislative service in 2021 to Sens. Ed McBroom (R-Dickinson) and Jeremy Moss (D-Oakland) for their stalwart leadership in the adoption of four-year terms for county commissioners

The conference will be an in-person event, though MAC plans to livestream select breakout sessions on Facebook.

While the early-bird deadline passed on March 1, you still have time to register for the conference at the member rate of \$435, which covers all events and meals.

For the latest conference news, visit the conference page at www.micounties.org.

Lenawee transforms 'Old Courthouse' into facility ready for 21st century

Updates and restoration projects to prepare Lenawee County's "Old Courthouse" for the next 100 years came together in early 2020. Careful considerations to both the interior and exterior were given to energy efficiency, mechanical updates and floorplans designed to bring accessible technology and a comfortable environment to this 135-year-old courthouse, while preserving the history and period look of a local landmark.



Among notable elements of the project are:

- A wheat mosaic lays in the center of the building was repaired and preserved.
- The two grand staircases leading up to the second floor that were once enclosed have been opened and splendidly restored.
- The drop-down ceiling in the board chambers was removed, revealing a coffered ceiling that dates back more than 100 years. It is now enhanced by four grand bronze chandeliers.

- The building’s rotunda was restored to its original size, allowing staff and the public to see the fantastic stained-glass dome created specifically for this building.

Right before Christmas, staff for the register of deeds, treasurer, equalization, administrator and board of commissioners were able to move into their “new” offices in the “Old” Courthouse.

The final cost for the renovation was \$8,825,000, bringing the project in under budget – and in less than two years.

To learn more about this project, visit MAC’s website: micounties.org.

MAC member directories released

The 2022 MAC Membership Directory was released in February, with county commissioners, administrators and board offices around the state receiving their complimentary copies in the mail from our publishing partner, E&M.



This annual directory carries contact information for all elected county officials in Michigan and background information on MAC and its activities on your behalf.

A searchable digital version of the directory can be found on the MAC homepage. The password for the digital version can be found on the Table of Contents page of the printed directory.

MAC also will have available a limited number of printed directories for sale for \$40 each (which includes shipping). To order one, contact Derek Melot at melot@micounties.org.

If you need to update or correct information found on your county page for the digital edition, please send an email to melot@micounties.org. ♦



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Dedicated trust fund for revenue sharing is key '22 goal

BY DEENA BOSWORTH/MAC GOVERNMENTAL AFFAIRS DIRECTOR

“Since 2015, when the state finally fully funded revenue sharing payments, we have seen a 19 percent increase in general inflation while only getting annual funding increases of just 1 percent to 2 percent.”

Michigan counties are recommended for an unprecedented increase in revenue sharing for FY2023, if Gov. Gretchen Whitmer’s Executive Budget is approved by the Legislature this spring.

Under the governor’s proposal, revenue sharing would go up 10 percent, with half of that increase ongoing (i.e., built into the base amount for consideration in following years) and half as a one-time increase. MAC is pleased at the governor’s commitment, coming as it did in response to a request by MAC for an 8 percent increase in funding over the previous year to make up for the lackluster investment in revenue sharing over the last two decades.

But this long-running shortage means one year’s appropriation, as large as it would be, resolves the funding crisis for counties. That’s why MAC continues to pursue other fundamental changes in the revenue sharing process.

Since 2015, when the state finally fully funded revenue sharing payments, we have seen a 19 percent increase in general inflation while only getting annual funding increases of just 1 percent to 2 percent. And even the phrase “full funding” is something of a misnomer.

Public Act 357 of 2004, which the Legislature enacted to rescue the state’s own budget, set a new definition of full funding for counties that is based on the dollar amount that a particular county was receiving at the time they were coming back into state-funded revenue sharing, after exhausting their property tax collection reserve fund set up under that law. This amount is equal to what they received in FY 03-04, adjusted annually for inflation, until the date they ran out of funding.

In this 2004 negotiation, counties agreed to



forgo state-funded revenue sharing and instead paid themselves their own revenue sharing amounts out of property tax collections. Full funding is a static number, and one that does not reflect the changes in revenue collected by the state meant to be shared with locals. Nor does it reflect inflationary increases. Counties have been struggling to catch up ever since.

To prevent a repeat of this dynamic, MAC has proposed to the governor and key legislators the enactment of a Revenue Sharing Trust Fund, seeded with sales tax dollars and designated with built-in inflationary increases. This trust fund would have dollars diverted from the General Fund and kept in an account specifically for revenue sharing, making it more far difficult for legislators to divert the revenue for other agendas.

Now is the time to enact such protections for counties given the huge state surplus and the influx of federal dollars. If we don’t fix the system now, when Michigan’s economy next takes a downturn, locals could again be targeted by the state to fix its own problems. ♦

COVID-19 Relief Consulting Services

CoPro+ is a program that provides public entities with the opportunity to collaboratively procure valuable goods and services at competitive prices, while receiving a dividend as a reward for being a shareholder in the program.

AVAILABLE CONTRACTS:

The Covid-19 Relief Consulting Service contracts are hosted by Livingston County; however, available to all counties. They were competitively bid and approved through the county's procurement process and are posted at coproplus.org.

The vendors chosen through this process are prequalified to provide various services to the counties to assist them in managing the Covid-19 Relief funds allocated through the American Rescue Plan Act of 2021. The contracts will offer a means to counties to receive financial accounting, oversight monitoring, auditing, and/or reporting services as required for each individual project.

Four Contracts Were Awarded

Guidehouse

Jeff Bankowski
jbankowski@guidehouse.com
734-644-0595

iParametrics

Michelle Erste
michelle.erste@iparametrics.com
Direct: 770-290-1477
Cell: 770-238-7408

Pierce, Monroe & Associates

Kim Ball
kbball@piercemonroe.com
313-961-8419

Public Sector Consultants

Misty Elliott
melliott@publicsectorconsultants.com
517-371-7434

PROCESS:

The contractor will deploy a team of one or more professionals to the requesting county. The number of staff required will vary with each county and will depend on the individual needs of each county.

The contractor will work at the direction of each county's designated lead to help them determine proper use and distribution of the funds to intended beneficiaries, recordkeeping, compliance for SEFA and dashboard-like reporting to governing boards and other community stakeholders. The county will have access to the full range of the contractor's knowledge and tools will be updated daily on what the contractor learns from its federal expert sources and from experiences/insight from similar projects in other states.

Prior to closing the contracts, the contractor will provide a roadmap and recommendations for continued use of tracking and reporting tools, and any other knowledge transfer to key county personnel to successfully complete in progress tasks/outcomes.

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THE TASK MAY INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING:

- Inventory finding opportunities along with requirements for obtaining, utilizing, and accounting
- Assist in administering Federal and State grant monies
- Track and manage progress (applications made, receipts, distributions, etc.)
- Provide project reports
- Project auditing
- Project budgeting
- Financial forecasting
- Recommend internal controls
- Schedule and conduct/assist in meetings
- Other activities as deemed beneficial for the outcomes, and as mutually agreed to by the participating county and the Contractor

Remnant of Michigan's first 'Automobile Age' honors Michigan counties

BY MARK NIXON

Mark Nixon, a native of Harrison and proud Michigan State University alumnus, is a freelance writer who retired from newspapering after a 30-year career in Michigan.

It stands on a windswept hill along a half-forgotten highway, monument both to a man and a tourist mecca he helped create. Michigan.

Forgive those who do a double-take when first spotting this rock cairn in southwestern Antrim County. It looks, well, seemingly in the middle of nowhere. There's a certain serendipity about the cairn's age — 83 years (going on 84) — because each rock in this pyramid-like structure literally represents one of Michigan's 83 counties.

The Hugh J. Gray cairn was dedicated in June of 1938, honoring its namesake for being "the dean of Michigan tourism."

Gray was hired in 1917 to manage the newly formed West Michigan Tourist and Resort Association. A former railroad executive, Gray was among the first to recognize the fledgling Automobile Age would accelerate leisure travel throughout the state. And not just Michiganders with a wanderlust. Gray envisioned out-of-staters flocking here. He advertised Michigan's wonders throughout the Midwest and opened a tourist information center in Chicago touting Michigan as the "Tourist Empire of the Inland Seas."

In his first year, Gray reportedly logged 8,000 miles crisscrossing the state, meeting with resort owners and officials from railroads and steamship lines.

"The resort business was in its infancy," according to an article by author and librarian M. Christine Byron. But within decades, tourism became Michigan's second-largest industry. By 1937, Byron writes, tourism raked in \$315 million, "outranking even California in the tourism industry."

Gray sought to professionalize tourism by promoting college classes in hotel management at Michigan State College (now Michigan State



THE HUGH J. GRAY CAIRN WAS CREATED IN 1938 ON WHAT WAS THEN A BUSY STRETCH OF U.S. 31 IN ANTRIM COUNTY. (PHOTO: MARK NIXON)

University). Today, MSU boasts a nationally renowned School of Hospitality Business.

Though the current pandemic has tapped the brakes on state tourism, visitor spending still contributed \$18.8 billion in 2020. Tourism creates nearly 275,000 in-state jobs. In 2017, tourism contributed \$2.7 billion in state and local taxes, according to data from Travel Michigan.

Back to the cairn ... Why was this 16-foot-high monument built on a secondary road in Antrim County?

Answer: It wasn't.

The road, now appropriately called Cairn Highway, was once part of a major highway, U.S. 31. In 1938, the highway jogged eastward from Elk Rapids before bending into a more north-south direction.

The cairn — roughly situated on the 45th parallel,



“The cairn — roughly situated on the 45th parallel, halfway between the equator and the North Pole — was a familiar sight to motorists on U.S. 31.”

THE CAIRN AT ITS DEDICATION. WHAT STARTED AS A “ROCK-SOLID” SALUTE AND ATTRACTION DURING A TOURISM SURGE PRIOR TO WORLD WAR II NOW GOES LARGELY UNNOTICED. (PHOTO: FLICKR)

halfway between the equator and the North Pole — was a familiar sight to motorists on U.S. 31. It was the showstopper in a popular roadside park — an actual tourist destination.

“That was the original intent,” said Sigrid Bergland, an historian with the Michigan Department of Transportation.

It all changed in 1954, says Bergland. U.S. 31 was re-routed, bypassing the cairn and thereby creating a more direct route between cities like Traverse City and Charlevoix.

The cairn was not just about honoring Gray but meant as a rock-solid salute to Michigan counties. The concept: Each Michigan county would contribute a rock “mined” from within their county’s borders. Each rock would bear a county’s name, etched in stone.

The peculiar exception was Wexford County, whose “rock” is actually a square rubber plaque with “Wexford” stamped onto it. Wexford’s county seat, Cadillac, was proud of its burgeoning rubber manufacturing, so it chose rubber over rock.

More than 1,000 people attended the cairn’s 1938 dedication ceremony, including Gray. Other names on the cairn’s plaque are familiar to Michigan historians, including Gov. Frank Murphy (later to become a U.S. Supreme Court justice); Arthur H. Vandenberg, a Grand Rapids newspaper publisher who became a U.S. senator; and St. Ignace-born Prentiss Brown, also a U.S.

senator who became the first chairman of the Mackinac Bridge Authority. Brown oversaw the construction of the Mackinac Bridge, which opened in 1957.

Today, the cairn seems almost a footnote to Michigan’s tourism history. Antrim County handles the cairn’s maintenance and repairs, while Milton Township maintains the grounds around the cairn.

Dan Sippel has a vision for restoring the cairn’s prestige and prominence. As CEO/executive director of the West Michigan Tourist Association, Sippel finds the cairn’s story compelling. “We want to beautify this site,” he said. “In the past, it was more of a roadside park with picnic tables.” He believes it’s worthwhile to rekindle that vision.

Sippel also thinks a state historical marker is appropriate for the site. He’s working toward that end.

Speaking of history, the cairn itself harbors some historical secrets. “There’s a hidden vault inside it,” Sippel said. When the cairn was built, various tourist brochures, news stories and other printed materials about the cairn were “entombed” within. Sippel hopes to recover those artifacts, if they indeed have survived after being encrypted for 83 years.

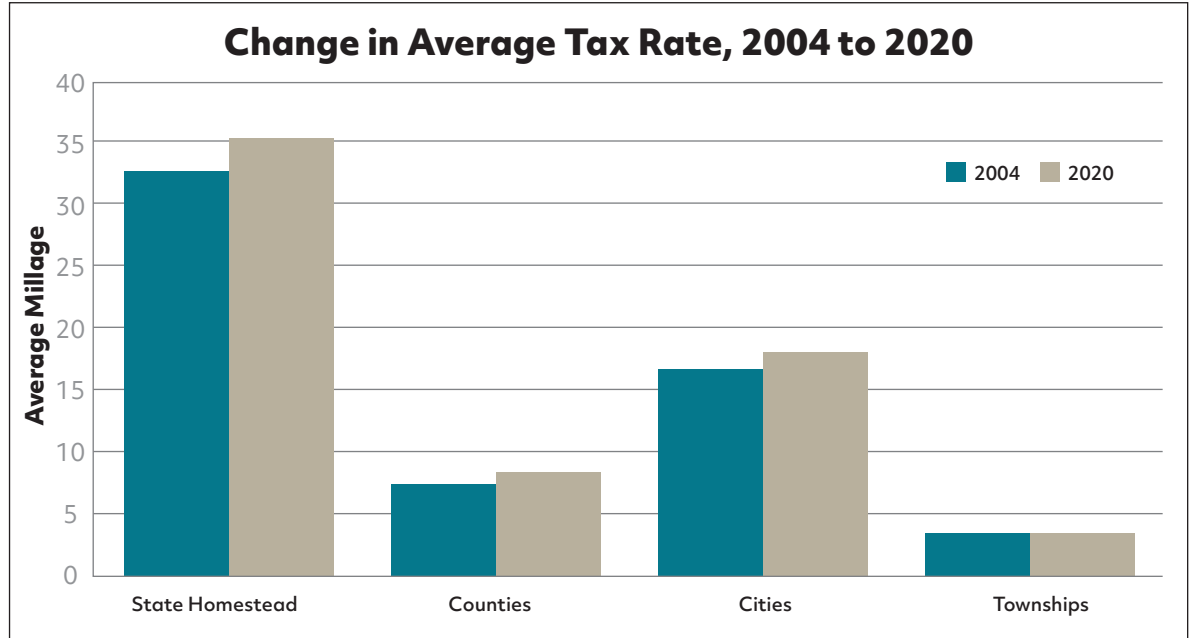
It’s fitting to envision this hillside monument, an homage to Michigan tourism, might someday reclaim a bit of its former glory. ♦

Squeezed by state rules, counties have turned to property tax rate increases in ill-advised trend

BY ERIC LUPHER/PRESIDENT, CITIZENS RESEARCH COUNCIL OF MICHIGAN



MAC strongly supports the work of the **Citizens Research Council of Michigan**, a nonpartisan, independent public policy research organization. MAC Executive Director Stephan Currie currently sits on the CRC Board.



Because Michigan’s property tax limitations are oriented toward restricting the growth of the tax base, many local officials have increased tax rates to meet their governments’ needs. This pressure has been acutely felt by counties. This system is not sustainable.

A 2021 Citizens Research Council’s report, “Michigan’s Overlapping Property Tax Limitations Create an Unsustainable Municipal Finance System,” got to the root of one aspect of Michigan’s broken municipal finance system: restrictive tax limitations.

The 1978 Headlee Amendment to the state constitution limits property tax revenue growth. It requires local governments to reduce — rollback — the maximum authorized tax rates if the tax bases increase faster than inflation. It also required voter approval for new or increased taxes.

An assessment limit included in the 1994 Proposal A school finance reforms created a new tax base — taxable value — and the measure capped the annual growth of taxable value to the lesser of 5 percent or inflation, excluding the value of new construction.

Taxable value is reset, or “uncapped,” when ownership of properties changes.

In Michigan’s property tax system, growth in tax bases comes from 1) property appreciation, 2) the uncapping of taxable value when a property is sold and 3) new development. However, appreciation is capped and uncappings lead to tax rate rollbacks.

The local governments that have attracted new development have fared the best in this system, but that is not sustainable because land is finite and urban sprawl strains precious resources.

In the face of these tax base limitations, many local governments, especially those without the capacity or demand for new developments, have responded by increasing tax rates.

A soon-to-be-released study finds that 60 percent of the cities, 50 percent of the townships, and 78 percent of counties increased tax rates from 2004 to 2020.

Sixty-five counties received voter approval to increase taxes. This includes 25 counties that have 2020 tax rates less than 1 mill greater than

their 2004 rate (a mill represents a dollar of tax for every \$1,000 of property value). Another 27 counties have tax rates that are between 1 and 2 mills greater than the 2004 rates, while 13 counties are more than 2 mills greater than the 2004 rates.

The average county tax rate increased from 7.4 mills in 2004 to 8.3 mills in 2020, a 12.25 percent increase.

Eighty percent of rural counties increased their tax rates, raising the average tax rate from 7.6 mills in 2004 to 8.5 mills in 2020, an 11.6 percent increase.

Similarly, 76.5 percent of urban counties increased their tax rates, raising the average tax rate from 6.7 mills in 2004 to 7.7 mills in 2020, up 15.25 percent.

During this period, the average city tax rate increased 8.65 percent and the statewide average tax rate increased 8.35 percent.

Tax limitation advocates may argue that this is preferable to the pre-tax limitation system

because citizens, who pay property taxes, are blessing the increased tax rates at the ballot.

However, about one-third of the statewide value is commercial or industrial property. The owners of these businesses do not participate in the millage votes unless they happen to also live in that community.

Also, local governments cannot perpetually increase tax rates. The system puts pressure on tax rates, but statutory limits and taxpayer patience create upper bounds.

Finally, ever-increasing tax rates will lessen the attractiveness of owning property — that is living and working — in Michigan. The tax limitations hope to prevent appreciating property values from taxing property owners out of their homes or businesses. Instead, high tax rates may preclude people from buying property.

Ultimately, we must address the root problem that Michigan depends too heavily on property taxes. A municipal finance system with alternative tax options could ease the burden on the rate and the base. ♦

“A soon-to-be-released study finds that 60 percent of the cities, 50 percent of the townships, and 78 percent of counties increased tax rates from 2004 to 2020.”

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NRM-12870M5 (01/15)

From blight, ‘The Phoenix’ will rise in Lenawee County

BY KIM MURPHY/LENAWEE COUNTY AND DAN SWALLOW/CITY OF TECUMSEH

Kim Murphy is deputy county administrator for Lenawee County. Dan Swallow is the city manager for the city of Tecumseh.



THIS ARTIST'S RENDERING SHOWS "THE PHOENIX" IF LOOKING FROM THE NORTHEAST OF THE SITE IN CENTRAL TECUMSEH.

The success of your community is now more than ever dependent on its ability to offer a high quality of life to its residents. Younger generations are first choosing where they want to live and then looking for a means of income. With the advancement of remote work, talented people can now choose to work from anywhere. At the same time, the baby boomers are looking for reasons to age in place or move to a more retirement-friendly location. These trends are particularly challenging for rural counties. Lenawee, as a rural county with an aging population, chose to these challenges head-on.

We recently proposed a transformational project in response: Project Phoenix.

“The Phoenix” is a fittingly named project that is reimagining a 60-acre blighted brownfield that will transform into not only a regional tourism draw, but also a highly desirable community center for all ages, physical abilities, and interests.


The vision is to develop a center that provides for diversity in utilization and in programming. It will provide for both sporting and non-sporting activities including social programs for the enjoyment of all community members. We have all been challenged by COVID and economic

difficulties which has caused a serious spike in mental health concerns. The Phoenix will offer people the ability to improve their mental health through inclusion and involvement in programs that interest them.

Improvements include:

- 25 indoor/outdoor courts and turf fields, flex space and golf simulators
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- E-Sports and robotics competitions
- Educational programming and activity centers
- Convention Center for large gatherings including festivals, trade shows and expos
- Retail and office space
- Sports medicine care and treatment
- Hotel lodging for those coming for overnight visits
- The Department on Aging's centralized kitchen for meal distribution programs and activity center for residents

The Phoenix will be located in the heart of our



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Derek Melot,
melot@micounties.org.

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second-largest city, Tecumseh, on a blighted site that previously housed the Tecumseh Products Company and its 5,000 employees. The company previously relocated operations but remains committed to finding a new use for the site.

A challenge of this magnitude is beyond the capacity of any one organization and requires unique partnerships. The county could not take on this project alone; the first step was to leverage private resources. Sisu Sports Academy and Lenawee County created that private-public partnership. “Sisu” is a Swedish word that roughly translates into persistence or determination. To come to fruition, The Phoenix will need persistence and determination from all the partners.

With the county, the city of Tecumseh stepped forward to provide financial and organizational support. The Department of Environment, Great

Lakes and Energy’s Brownfield Division also has supported the redevelopment with \$1 million in a grant and loan. And the U.S. Environmental Protection Agency is working closely with the former property owners and the state to knock down barriers to the proposal. Additional state and federal backing for the project is anticipated, with the funds currently available through the American Rescue Plan.

It is not often that you see city, county, state and federal governments and the private sector come together to support a project with staff time and financial resources. We see this unique approach as a recipe for success.

We are in the funding phase for a regional center that will offer unique opportunities for abled and disabled individuals, sporting and non-sporting events, academics and robotics and much more. ♦

“The vision is to develop a center that provides for diversity in utilization and in programming. It will provide for both sporting and non-sporting activities including social programs for the enjoyment of all community members.”



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The county's role in establishing an inland lake level

BY STACY HISSONG/FIRM OF FAHEY SCHULTZ BURZCYH RHODES



“The drain commissioner is responsible for maintaining the legally established lake level, which is paid for by a special assessment district.”

In recent years, historic rain events and high groundwater have led to increasing requests for the establishment of legal lake levels on inland lakes throughout the state. Part 307 of the Natural Resources and Environmental Protection Act (“Part 307”) provides a step-by-step process for setting and maintaining the “normal” level of an inland lake.

Beginning the Part 307 process

The county plays a key role in the Part 307 process, and the county board of commissioners may begin the process by motion or by receipt of a property owner petition. (MCL 324.30702) Once the lake level process begins, the county board may choose to delegate its Part 307 authority to the county drain commissioner. (See MCL 324.30702.) However, certain activities — such as expenditures of greater than \$10,000

on lake level improvements — always require the approval of the county board. See MCL 324.30722.

Next, the drain commissioner must obtain a lake level study from a professional engineer that considers a variety of factors set out in Part 307. (See MCL 324.30703.) The cost of this study (up to \$10,000) may be charged to property owners, which is often a good indicator of the level of support for the project. Upon completion of the lake level study, the county can work with legal counsel to file a petition in circuit court to establish a legal lake level.

Establishing and maintaining a legal lake level

The circuit court will set a hearing date regarding the petition, and the county must

provide notice of the hearing according to the specific requirements in Part 307. (See MCL 324.30707.) Notice is provided to property owners, who are allowed to attend and provide testimony at the hearing. The judge will consider this testimony, the historic lake level, and other factors to set a “normal” level for the lake, which is the level the lake should be at under normal circumstances. This level may vary depending on the weather, and the judge may also choose to set seasonal levels (i.e., summer and winter levels) for the lake.

The drain commissioner is responsible for maintaining the legally established lake level, which is paid for by a special assessment district. The circuit court will set a special assessment district boundary made up of the landowners who benefit from the lake level. (MCL 324.30707) The drain commissioner will then create a special assessment roll containing the assessment amounts and hold a special assessment hearing at which landowners can protest the assessments. (See MCL 324.30714.) The drain commissioner and county board must approve the roll, which becomes final unless it is appealed within 15 days. A drain commissioner may spend up to \$10,000 per year to maintain the lake level and may spend more with the approval of the county board. (MCL 324.30722)

Implications for counties

The Part 307 process may seem complicated, but it can be an important tool in a state that takes pride in its vast number of inland lakes. An established normal lake level can help protect property values and natural resources surrounding an inland lake. Once a lake level and special assessment district are established, the special assessment district can be used to fund future lake level improvements. If your county receives a landowner petition or is approached about establishing a legal lake level, it is recommended that you consult with legal counsel to guide you through the intricacies of the Part 307 process. ◆

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2022: The year ‘cyber defense’ becomes ‘cyber resilience’

BY DAN BOURDEAU/MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY

Dan Bourdeau is a security expert with the Michigan Municipal Risk Management Authority. He will be presenting on cyber threats at the 2022 Michigan Counties Legislative Conference, March 21-23.



Over the past decade, an average of 9,352 technology risks per year were discovered. In 2020 alone, according to Statista, an eye-popping 18,325 cyber security risks were documented.

According to research by Barracuda Networks, 44 percent of global ransomware attacks in 2020 targeted municipalities. With this intense focus on state, county and local governments, the cost impact is staggering. The average data breach costs government units \$665,000, while the average ransom demand tops \$835,758, according to a report by KnowB4.

2021 ended with extensive focus and effort on CVE-2021-44228, commonly known as Log4j or Log4Shell. This cybersecurity risk was published in early December 2021 and was rapidly exploited by remote actors. This security risk is very broadly used in various consumer and enterprise services, websites, applications, and operational technology products to log security and performance information. The Log4j bug can allow a remote actor to replace a single string of text which makes it load data from another computer on the internet.

A halfway decent hacker can feed the Log4j library a line of code that tells a server to pick up

data from another server owned by the hacker. This data could be anything, from a script that gathers data on the devices connected to the server or even takes control of the server in question. The only limit is the hacker's inventiveness; skill barely comes into play.

The World Economic Forum (WEF) Global Cybersecurity Outlook 2022 report predicts the top three cybersecurity threats in 2022 will be:

- Ransomware;
- Social engineering (tricking employees into giving up information, ID's and password); and
- Malicious insider activity.

Considering this prediction aligns with statistics of the past several years, the threats aren't dramatically changing nor relenting. What must change is recognizing the focus cannot be on cybersecurity alone. Organizations must include tangible action to improve cyber resilience. According to WEF, only 19 percent of cyber professionals feel their organizations are now cyber resilient.

The National Institute of Standards and Technology (NIST.gov) defines cyber resilience as the ability of an organization to transcend

(anticipate, withstand, recover from, and adapt to) any stresses, failures, hazards and threats to its cyber resources. In 2022 and beyond, it is recognized and accepted that cyberattacks are inevitable. There is also a growing recognition that cybersecurity and cyber resilience are separate but intertwined practices that must both be carefully curated for maximum efficacy.

According to the World Economic Forum leaders must not completely delegate the responsibility and understanding of cybersecurity to their cyber leaders. Instead, they must work with their cyber resources to bridge the cyber literacy gap to know which systems are critical to their operations, and at some level, understand the current threats that can compromise them. Bridging this knowledge gap can help ensure appropriate investment in response and recovery systems and services, not just defensive and preventative capabilities.

Investment in employee cyber literacy is also critical to an organizations resiliency. Creating and reinforcing a culture of respect and trust that employees will be treated with respect, fairness, and compassion instead of punitive and retaliatory measures coupled with routine and understandable cybersecurity training can allow for rapid deployment and higher chances of containment of a cyber attack.

In 2022 more organizations are adopting the pragmatic reality that there aren't cyber defenses alone that are enough to mitigate every vulnerability. Thousands of vulnerabilities will still be discovered in 2022, and some will become zero-day threats like Log4j of 2021. The reality that organizations must plan and invest in becoming resilient to the nearly inevitable cyberattack is unquestionably evident in 2022 and beyond. ♦

“According to research by Barracuda Networks, 44 percent of global ransomware attacks in 2020 targeted municipalities.”



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Kalamazoo County Downtown Justice Facility

Philip Kuyers



Name: Philip Kuyers

County/MAC Region: Ottawa/Region 3

Position: President

County Service: Ottawa County Commissioner, 22 years

Profession: Semi-retired (dairy farming/golf course ownership)

Previous Public Service: Ottawa County Farm Bureau

What part of the job of county commissioner gives you the most pleasure or pride? Why?

Serving as President of MAC is very rewarding and challenging to be nonpartisan as a leader for the counties. Interacting with commissioners from all parts of state helps me better understand how we all serve in MICHIGAN.

My most rewarding work is being on the Ottawa County Parks Board. Ottawa has amazing parks and to see the people use and enjoy them now and for years to come is great. And taking my grandkids to the parks and

Stan Ponstein



Name: Stan Ponstein

County/MAC Region: Kent/Region 3

Position: First Vice President

County Service: Kent County Commissioner, 13 years

Profession: Retail (Costco Wholesale)

Previous Public Service: Grandville Board of Education, 1980-2001; Grandville City Council, 2001-2007

What part of the job of county commissioner gives you the most pleasure or pride? Why?

I only need to look at the flag of the state of Michigan, the motto in Latin reads, “*Si Quaeris Peninsulam Amoenam Circumspice*” (“If you seek a pleasant Peninsula, look about you”).

One could say that is all you need to know about our state. But if you look further, the red ribbon on the crest on the flag has this imprinted: “*E Pluribus Unum*” (“Out of many, one”).

The motto really highlights our beauty, natural resources, people and places that make Michigan unique and provide opportunity for plenty of diversity. The red ribbon exemplifies why I continue to serve as a county official and serve in different roles with the Michigan Association of Counties — “Out of many, one.” It keeps me focused on governing and working together.

It would be easy to just serve and advocate for Kent County, but the state is made up of 83 great and unique counties. Though we are different, all counties share some of the same challenges when governing. We may disagree on some issues, but we accomplish many things when we stand together as 83 counties and make ourselves available when a single county is facing challenges.

The commissioners I have gotten to know are now friends who are as unique and diverse as the counties they represent. Traveling and seeing how beautiful our state is and how effective county government can be is rewarding to me in so many ways.

Or, to flip the old saying on its head, if you have seen one Michigan county, you’ve seen ... one Michigan county. ♦



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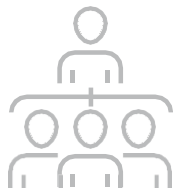
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Michigan's state budget from a county perspective

BY KYLE JEN/OAKLAND COUNTY

Kyle Jen joined Oakland County as director of management and budget in January 2021 after long service with the state in the State Budget Office and House Fiscal Agency.

After spending more than 20 years working on state budgets, a year ago I moved into the world of county budgeting. I've observed three key distinctions between state and county budgeting that can inform our advocacy with state policy makers for appropriate state funding levels for county programs.

Revenue volatility: In Michigan, the only broad-based tax that counties can levy is the property tax. While the housing market crash 15 years ago is a major outlier — and the provisions of the Headlee Amendment and Proposal A have constrained our ability to recover that lost revenue — the property tax is generally a stable revenue source. The state has a more diverse set of revenue sources but also more revenue volatility — particularly from the individual and corporate incomes taxes that are major sources for the state's General Fund. This means the state budget outlook can very quickly shift from positive to negative, and vice versa. Currently, the revenue outlook has pivoted to an unprecedented level of short-term growth — with General Fund revenue growing 20 percent from FY2020 to FY2021. Nearly all that growth is projected to carry forward into subsequent years.

The composition of the budget: The largest category of spending in county budgets, like

those for most public sector organizations, is personnel costs — making up over 60 percent of the General Fund budget for Oakland County. At the state level, most spending is passed through to other entities: school districts, colleges and universities, health care providers and local governments. Personnel costs make up just 12 percent of state expenditures from state-source revenue. This means that there are always going to be a larger number of competing interests for policy makers to balance, making a clear message about the value of investments in counties that much more important.

The legislative role: In Oakland County and most other localities, the executive branch produces the budget. Our county commissioners certainly play an active role in ensuring that the budget reflects the priorities of their constituents, but their adjustments to the budget are incremental and targeted in nature. At the state level, the full-time Legislature has the ability to produce a budget that fundamentally differs from the Governor's budget recommendation. Depending on the political dynamics in any given year, nothing in the Executive Budget Recommendation can be taken for granted until the Legislature has gone through its own budget process and a final budget is negotiated.



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“As the FY2023 state budget process plays out over the next several months, we have an opportunity to clearly articulate how counties protect the public against the COVID-19 pandemic and other emerging public health threats...”

All of the distinctions above add complexity and unpredictability to the state budget process, contributing to the challenge we face as counties in forecasting and advocating for state funding. At the end of the day, though, all budgets share one thing in common: they are statements of values.

Since 2015, when county revenue sharing was restored to the previous level of “full funding,” general increases in payments to counties have accumulated at only 6 percent, as compared to total inflation of 19 percent over the seven years through FY2022. The increase of 5 percent included in the governor’s proposed budget for FY2023, with an additional 5 percent one-time payment, is a good start toward closing that gap.

As the FY2023 state budget process plays out over the next several months, we have an opportunity to clearly articulate how counties protect the public against the COVID-19 pandemic and other emerging public health threats, provide shared law enforcement services utilized by local police agencies and foster economic growth that benefits all our residents — among the many other services we provide. Those critical functions should resonate with the values of all state policymakers. ♦

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Sen. Jim Stamas



Name:
Sen. Jim Stamas

District/counties:
36th/Alcona, Alpena, Arenac, Gladwin, Iosco, Midland, Montmorency, Oscoda, Otsego and Presque Isle

Committees:
Appropriations Committee, chair

Term #:
Second

Previous public service:
Midland County commissioner (2 terms); state representatives (3 terms); Midland Township trustee (1997-2004)

What is the most pressing issue facing Michigan right now?

Leading Michigan families and communities to a strong recovery and readiness for our future. We are now in our second year of unprecedented turmoil, and it's impacted our everyday lives in so many ways. Our work, school and social lives suddenly changed to working from home, learning remotely and ordering our groceries online. All of us had to learn to pivot.

Education, health, and workforce are three areas our focus should be on now; gaining back what we've lost. Our children need to recover both educationally and socially. Mental health is a big part of that and for adults as well. We learned how to do things differently during the pandemic that will serve us well into the future. We can take what worked and build on that.

Before coming to Lansing, you served as a Midland County Commissioner. How has this impacted your work in the Legislature, and do you think there are valuable policy related takeaways from your experience that can/have benefited Michigan?

It's had a positive impact on me. I believe that's true of most of my colleagues who come to Lansing. The experience we bring with us, whether it's business, local government or military, helps to shape our time serving in the Legislature. My time as a Midland County commissioner enabled me to draw from multiple experiences — county budgeting and working with the health department, courts, jail and parks just to name a few. In addition to that, it provided a strong base of teamwork and committee responsibilities.

Recently, the Michigan Senate voted in support of the \$3.3 billion water infrastructure bill. How do you think this will impact Michigan's environment and quality of life on a local level?

Senate Bill 565, the water supplemental, has the capability of providing transformational

changes for our residents and communities.

Whether it's lead line replacement, dam safety program and infrastructure, drinking water/wastewater facilities (upgrades, consolidation, construction or replacement), Great Lakes or groundwater projects, water is the lifeblood of our existence. It is legislation we can all get behind in concept, and I look forward to working on the details soon.

Michigan's revenues are \$5.8 billion higher than previously forecasted, which is great news for the state. Michigan is also receiving COVID relief and infrastructure federal funds. The influx of money coming to the state is unlike anything we have seen. What are your priorities for funds and what areas do you think the state should focus on?

Many proposals have been presented to the Senate, House and the governor on how to prioritize and spend these dollars. The Senate's priority focus will be on one-time, transformational proposals, like the water supplemental, that make real, long-term improvements in our communities. There are proposals on roads, bridges, broadband and tax cuts. You name it; there's a proposal for it.

There needs to be a balance and an understanding of how to maximize these one-time dollars. There is still a need to help with expanded services during this time along with long-term infrastructure investment. Ensuring that expanded services are structured in a way that helps those in need but does not cause additional issues as the one-time federal dollars end.

Counties may face future financial challenges caused by the pandemic due to declining revenues from commercial and residential property. Do you support a long-term fix to local government financing and creating a more stable fund source for county revenue sharing?

The pandemic has brought winners and losers in revenue numbers. For instance,

Rep. Joe Tate

LEGISLATOR
Q&A

What is the most pressing issue facing Michigan now?

Ensuring all Michigan residents have opportunities to have good paying careers. Our economy has seen a rebound since the first cases of COVID-19 were detected in 2019, which is great. We must continue that by positioning our state where businesses want to invest be of our talent — General Motors' recent \$7 billion investment for electric vehicle manufacturing in Michigan is a prime example.

Based on your experience, how important are counties to the effective delivery of public services?

Counties are very important because they touchpoints to many direct services of constituents. I have seen counties deliver effective and efficient services at scale coupled with their municipal partners.

As the Democratic vice chair on the House Appropriations Committee, what are your priorities for the upcoming budget cycle, and do you anticipate some or all the state fiscal recovery funds will be allocated as well?

Continuing to create good paying career opportunities for Michigan residents will continue to be a priority. Investments in our infrastructure systems, in particular

water and sewerage, will be paramount. Continuing to invest in our K-12 schools to ensure students have the ideal learning environment in person. Lastly, reducing the tax burden of individuals and families.

Speaking of the state fiscal recovery funds from the federal American Rescue Plan, do you support recommendations of the Coalition for a Strong and Prosperous Michigan, which prioritizes leveraging state and local funds to maximize investment across multiple sectors?

I support many of the recommendations outlined by the Coalition. And I appreciate the comprehensive process they took in developing this plan.

During a late-night session in December 2021, House Bill 5351 was passed and signed into law, creating a massive personal property tax exemption which could be detrimental to local governments. Estimates of the impact are as high as \$75 million each year. Would you consider prioritizing a replacement revenue for county and local governments to ensure important local services are sustained?

Yes. ♦



Name:
Rep. Joe Tate

District/counties:
2/Wayne County

Committees:
House Appropriations
Committee

Term #:
Second

**Previous public
service:**
None

Sen. Jim Stamas FROM PAGE 26

real estate sales have been record-setting and of course our sales tax revenue is also huge. Income tax revenue is also coming in very strong.

Counties have always faced the challenge of a legislative revenue appropriation. It has been my focus to be consistent with the general funds appropriated to provide stability to our counties. While I understand

the drive for its own fund source, the challenge is in the diversity of services they provide and the restricted dollars it receives for specific services. I do support working to achieve a replacement of the lost revenue with the changes in personal property tax. Continuing to find a more structural and consistent formula for county revenue sharing is always a great goal I hope can be achieved in the future. ♦

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