

# MICHIGAN COUNTIES

Official Voice of the Michigan Association of Counties | February 2020



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*\*One Region IV Seat is Vacant*

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# MAC

MICHIGAN ASSOCIATION OF COUNTIES

MICHIGAN COUNTIES (ISSN 0896-646)

Published By:

Michigan Association of Counties  
110 W. Michigan Ave., Suite 200  
Lansing, MI 48933

Editor: Derek Melot  
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## LETTER FROM THE EXECUTIVE DIRECTOR

The mission statement of MAC's **by-laws** reads, in part, "MAC is a non-partisan, nonprofit organization which advances education, communication and cooperation among county government officials in the state of Michigan."

That the word "education" appears first in this list of our primary duties wasn't by accident.

It is through education, through the sharing of policy information and best practices, that MAC most deeply empowers county commissioners across Michigan. It's a responsibility the MAC staff focuses on daily, constantly looking for methods to improve our offerings.

One such project is our "**County Commissioner Academy**" (CCA), an endeavor being aided by Michigan State University Extension (MSUE).

In true "if-it-ain't-broke-don't-fix-it" fashion, the academy integrates the numerous learning opportunities MAC has offered for years into a coherent "curriculum" for commissioners. Budgeting. Taxes. Board procedures. Managing debt. Liabilities. Public access laws. For every facet of a commissioner's job — and we all know how plentiful those are — there will be "classes."

"MSU Extension's mission is about helping '... people improve their lives ...'. This translates into a couple of goals that drive our collaboration with MAC on County Commissioner Academy, as well as the 50+ year work on New Commissioner Schools," said John Amrhein, government and public policy educator for MSUE. "First, whatever level of knowledge and skills a county commissioner brings to their role, we want to help them increase their knowledge and skills in ways that help them be better commissioners. County government in Michigan is complex and provides a wide variety of services. Many commissioners have commented to us that they're still learning after many years as a commissioner. The second goal, and really the most important, is that commissioners' improvement of their knowledge and skills translates into a higher level of service to the people in their counties."

CCA will operate on a two-year sequence, starting after an election. Participants will earn continuing education "hours" by attending designated events and workshops. "Certification" will be offered at two different levels: "Certified" is reached at 10 hours over a two-year cycle, while "Advanced" is reached with 20 hours over a four-year period.

Even better, many of you already have earned hours at designated sessions at events in 2019:



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 C.C.E. Central Dispatch Authority  
 Community Economic Development Association of Michigan  
 Community Mental Health Association of Michigan  
 County Road Association of Michigan  
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 Michigan Association of Registers of Deeds  
 Michigan County Medical Care Facilities Council  
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 SBS Portals/Information & Records Associates, Inc.  
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# LETTER FROM THE PRESIDENT

With the 2020 Michigan Counties Legislative Conference (see more on page 7) just six weeks away or so, I wanted to take the opportunity to discuss why you, my fellow county leaders, should attend.

So, here's my "Top 5 Reasons to Attend the Legislative Conference":

1. Chief Justice Bridget McCormack will headline a panel of experts on jail best practices. How often do you get the chance to hear from the chief justice of the Michigan Supreme Court and possibly get a chance to ask a question or two? Chief Justice McCormack has a unique background dealing with legal ethics, domestic violence issues and pediatric advocacy. She has spent a significant part of her career advocating for those most in need, including founding the Michigan Innocence Clinic, which has helped many individuals who were wrongly convicted. She is bound to provide us with thoughtful insight on issues that we should be thinking about.
2. A Legislative Reception will allow you to mingle with a number of our state lawmakers and bend their ear on issues facing our specific counties. This reception has been well-attended by legislators in the past and it offers each one of us a chance to get to know them on a more personal level.
3. More than 30 firms and entities will participate in our Exhibitor Show during the conference. You have an opportunity to learn about their products and services that can save your county money and time. Whether you just stop by a table during one of the Exhibitor Breaks or during the Exhibitor Show Reception, I'm confident you will learn about a firm that can help your county.
4. MAC's Legislative Update, presented by Director of Governmental Affairs Deena Bosworth, provides us with the latest news on the rapidly changing legislative scene. Deena is a dynamo when it comes to fighting for the interests of all counties on our behalf. Deena will alert us to new legislation and inform us about which legislation is gaining traction. She will advise us on how proposed changes in law will affect our ability to provide services and give us information on which committees to watch.
5. Our 12 breakout sessions cover a variety of topics of direct interest to you, be it on challenges to our property tax revenue or our responsibilities under the public health code or tips on growing your local economy. Commissioners will have plenty to choose from.



Your board members and staff at MAC are keenly aware of the demands on your time and the need to provide the best information in an efficient fashion. I look forward to seeing old friends and new at this year's Legislative Conference.

**Veronica Klinefelt**  
 President, MAC Board of Directors



# MACPAC 2020 MEMBERS

### Platinum Level

Brian Cote Wexford County  
Kenneth Borton Otsego County

### Gold Level

Douglas Johnson Otsego County

### Silver Level

Stephen Adamini Marquette County

Joseph Bonovetz Gogebic County  
Vaughn Begick Bay County  
Howard Heidemann St. Clair County  
Randall Peat Van Buren County

### Members

Eileen Kowall Oakland County  
Jim Talen Kent County  
Rillastine Wilkins Muskegon County

Raymond Steinke Mecosta County  
Robert Hoffman Oakland County  
Karen Alholm Marquette County  
Barbara Kramer Dickinson County  
Theresa Nelson Delta County  
Paul Schincariol Van Buren County  
Gail Patterson-Gladney Van Buren County

Thank you to all MACPAC members. To support MACPAC, please visit our website, [micounties.org](http://micounties.org).

# MAC EVENTS CALENDAR

### March 9

**Transportation and Infrastructure Committee**  
1 p.m. to 3 p.m.  
MAC Offices, Lansing

### March 13

**Environmental, Natural Resources and Regulatory Affairs Committee**  
10 a.m. to 12 p.m.  
MAC Offices, Lansing

### March 20

**General Government Committee**  
10 a.m. to 12 p.m.  
MAC Offices, Lansing

### March 23

**Health and Human Services Committee**  
10 a.m. to 12 p.m.  
MAC Offices, Lansing

### Judiciary and Public Safety Committee

2 p.m. to 4 p.m.  
MAC Offices, Lansing

### March 27

**Transportation and Infrastructure Committee**  
10 a.m. to 12 p.m.  
MAC Offices, Lansing

### April 3

**Finance Committee**  
10 a.m. to 12 p.m.  
MAC Offices, Lansing

### April 10

**Environmental, Natural Resources and Regulatory Affairs Committee**  
10 a.m. to 12 p.m.  
MAC Offices, Lansing

### April 15-17

**Michigan Counties Legislative Conference**  
Lansing Center/Radisson Hotel

### April 24

**Transportation and Infrastructure Committee**  
10 a.m. to 12 p.m.  
MAC Offices, Lansing

### April 27

**Health and Human Services Committee**  
10 a.m. to 12 p.m.  
MAC Offices, Lansing

### Judiciary and Public Safety Committee

2 p.m. to 4 p.m.  
MAC Offices, Lansing

**For latest event listings, click here.**



# Take good care of the company you keep.

For more information on Blue Cross plans available to Michigan Association of Counties members, please contact the MAC Service Corporation at 800-336-2018 or contact a Blue Cross contracted agent.

GROUP HEALTH PLANS | SPECIALTY BENEFITS | [BCBSM.COM/EMPLOYERS](http://BCBSM.COM/EMPLOYERS)

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## LEGISLATIVE UPDATE

# ALL COUNTIES NEED TO BE WORKING NOW TO MITIGATE EFFECTS OF RISING WATERS IN MICHIGAN

By MAC Governmental Affairs Staff

Michigan, known for our abundance of water resources, is taking on too much water. Record high water levels in the state is causing unprecedented shoreline erosion damage and causing rivers, inland lakes and water tables to rise. If you are anywhere near a Great Lakes shoreline, you have undoubtedly seen the disappearance of beaches and significant damage to personal property: homes on the coasts of Michigan slowly sliding into the Great Lakes.

While this is tragic and tremendously costly, it's only half the story.

Erosion of our shorelines is also causing damage to infrastructure like roads, parks and wastewater treatment facilities. Inland, high-water levels are also causing road washouts and flooding out homes and crop fields. Many kettle lakes are at capacity and septic systems across the state are failing due to such a high water table. MAC has been engaging with stakeholders across the state to raise awareness of the problem, and to disseminate information as much as possible. No one can control the weather or that much water, but perhaps we can focus on alerting our citizens and providing useful tools for mitigating the damage.

With 3,300 miles of shoreline, 11,000 inland lakes, 76,000 river and stream miles and 6.5 million acres of wetland, Michigan has plenty of water to deal with. Water levels are cyclical; with periods of low and high water that can last for several years. According to the Department of Environment, Great Lakes and Energy (EGLE) we're experiencing the wettest one-, three- and five-year period since we began recording 120 years ago. Additionally, all the Great Lakes are currently at or near record highs, and the forecasts show an increase of 12-18 inches in Lake Michigan by July 2020. "It is likely that water levels on lake Michigan and Huron will set new monthly mean record high levels over the next



six months," said John Allis, chief of the Great Lakes Hydraulics and Hydrology office, U.S. Army Corps of Engineers, Detroit District. "This sets the stage for coastal impacts and damages in 2020 similar to, or worse than, what was experienced last year."

A recent Michigan High Water Coordinating Summit was held in Lansing with key stakeholders to discuss the reality of the rising water situation and the potential impacts on our property, natural resources, and infrastructure. Participants from EGLE, MDOT, MDARD, the U.S. Army Corps of Engineers (USACE), National Weather Service, Michigan Emergency Managers Association, U.S. Coast Guard, Michigan State Police, locally elected officials and more were in attendance. In the morning, the National Weather Service, USACE and ELGE presented the startling statistics to the group and explained how just letting water out of the Great Lakes is not enough to solve the problem. In the afternoon, the group focused on an exercise to identify the potential threats faced by communities with significant flooding events. The potential threats ran the gamut from sewer overflows and road washouts to public health concerns, shelters and clean drinking water, to

**Continued on page 6**

## ALL COUNTIES NEED TO BE WORKING NOW TO MITIGATE EFFECTS OF RISING WATERS IN MICHIGAN from page 5

the need for heavy equipment and first responder transportation issues. Collaboration among the groups will be key to responding to these potential flooding events.

The day wrapped up with a discussion on what some of the obstacles are that we face in dealing with high water issues. High among those obstacles was the challenge of who is responsible for the debris clean-up in our Great Lakes. If homes and stairs and even certain infrastructure are out in the lake, that will pose a significant threat to boaters in the warmer months. Retrieving these materials and disposing of them is not an easy nor and inexpensive job.

The state department with regulatory oversight on most projects that are intended to protect our shorelines from erosion, EGLE explained how they are addressing and responding to concerns from homeowners faced with the loss of their beaches and homes. When property owners on the shores want to protect their properties from the continuously rising water, they'll usually need a permit issued by EGLE. Knowing that high water cases can be time-sensitive the department has emphasized expediting permit approvals, reassigned more staff, and permitted overtime for approvals. So far in 2020 the Department reports that the average time of a completed permit request to be turned around and formally approved is 14 days. In some cases, they have issued permits the same day they received the request.

Another extremely valuable resource for counties has been the U.S. Army Corps of Engineers. Public Law 84-99 (PL 84-99) authorizes USACE to provide emergency services to local units of government so long as other methods and resources have been exhausted by the unit. Under PL 84-99, emergency management is authorized to perform two specific forms of assistance: Technical Assistance and Direct Assistance. Technical Assistance consists of reviews and recommendations for community's areas of concern along with helping develop and implement feasible solutions, typically before and in the very early stages of an emergency. Twelve counties and one tribe in Michigan are currently receiving technical assistance: Allegan, Bay, Charlevoix, Cheboygan, Emmet, Macomb, Monroe, Muskegon, Ottawa, St. Clair, Van Buren, Wayne counties and the Sault Ste. Marie Chippewas. Direct Assistance is used to bring in equipment to prevent public infrastructure from becoming damaged during flooding situations. Governments would have to reimburse USACE for the products that were used: typically sandbags, poly sheets, and HESCO barriers. It should be noted that these USACE assistance services are only for flooding, and not lakeshore erosion.

As a county official, working with you emergency managers, your public works directors and your first responders prior to a flooding event will benefit the residents when it does come time to respond.

## LETTER FROM THE EXECUTIVE DIRECTOR from page 2

- Legislative Conference: Workshop on "Running a Better Meeting"
- Regional Summits: Session on "Planning a Capital Improvement Program"
- Annual Conference: Workshop on "Open Meetings Act"

Also, attendance at a 2018 New Commissioner School site (November-December) qualifies for credit for the inaugural cycle.

Nor will "hours" be limited to MAC events. Commissioners can earn via attendance at MSUE-sponsored events or even sessions hosted by the Treasury Department or elsewhere.

For more details, visit the [CCA page on our website](#).

MAC is a membership organization, and we see the academy as just another way to enhance your membership - and your work for the citizens of Michigan.



**Stephan W. Currie**  
MAC Executive Director

## MAC NEWS

# LEGISLATIVE CONFERENCE IN APRIL WILL FOCUS ON TRENDING ISSUES, REVENUE CONCERNS

The **2020 Michigan Counties Legislative Conference** will feature a variety of speakers and events to enhance county officials' learning and leadership skills.

Please note that this year's conference runs Wednesday through Friday, April 15-17.

Among the highlights:

- Plenary sessions on legislative priorities, jail reform proposals and county revenue trends
- 12 workshops designed for MAC members and affiliates over three days.
- A Legislative Reception on Wednesday evening
- An Exhibitor Show Reception featuring complimentary beverages and snacks

"Commissioners should be ready for a flood of information at this conference," said Stephan Currie, MAC executive director, who will give his semi-annual "State of MAC" report at the conference. "From taxes to animal control, we will have speakers and county leaders who will detail the emerging challenges and best practices that can be taken back to courthouses across the state."

During the first general session on Thursday, MAC will present County Advocate Awards to three state legislators who provided essential leadership on county issues in 2019:

- State Rep. Sarah Lightner of Jackson County
- State Rep. Julie Alexander of Jackson County
- State Sen. Roger Victory of Ottawa County

State Rep. Sarah Lightner was first elected to serve



Lightner



Alexander



Victory

the 65th District in November 2018. She serves on the House Appropriations Committee and is vice chair of the House Appropriations subcommittees on General Government and Judiciary and a member of the Corrections and Department of Licensing & Regulatory Affairs & Department of Insurance & Financial Services subcommittees.

Rep. Julie Alexander represents the 64th House District. She serves as chair of House Committee on Agriculture and is a member of the committees on Transportation & Infrastructure, Energy and Health Policy. Alexander has more than 22 years of teaching experience and has taught middle school English, language arts and adult education.

In November 2018, residents of Michigan's 30th Senate District elected Sen. Roger Victory. He chairs the Appropriations Subcommittee on Agriculture and Rural Development. Prior to joining the Senate, Victory served six years in the Michigan House of Representatives, representing the 88th District. Victory owns Victory Farms LLC, a year-round specialty crop producer, as well as Victory Sales LLC, a national produce distributor. Victory was the primary sponsor of recently enacted legislation to make permanent a county's option to assume authority over its road commission, a key priority for MAC in 2019.

The conference's early-bird fee is just \$350 for county members, which includes all commissioners, county administrators, medical care facility administrators, treasurers, prosecutors, sheriffs, clerks and registers of deeds. Please note: The early-bird rate ends on March 20, so register soon.

The conference hotel, the Radisson, is offering a special room rate of \$135.95 for the event, and is connected to the main conference venue, the Lansing Center, by an enclosed pedestrian ramp.

Complete details are available in our handy **Registration Packet**.

Or you can begin your registration process by **clicking this link**. Please remember: All registrations are online only.

## 2020 Michigan Counties Legislative Conference

# APRIL 15-17, 2020

Radisson/Lansing Center | Lansing, MI

**MAC**  
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## MAC NEWS

# TEEN EMPHASIZES COMMUNICATION IN FIRST TERM ON MONTCALM BOARD

By Madison Roberts/MAC Social Media Intern

In November 2018, Brendan Mahar of Greenville was not old enough to buy beer or rent a car. At 18, though, he was old enough to run for — and win — a seat on the Montcalm County Board of Commissioners, taking an office much more typically associated with retirees than teenagers.



Mahar

Running as a Republican, Mahar won his seat with 63 percent of the vote to represent two townships and part of the city of Greenville.

“I had always been interested in politics,” Mahar said in interview in early January. “My motivations were financial issues in the county and some things that I’d like to see done differently.”

Mahar joined a board with responsibility for a General Fund budget of approximately \$7 million, and one that was then still involved in **litigation with its former auditing firm.**

Elisabeth Waldon of the *Greenville Daily News*, who has been covering the Montcalm County Board of Commissioners since 2010, known Mahar since his freshman year of high school when he was profiled by the paper. “When Brendan decided to run with a few other newcomers, I think people were ready for a change. I don’t think they were necessarily looking for a change of age; I think some new faces overall seemed like a helpful thing for the county as the county had gone through some financial turmoil in recent years.”

When asked about his strengths as a young commissioner, Mahar said that he brings “a new mind and a fresh set of ideas ... communication is a big part of the role and hearing out constituents is something I’ve been able to implement.” He gave the example of something as simple as when the board meets:

“The meeting was scheduled at 4 p.m., but I wanted everyone in the public to be able to come to the meeting, so I encouraged everyone to vote for a different time.”

Waldon said, “Commissioners did vote to set the meeting schedule at 4 p.m. Brendan and a few others thought they should do it later in the evening. [When the first vote did not pass], he brought it up again with feedback from constituents. It was a pretty big move by him. He made a point to be more transparent with constituents.” She said his proactive

## Mahar joins Naval Reserve

Since his interview with *Michigan Counties*, Brendan Mahar has announced he is joining the Naval Reserve.

In a Facebook post in mid-January, he wrote, “This past Thursday, I signed a contract to join the Naval Reserve. I am still committed to serving in my role as a county commissioner; however, in order to be transparent, I wanted to inform you so there would be no question as to where I will be from May to August. I will be required to complete Navy boot camp as well as a 7-week training course to learn my specific job. I will leave for boot camp in mid-May and return in mid-August. This will cause me to miss 3 full board meetings. Attending board meetings and voting for my district is something I take very seriously. I will resume my full duties as county commissioner after I complete my training. ...”

approach to service started even before he was sworn in: “In November 2018, he and a number of new commissioners were being given a tour of the building and noticed an empty room. County employees wanted to use the room as a coffee break room ... Brendan and another commissioner volunteered their time to paint the office and he wasn’t even sworn into office yet.”

Mahar says there is much more to county government than one might think. He re-emphasizes communication as essential to the job and describes how he found himself getting accustomed to the position and his responsibilities: “There’s lots of different aspects of the county that I didn’t know about until I got elected. Going around talking to different department heads at the beginning taught me a lot.”

Mahar’s advice to someone considering elected office is: “It can never hurt to try. If you don’t run, you’ll spend a lot of time thinking, ‘What if?’ Get out and talk to people, no matter who your opponent is. Getting the word out to voters is the most important thing.”

**MAC**  
MICHIGAN ASSOCIATION OF COUNTIES

For all the latest news and events, visit  
**[www.micounties.org](http://www.micounties.org)**



## MACNEWS

# DISASTER-AID PROCESS IS ILL-SUITED TO EROSION RELIEF

By Gregg Williams/Executive Director, Michigan Emergency Management Association

A “disaster” is defined in **Public Act 390** (known as the Emergency Management Act) as “an occurrence or threat of widespread or severe damage, injury, or loss of life or property resulting from a natural or human-made cause, including, but not limited to, fire, flood, snowstorm, ice storm, tornado, windstorm, wave action, oil spill, water contamination, utility failure, hazardous peacetime radiological incident, major transportation accident, hazardous materials incident, epidemic, air contamination, blight, drought, infestation, explosion, or hostile military action or paramilitary action, or similar occurrences resulting from terrorist activities, riots, or civil disorders.”



All emergencies start and end locally. If a community experiences a large-scale emergency/disaster, they have the ability, through their local emergency management coordinator (consistent with PA 390), to declare a local state of emergency/disaster. Specifically, the statute states, “If circumstances within the county or municipality indicate that the occurrence or threat of widespread or severe damage, injury, or loss of life or property from a natural or human-made cause exists.” So, any consideration for a local declaration should be mindful of this standard.

Once a community declares under this act, it indicates to the Michigan State Police Emergency Management and Homeland Security Division (EMHSD) that the community has activated aspects of its local emergency plan. They may also take this opportunity to ask for assistance from other jurisdictions, private industry/resources, or state government. If the emergency/disaster is “beyond the control of local public or private agencies, the chief executive official of the county or municipality may request the governor to declare that a state of disaster or state of emergency exists in the county or municipality.” This is then followed by an assessment from EMHSD and the local emergency management coordinator. Recommendations would then be made to the governor. If the governor then declares, it opens additional opportunities for the state to support the local jurisdiction, to include the disaster contingency fund.

The act identifies the first recourse for disaster related expenses shall be to funds of the county or municipality affected. If a jurisdiction is overburdened financially, they can apply to the contingency fund. “If the demands placed upon the funds of a county or municipality in coping with a particular disaster or emergency are unreasonably great, the governing body of the county or municipality may apply, by resolution of the local governing body, for a grant from the disaster and emergency contingency fund.” However, it should be noted that the Act places limits on the award

and significant restrictions on what the funds can be used on. Typically, these are public damage and response costs.

While rising waters are clearly evident in Michigan, flooding as a result will likely cause some local declarations in the near future. However, I don’t see the disaster contingency fund as the best answer to the larger erosion problem.

Counties would be much better served with a financial process to manage erosion-affected areas and debris that does not contain the rigid restrictions contained in the disaster contingency fund. Funds allocated to a state agency to manage erosion issues would allow counties to have a better opportunity to work with the many stakeholders affected by this and utilize funds more efficiently for the unique situation each case presents.

## What is your VISION for 2020?

Our team of experts can help you focus on the environmental issues your county may be facing in 2020

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## MACNEWS

# LONGTIME MAC STAFFER DZURKA PASSES

Yvonne Dzurka, a fixture at MAC since the 1980s and friend to countless county leaders, passed away Sunday, Feb. 22 due to complications from her long battle with cancer.

The then Yvonne Simon joined MAC in 1985. In the subsequent 35 years, Yvonne was involved in just about every aspect of MAC's work on behalf of county officials, including conference planning, overseeing the MAC newsletter, Michigan Counties, and serving as the secretary for all three of MAC's governing boards: MAC, Michigan Counties Workers' Compensation Fund and MAC Service Corp. She also served as the administrative assistant for the Michigan Association of County Administrative Officers (MACAO).



Dzurka

"Yvonne was my right hand in planning the MACAO conference for last two decades," said Bridgette Gransden, Midland County administrator and a close friend. "She made sure all the details were taken care of and I couldn't have done it without her — at least not nearly as well.

"Yvonne was a huge supporter of other women — 'girls,' as she would lovingly refer to us as. She was all about boosting up other women and encouraging them to follow their dreams. It was common in our conversations for her to say, 'Of course we can do that — we're girls!' We had the power to change the world. Yvonne had the power to change lives," Gransden added.

On top of climbing the ladder to become MAC's lead finance staffer, Yvonne also encountered her future husband, Scott, then working in governmental affairs for MAC. The couple traveled, golfed and were big fans of the Michigan State University Spartans.

In remarks in January for a planned feature on her duties at MAC, Yvonne wrote:

"I love my job ... I love the people I work with and the people I work for. Every day, I learn something new about county government or about my job."

"We are devastated," said Executive Director Stephan Currie. "Our hearts and prayers go out to her husband, Scott Dzurka, her son and daughter-in-law, Jason and Amanda Simon, and the rest of her family. Each of us at MAC has lost a dear friend whose gentle spirit and ready smile never failed to brighten the day."

# MAC

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**MAC NEWS**

**YVONNE DZURKA: 35 YEARS AT MAC**



*Yvonne enjoying a social event at the 2019 Annual Conference with co-workers Kristina Garner (left) and Peggy Cantu.*



*Yvonne poses with her husband Scott on the porch of the Grand Hotel during the 2017 Annual Conference on Mackinac Island.*



*Yvonne addresses a gathering of UP commissioners in Escanaba.*



*Yvonne posing with the rest of the MAC staff in the 1990s. Note Scott Dzurka in the upper right.*



*Yvonne takes a brief break during a conference in the 2010s with former MAC executive assistant Brianna Fischer.*



*Yvonne participating in a staff briefing in the 1980s.*

## MACNEWS

# LEARN ABOUT COUNTY'S RESPONSIBILITIES UNDER E911 LAW

On Jan. 1, 2021, counties must have a plan and changes in place to comply with the law on E911 (Enhanced 911 services).



A March 24 webinar, sponsored by MAC and Abilita, will help answer your questions concerning E911 compliance.

Consider this: An employee at your office has a medical emergency after normal working hours with nobody around. He or she dials 911 from a desk phone and the ambulance arrives at your location. However, since it is after hours and the building is more than 20,000 square feet on multiple floors. The first responders are delayed finding the individual that dialed 911. This is a possibility; and the situation can be even more complicated if there

are multiple buildings tied to one phone system through VoIP technology.

The E911 law was enacted to change this.

Among questions explored in the 45-minute webinar will be:

1. What is E911 and why a new law in Michigan?
2. What is required for compliance?
3. Who does this apply to?
4. Is there any ongoing maintenance involved with this?
5. What if we don't do anything?

The webinar will run from 11 a.m. to noon on March 24. It is free and open to staffers at any MAC member county. To register, [click here](#).

After the March 24 presentation, a recorded version will be placed on the MAC website for 24/7 viewing through the rest of 2020.

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NRM-12870M5 (01/15)

## CRC ANALYSIS

# ROAD FINANCE: WE'VE SEEN THIS FLICK BEFORE

By Eric Lupher/President, Citizens Research Council

Another Groundhog Day has come and gone.

Which is apt, because Michigan finds itself in a situation reminiscent of the movie of the same name. In the movie, Bill Murray relives the same day over and over, everything resetting when his alarm clock goes off. In Michigan, we have been cursed to relive discussions about the inadequacies of our highway maintenance efforts year after year.



Lupher

Every few years, we hear the same stories about truck weights and funding formulas. The new funding solutions are always the same: fuel tax increases and changes to the sales tax levy and distribution. In the movie, Bill Murray eventually learns from the experience, using it to improve the lives of everyone around him. But with term limits, we get a new cast of characters every two years, so many of the same ideas that have been dismissed in the past resurface.

Unfortunately, our Groundhog Day scenario has once again landed on the use of bond financing to improve roads. This would cause several issues for taxpayers and local governments. Let me make clear why this policy idea is bad for local governments and taxpayers.

There is a legitimate role for bond financing in road construction and maintenance, but that is to accelerate construction, not as a source of funding. Without a new revenue stream to finance the debt, the state would only be borrowing against future revenue.

This is exactly what happened 20 years ago with the Build Michigan financing. Money was borrowed to build shiny, smooth roads and sturdy bridges. Without any new funding to pay them off, the already inadequate revenue stream was stretched even thinner to make the notes. Because there was not enough money for maintenance, those smooth roads are now pothole-filled and those sturdy bridges are now suspect.

Let me state it bluntly: Bond financing without new revenue is insufficient to solve the problem on its own and steals from future generations. So, new funding would be needed to finance the debt. If we are going to develop new revenue streams, let's just do that. We could use the money to fix our road system and not finance bonds, which requires sending a portion of our tax dollars to Wall Street.

For a service rated among the highest needs by voters, further delaying an influx of dollars does not make sense. The governor's plan will have the State Highway Commission issue bonds without the need for legislative approval or a referendum. Because the amount that can be borrowed is dependent upon the prior year's transportation tax receipts, we are already hamstrung. The amounts contemplated will



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.

address a limited number of roads, leaving much of the system untouched.

Additionally, all bond funding would be for MDOT roads; nothing for county roads or municipal streets. The County Road Association estimates unmet county road needs nearly comparable to the estimated funding needs for state roads. The municipal road funding needs have not been estimated. Yes, we might enjoy better drives on the interstates and state roads, but eventually we have to exit those roads and drive on county and municipal streets to get to our homes, workplaces, etc. Still we'll be asking Lansing to fix the damn roads.

MDOT roads constitute only 8 percent of the state's road miles but are a much bigger proportion of the system when accounting for lane miles. They are a key part of the system for moving people and products between population centers. Nevertheless, when vehicles exit the interstates and other major highways, they need local roads to get them to their homes, places of business, and commercial centers.

County road agencies and municipal governments may issue their own debt for road projects. Like the state, these agencies must have funding to finance the borrowing. Again, without a new revenue stream, they would only be straining future revenues and leaving fewer resources for maintenance. Local governments don't have the authority to unilaterally create those new revenue streams. There must be an authorizing state law.

Many of our state policymakers understand the importance of the county and municipal road systems, but some may need to be reminded.

Bill Murray had to learn how to really love another person to make it to Feb. 3. Michigan must find a sustainable long-term solution to road funding. That does not diminish the opportunities to make better use of existing resources. Like "Groundhog Day," we revisit our revenue possibilities over and over without accomplishing any real change. It took Murray's cynical weatherman many replays to find his way out. We have a chance to edit our scenario. Maybe then we, too, can wake up to a new day, and smoother travel.

## MACAO ARTICLE

# WHAT'S NEXT ON TRIAL COURT FUNDING?

By Michael Bosanac/Monroe County Administrator

For 50 years, our state has searched for a better solution to fund Michigan's 242 trial courts. The efforts have been many; the solution elusive.

What we have now is a patchwork of fees and costs, with these revenue streams going to fund myriad court and non-court operations. This funding involves the courts, 165 funding units and the state; it is both inefficient and lacking in uniformity. While other states have had success implementing more effective and efficient funding models, Michigan has not – so far.



Hopefully, that is about to change as we enter the new year with optimism based on the work of the Michigan Trial Court Funding Commission (TCFC). Last fall, the TCFC issued its final report containing five recommendations to fund Michigan's trial courts. The timing of the recommendations follows other reforms in the court system already under way, including indigent defense practices, specialty courts and the recently concluded task force on jail and pretrial incarceration policies. All these efforts signal a transformational change in Michigan's trial courts.

The **TCFC recommendations** are based in part on changes in the funding balance among the parties who pay for courts. Such change must occur to have success. This is evidenced by the current funding pie of \$1.4 billion, in which local funding units (mostly counties) contribute 44 percent; next is court-generated revenues at 26 percent; then state funding at 23 percent; and, finally, federal funding at 7 percent.

However, the state's contribution is not as large as it seems, as \$127 million of it represents funds collected via court assessments and sent back to the state, which then sends it back to the courts.

The TCFC's recommendations seek a more balanced state and local partnership as the key to providing equal access to justice for Michigan's citizens.

From the TCFC's work, we learned Michigan's model is out of step on the national stage. We are one of just 16 states in which courts are funded primarily by local government. By contrast, seven of the top 10 states

for economic and job performance in a Business Leaders for Michigan study fund their courts primarily from state funds. While there's no evidence of causation between economic performance and court funding, the practices of high-performing states are noteworthy.

It is important to note that the TCFC did not necessarily blaze a new trail. Its recommendations are built on top of prior efforts, including those from the State Bar of Michigan and the State Court Administrative Office. The TCFC's recommendations

align with the views and ideas of various stakeholders and incorporate best practices and principles of a fair, transparent and efficient judicial system. They are strategic, impactful and summarized as follows:

### **Recommendation #1: Establish a Stable Court Funding System**

- a more efficient model with one trial court fund and eliminating eight separate court funds
- balanced state funding
- distribution of the funds based on operational requirements and caseload volume incorporating case weighting are key elements

### **Recommendation #2: Provide All Court Technology Needs**

- the state must make available and fund all technology needs of the courts

### **Recommendation #3: Establish Uniform Assessments and Centralized Collections**

- assessments to court users must be uniform throughout Michigan courts
- centralizing some of the court business functions will reduce overall cost and promote efficiency while removing the ethical dilemma of judges in the generation of revenues

### **Recommendation #4: Move Toward a Uniform Employment System**

- making all trial court judges direct employees of the state eliminates dual employment issues and allows for equal treatment in total compensation
- referees and magistrates would follow and,

**Continued on page 15**

# MACAO ARTICLE

## WHAT'S NEXT ON TRIAL COURT FUNDING? from page 14

long-term, all employees of the court would become state employees under the judicial branch of government

### Recommendation #5: Establish a Transition Plan for the New Court Funding Model

- there are both short- and long-term objectives to manage
- the key to success will be clear administrative authority for implementing the recommendations through a Michigan Judicial Council

We are optimistic that 2020 will see movement on legislation to implement the recommendations. But whatever the starting date, the lead time to complete a

transition will be years, not months. This due to the size of the change sought. Michigan's trial courts:

- Employ nearly 9,000 employees
- Spend \$1.3 billion to \$1.4 billion
- Work with 559 judges

Legislation that implements several of the recommendations would be historic in terms of addressing a long-standing MAC legislative priority to adequately fund Michigan's courts. The goal of the TCFC's report is to move the Legislature to act on the recommendations. Michigan has waited 50 years; now is the time to act.

*Michael Bosanac is a member of the Trial Court Funding Commission.*



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## AFFILIATE CORNER

# INVESTMENT WILL BE KEY ISSUE IN LEGISLATURE'S JAIL DISCUSSIONS

By D. J. Hilson/Muskegon County Prosecuting Attorney

Prosecutors have long been leaders in criminal justice reform, collaborating with our partners to eliminate outdated or little used crimes, revise penalties, expand prison alternatives, and support specialty courts, among other reforms. As a result of our work in collaboration with others, the initial rate of people sentenced to prison is roughly 9 percent. This means that 91 percent of all defendants are kept in the local county, either in county jails, on probation or participating in alternative county programs.

Michigan has worked to aggressively reduce the prison population, which resulted in a greater use of jail beds. This increase in jail population and the pressure it created on local systems led the governor and the Legislature to create the Michigan Joint Task Force on Jail and Prison Incarceration; I was honored to be appointed by Gov. Gretchen Whitmer as a member. The Task Force members came from diverse backgrounds and perspectives but were able to work together on solutions within various areas. My role on the Task Force was to ensure issues of public safety and protection, as well as safety for victims, were a priority, while ensuring the necessary financial investment would be made and to focus on practical changes that could actually be implemented within the criminal justice system.

My objective as a prosecutor, and the objective of our association, has always been to prevent people from committing crimes in the first place. A person's first contact with the criminal justice system should be their last. With that goal in mind, the Prosecuting Attorneys Association of Michigan (PAAM) will be reviewing and discussing the recommendations of the Task Force over the next few weeks.

The first obligation of government is to maintain public safety, and as the report acknowledges, the need to balance reform while preserving public safety. The protection and needs of victims are a crucial factor when considering which individuals and defendants remain in the community.

Everyone agrees that jails are not the appropriate place for individuals with mental health needs. Importantly, the report calls for additional investment in evaluations at the Forensic Center and in mental health treatment. For the criminal justice system to improve, this will need to be a



significant investment.

The Task Force report shares the goal of Michigan's prosecutors of front-end, long-term investment. Such a focus can change the culture of crime. By identifying and targeting high-risk offenders through community corrections programs and transitional employment, we can reduce costs, reduce the recidivism rate and make Michigan a safer place to live. But in order to make the changes called for in the report, investment is required. The Legislature will need to make significant investment to carry out the recommendations, including:

- Mental health evaluations and treatment
- Training for law enforcement and coordinated response
- Investment in laboratory forensic testing to reduce delays and allow for speedier trials
- Investment in the judiciary and in criminal justice personnel, including prosecutors, to allow for the review and to meet deadlines called for in the report
- Investment in county probation and treatment programs to meet increased demand

My colleagues and I look forward to working with MAC, the Michigan Sheriffs Association and our other state and local partners to ensure reforms adopted by the Legislature will make sure that public safety and victims' needs are taken into account, and that the Legislature provides appropriate investments in the criminal justice system.



## EXPERT CORNER

# ADDRESSING THE RISKS INHERENT IN MANAGING JAIL OPERATIONS

By Cindy King/Michigan Municipal Risk Management Authority

Managing jails poses unique risks and liabilities. This will come as no surprise to the sheriffs and jail administrators responsible for the care and safekeeping of inmates. These responsibilities including proper facility management and maintenance, adequate security, and myriad other issues that exist in jail settings.

Jail professionals must keep staff, the public, and all prisoners safe from physical harm. They are also responsible for prisoners' health needs: providing adequate nutrition, addressing medical issues and chronic health conditions such as diabetes and heart disease, and caring for those who are suicidal or suffer from mental illness, drug, or alcohol addictions.

### Corrections facilities

According to Michigan Department of Corrections (MDOC) ([www.michigan.gov/MDOC](http://www.michigan.gov/MDOC)), approximately 40,000 people were incarcerated in Michigan jails at the time of publication of its 2017 Statistical Report. Generally, the difference between being in a federal or state prison and a county jail is the length of one's sentence. Prison populations are primarily convicted felons serving sentences of more than one year, whereas county jails house people serving short sentences, those convicted of misdemeanors, as well as people awaiting trial who have not been convicted of a crime.

The legal resources website HG.org states: "because prisons are designed for long-term incarceration, they are better developed for the living needs of their populations. Jails... tend to have more transient populations and less well-developed facilities." The site adds that inmates have the "right to be treated humanely... be free from sexual crimes or harassment... a right to medical care...and other basic human rights."

### Protecting lives

MMRMA encourages those in charge of corrections facilities to manage them with the utmost care. This is particularly important in light of an increase in people dying while incarcerated. According to a May 2, 2019 Detroit Free Press article, "Michigan prisoners dying behind bars at highest rate in decades," there were 135 prison deaths in the state in 2018, or "348 deaths per 100,000 prisoners." As a comparison, the article cites Bureau of Justice Statistics stating the national "prison death rate was 256 deaths per 100,000 prisoners between 2001-2014."

In an article titled "Why are so many people dying in U.S. prisons and jails?" Michael Sainato wrote: "In 2014, 4,980 prisoners in U.S. jails died, largely from natural causes due to lengthy sentences ... but also as a result of suicide, homicide, accidents, drug and alcohol

addiction and other medical causes." (*The Guardian*, May 26, 2019)

### The mental health component

The aforementioned causes of death highlight the growing mental health crisis in America and its effects on people in jail. There are no easy fixes to address the needs of people with mental illness; the causes are complex and solutions formidable and costly. Law enforcement is ill equipped, and jail environments not conducive, to appropriately care for the mentally ill in custody. In fact, incarceration can often exacerbate a prisoner's mental illness.

In light of these challenges, Tom Cremonte, MMRMA Senior Risk Control Consultant, presented on this topic at several Michigan Association of Counties regional summits. Tom is a subject matter expert with extensive corrections experience, and the goal of his presentations is to educate public officials on how to keep mentally ill people out of jail through diversion to family or community mental health programs.

### Training and grants

MMRMA's membership includes 66 of Michigan's 83 counties. In support of member jail administrators, sheriffs, and staff, MMRMA offers training opportunities to help avoid associated risks. Courses include Managing a Mental Health Crisis, Advanced Supervision for Jail Administrators, Correctional Law Update, and Inmate Classification. The latter helps corrections officers properly classify inmates when assigning them to cells with others to reduce the likelihood of assaults, sexual and otherwise.

MMRMA members can also apply for Risk Avoidance Program (RAP) grant funds to help pay for equipment or training to help avoid risk. Standard RAP grants include body worn cameras, security cameras, prisoner restraint chairs, and electronic prisoner monitoring/cell check systems.

Jails are a fact of life, and managing them well is an important responsibility. The exposure and costs associated with improper management can be significant. MMRMA aims to be a valued resource to help member jail administrators and sheriffs in avoiding and mitigating these risks.

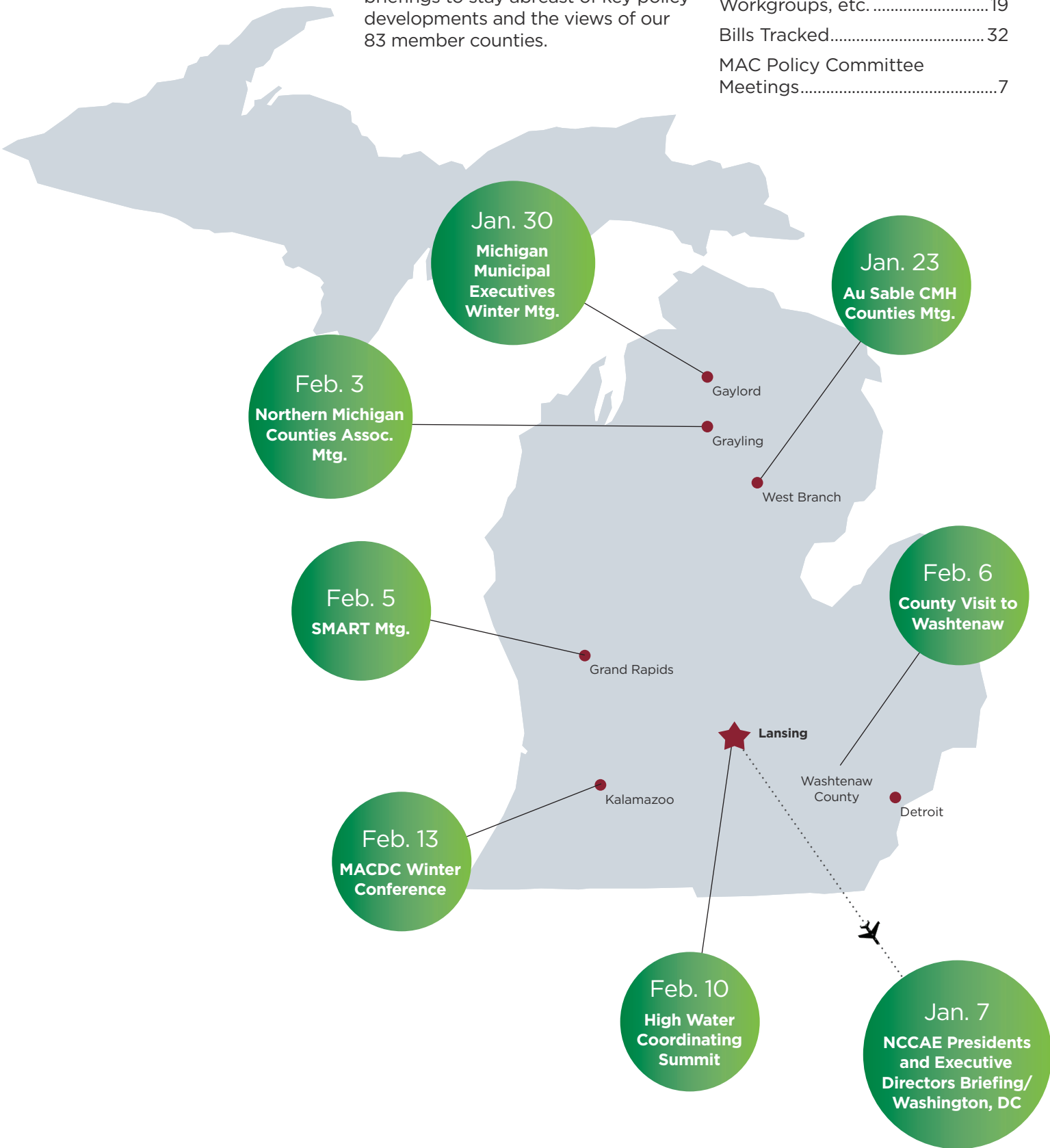
*Cindy King is MMRMA's director of Membership Services and Human Resources.*

*A version of this article was originally published in the August 2019 Risk Journal, a publication of Michigan Municipal Risk Management Authority.*

# MAC IN ACTION

MAC staffers regularly attend state and local meetings, events and briefings to stay abreast of key policy developments and the views of our 83 member counties.

- Legislative Meetings..... 27
- Executive Meetings, Workgroups, etc. .... 19
- Bills Tracked..... 32
- MAC Policy Committee Meetings..... 7



## MEET YOUR MAC BOARD

# EILEEN KOWALL AND JOSEPH STEVENS



**Name:** Eileen Kowall

**County/MAC Region:** Oakland/  
Region 5

**Position:** Director

**County Service:** Member, Oakland County Board of Commissioners, 2003-2008 and 2015-present

**Profession:** County Commissioner/MGS Consultants, Lansing, MI

**Previous Public Service:** State Representative, 2009-2014

**On what issue or subject area do you spend the most time in your county? Why?**

As a member of the Finance Committee, I spend the majority of my time on the county budget. It is imperative that Oakland County maintains fiscal integrity so we can continue to provide necessary services to our residents in good times and bad. It is through the conservative budgeting practices of the past several decades that we were able to withstand the Great Recession. We must continue to follow this path and not unnecessarily grow county government, remaining in a position where we can be proactive to future economic challenges. Overall, we must maintain our AAA bond rating — a highly sought-after and hard-earned accreditation of our fiscal health. This allows not only Oakland County to bond at lower interest rates, but to extend these rates to our local CVT's under our full faith and credit.

I am also concerned about and involved with efforts to halt human trafficking. As a state representative, I served on the AG's Commission on Human Trafficking. I was focused on legislation and victim services. I am grateful to continue these efforts as a member of the Board of Commissioners Human Trafficking Task Force. I work with other stakeholders towards eliminating this scourge. We have launched webpages on our county website to make available tools and resources to victims, worked to align services available to these victims and to promote public awareness and prevention. The more we understand about the nature of human trafficking, such as the relationship between victims and adverse childhood experiences, the more we realize the complexity of this issue. There is much, much more to do to eradicate this modern-day slavery.



**Name:** Joseph Stevens

**County/MAC Region:** Dickinson/  
Region 1

**Position:** Director

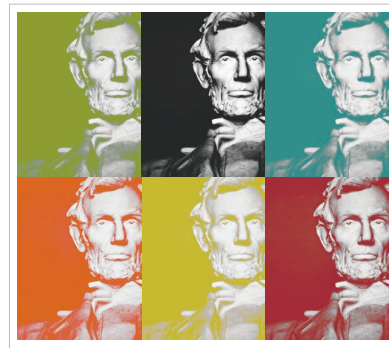
**County Service:** 1994-present

**Profession:** Retired after 48 years of self-employment. I currently serve on Board of Health, UPCAP, Veterans Affairs Board, MI Works and several more.

**Previous Public Service:** Member, Kingsford City Council, 12 years

**On what issue or subject area do you spend the most time in your county? Why?**

There is not one subject that takes up most of my time in our county. The committees for our county on which I currently serve take up most of my time, thoughts, dreams and energy. I don't break issues into one more important than another unless a crisis occurs. In that case, I would deal with it as it comes. If I had to pick one issue, it would be dealing with financial issues at our local hospital within the past two years.



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# LEGISLATOR Q&A

## SENATOR WAYNE SCHMIDT



**Name:** Wayne Schmidt

**District/counties:** 37th/ Antrim, Charlevoix, Cheboygan, Chippewa, Emmet, Grand Traverse, Luce, Mackinac

**Committees:** Appropriations and its subcommittees on K-12 and Michigan Department of Education (chair); Transportation (chair); Capital Outlay;

Community Health; Talent and Economic Development/MEDC; Committee on Economic and Small Business Development; Committee on Natural Resources.

**Term #:** 2

**Previous public service:** County Commissioner, State Representative, State Senator

**What is the most pressing issue facing Michigan now?**

Road and Infrastructure funding.

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

Counties play a vital role in serving Michigan residents, especially when it comes to public safety.

**As a former county commissioner understanding the strain on county budgets, what do you think**

**the state could do to assist local governments to not only recover from the last recession due to revenue growth restrictions, but also weather a next recession that may be looming not far into the future?**

As Michigan's economy improves, we continue to improve county revenue sharing.

**What are a couple of highlights when you reflect on your first Senate term, and your time serving in the House of Representatives?**

Restructuring the business tax and personal property tax, the 2015 road funding plan, funding Pure Michigan, working with federal partners on Soo Locks project, restoring funding for revenue sharing.

**And of course, we need to have one just for fun! Your district covers some of the state's top-rated tourist attractions from Mission Point wineries to Mackinac Island fudge. What are some of your favorite spots or things to do in the counties you represent?**

I always enjoy driving my district. Starting in Grand Traverse County and driving the shoreline through Antrim, Charlevoix, Emmet and Cheboygan counties. Also, crossing the Mackinac Bridge in Mackinac County to go to Sault Ste. Marie or over to Tahquamenon Falls.

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## LEGISLATOR Q&A

# REPRESENTATIVE SARAH ANTHONY



**Name:** Rep. Sarah Anthony

**District/counties:** District 68/Ingham County

**Committees:** Appropriations Committee, member; subcommittees on Higher Education and Community Colleges Subcommittee (Democratic Vice Chair), LARA/DIFS and

Corrections, member

**Term #:** 1

**Previous public service:** Ingham County Commissioner, 2013-2018

### Q1: What is the most pressing issue facing Michigan right now?

For me, the no. 1 challenge facing Michigan right now is our failure to prioritize higher education and workforce development initiatives. I frequently hear from large employers and local mid-Michigan businesses about how the skills gap puts them at a disadvantage in our global economy. We have men and women who are willing to work hard and give back to their community, but they don't have access to the financial resources needed to pursue a postsecondary degree. Our young people often don't know how to enroll in a credentialing program or connect with a skilled trades union. We are leaving people behind and jobs on the table by closing off paths to those looking for a brighter economic future. For nearly a decade, our state has been systematically cutting funding to our higher education institutions, to the point where funding levels for university operations this fiscal year did not even come close to matching the rate of inflation. Until we start valuing workforce development pathways and investing in programs that set our workers up for success, our state will never be able to attract or retain the talent we need or compete on a national or global level.

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

The public services provided by the county often reach the people who need help the most, filling in the gaps between social assistance programs to make sure residents have a higher quality of life. The Ingham County Health Department, for example, operates through a lens of health equity and social justice that makes it possible for families to receive services if they are not plugged in to a larger scale organized system of health care. The department has served as an exemplary model for the state and other counties across Michigan about how to integrate mental health care and communicable disease prevention into a holistic, community-driven outlook on healthcare.

### What has surprised you the most during your first full year in the Legislature?

I am floored by how fast the time has gone by already. The members who have served the 68th District in this capacity before me have always been extremely active so I really hit the ground running to serve my constituents to the best of my abilities. It's hard to believe I've been in office for over a year, and that's partially because my team and I have already been able to do so much. We have introduced 27 pieces of legislation, completed one budget, and helped hundreds of constituents cut through bureaucratic red tape and navigate the government benefits process. Being a local representative, I have worked hard to make it to every neighborhood association and community meeting that I can. It has become quickly clear to me how difficult it will be to accomplish all of my goals in this short two year term, but I will work hard every day to do so.

**As you know, counties provide vital community corrections programming, as well as indigent defense services which are funded through the Corrections and Licensing & Regulatory Affairs/Insurance & Financial Services subcommittees, respectively. How does your past experience at the county level**

**Continued on page 22**

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# LEGISLATOR Q&A REPRESENTATIVE SARAH ANTHONY

from page 21

## Impact decisions on these state budget subcommittees you serve on now?

When I was first elected as a county commissioner, I was only 28, making me the youngest African-American woman to serve in that capacity in the country. I knew I wasn't the most experienced person in the room, so I really took the time to visit each department in the county and learn about the services they provide. I served as Chair of the Finance committee, where I played an instrumental role in creating and maintaining the county budget. I visited the county jail, the health department and other clinics, as well as neighboring universities and schools and talked to leaders about the biggest challenges they face and the impact their services have for Lansing residents. This experience helped me understand how to come together as an elected body to give programs the resources they need to thrive, while still writing a fiscally responsible budget. I have used these skills every day on the Appropriations Committee as I navigate budget negotiations, especially in a time of split government.

## What was your favorite accomplishment as an Ingham County commissioner?

Over the course of my tenure on the commission, we made a lot of headway on improving equity and inclusion in our county services and policies. I led the charge on our efforts to "ban the box" on county employment applications. I also fought hard to move the needle on the "raise the age" initiative — efforts which I am proud to say culminated in the passing of a bipartisan package of bills to make the change on the state level this year. It was my goal to create opportunities for economic advancement and upward mobility for members of the community who face an uphill battle because of who they are or where they come from — and I carry those motivations with me every day in my capacity as State Representative.



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