

MICHIGAN COUNTIES



Cover Story: Merging the new and old: Michigan's county fairs navigate a pandemic, state funding shifts and changing lifestyles to thrive in 21st century. (Photo: Aidan Binford)



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SARAH LUCIDO AND DWIGHT WASHINGTON

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MAC
MICHIGAN ASSOCIATION OF COUNTIES

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Letter from the Executive Director



STEPHAN W. CURRIE
MAC EXECUTIVE DIRECTOR

“These committees, whose members are county commissioners and other county leaders selected by the MAC president, meet throughout the year with the Governmental Affairs staff to review legislation, receive presentations from policy experts and discuss the challenges and opportunities for improving public services in our state.”

The days are rapidly clicking down to the 2023 Annual Conference that starts Oct. 1 in Kalamazoo County.

If you haven't registered for the event, there's still time. But for commissioners, conference registration is only part of the pre-event assignments.

At the conference, as we do every year, county commissioners will review and approve MAC's policy platforms for the coming year. These documents state the general principles of the association and help guide the work of our Governmental Affairs team, led by Deena Bosworth.

To even get to this point is the result of major efforts by staff and your fellow members.

MAC has six policy committees that help draft seven policy platforms for the association covering:

- Agriculture and Tourism
- Environment and Natural Resources
- Finance
- General Government
- Health and Human Services
- Judiciary and Public Safety
- Transportation and Infrastructure

These committees, whose members are county commissioners and other county leaders selected by the MAC president, meet throughout the year with the Governmental Affairs staff to review legislation, receive presentations from policy experts and discuss the challenges and opportunities for improving public services in our state.

Once the committees finish their drafts, they move to the MAC Board of Directors, which, in early August, met to review and approve drafts for votes by the general membership. The next step is to provide the drafts to the membership, which once meant printing and mailing pages upon pages of paper. Now, though, we can easily and conveniently post the drafts to our website, so members may access them 24/7.

Those drafts are now posted for your review, as has been noted via emails sent out in late August. (Just a reminder that you will need your county's website access credentials to reach the platforms page. If you don't have those credentials, first check with your county administrator or board office or then with Derek Melot at melot@micounties.org.)

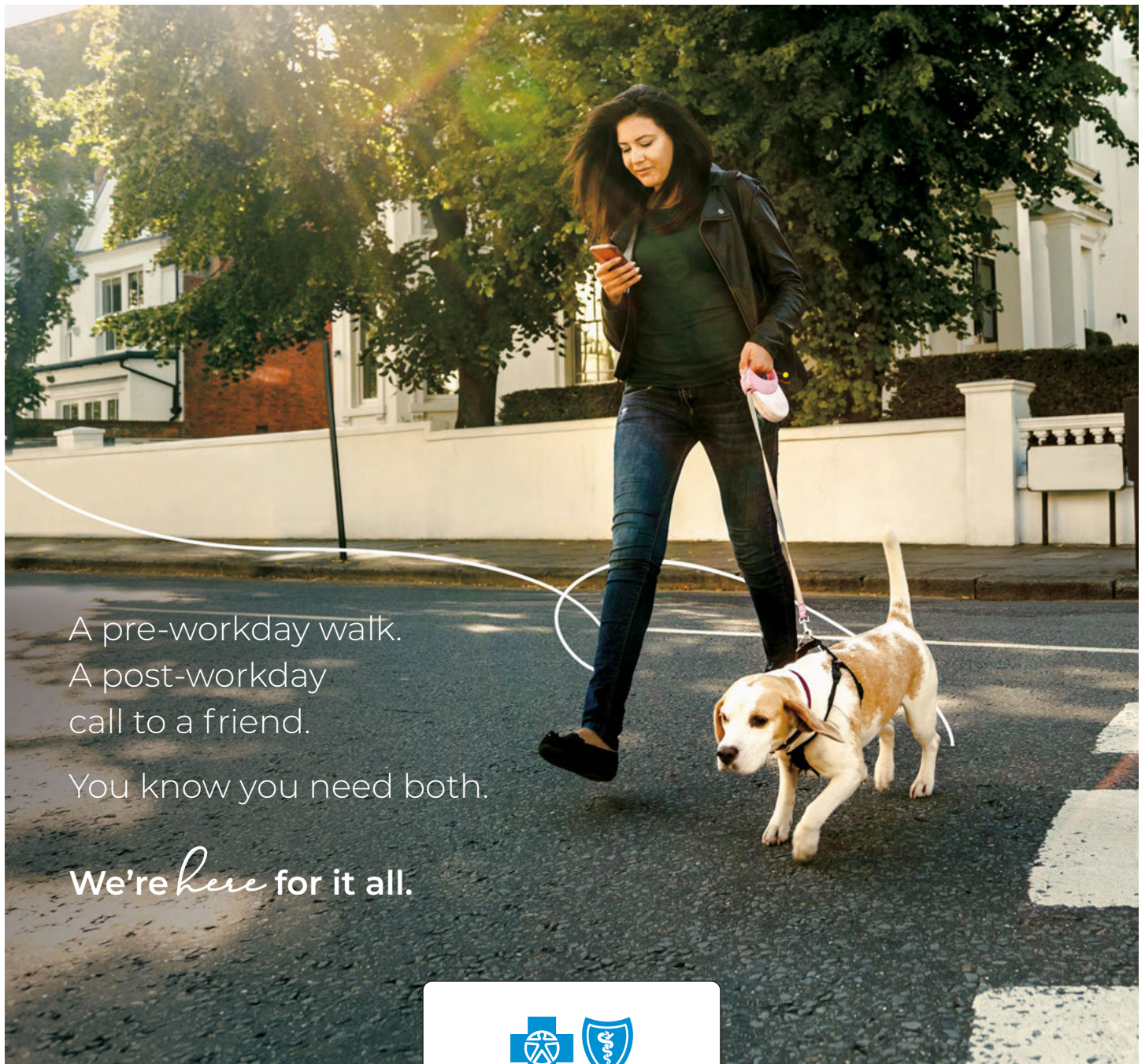
According to the by-laws, MAC members may offer platform amendments in two ways:

- Submit an amendment to the MAC offices at least five (5) days prior to the opening day of the MAC Annual Conference (or Sept. 26 this year); or
- Submit an amendment from the floor during the Annual Business Meeting on Oct. 3.

Please note that amendments submitted in advance require a majority vote on the floor for approval, while amendments submitted on the floor during the session require a 2/3 vote of members attending.

For any questions on the platforms, contact Deena Bosworth at bosworth@micounties.org. To submit an amendment, email the finished text to despins@micounties.org.

The entire MAC team looks forward to seeing you in Kalamazoo County in October. ♦



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Letter from the President



A handwritten signature in blue ink that reads "Stan Ponstein".

STAN PONSTEIN
PRESIDENT, MAC BOARD OF
DIRECTORS

“The MAC staff decided to forgo the Michigan reception at the NACo conference and try something new. We joined Indiana, New York, Virginia and Wisconsin to hold a multi-state reception.”

With fall now just around the corner, we can look back at our summer which started with no rain, then shifted to a lot of rain, with a dash of some Canadian smoke. I know whatever weather fall brings, we are blessed with numerous opportunities in all 83 Michigan counties to gather with friends and families.

I wanted to start by thanking everyone who was able to attend the National Association of Counties (NACo) conference in July. We had more than 60 attendees who traveled to Austin, Texas, for NACo’s annual summer event. We are well-represented on NACo committees and leadership positions. The voice of Michigan counties is being heard and I want to thank all who serve on NACo committees.

The MAC staff decided to forgo the Michigan reception at the NACo conference and try something new. We joined Indiana, New York, Virginia and Wisconsin to hold a multi-state reception. The turnout was fantastic. We met fellow commissioners from the Midwest and the Northeast. It was a great opportunity to learn best practices and common issues across state and regional lines. I think we can build on these relationships, and our ongoing participation will be important.

I wanted to give a shout out to Derek Melot, our director of communications. Derek communicates our advocacy efforts for MAC. He covers Podcast 83, our educational opportunities, archived presentations from past conferences, email action alerts and member-only materials, to name a few duties. MAC works effectively to enhance our voice in Lansing and make it easy for you as a commissioner to learn and advocate. After all, an issue that one county is facing may be an issue that other counties are facing. So, if you ever have an issue or concern feel free to reach out and call, MAC is here to serve you.

As my presidential year winds down, I am still taking time to attend events around Michigan. For example, I recently was invited to the 50-year celebration for Fenn Valley Vineyards & Wine Cellars in Kent County’s neighbor, Allegan County. Huge thanks to the staff there who gave me a warm welcome — and a little wine.

I also was able to join one of our long-standing corporate supporters, TowerPinkster, for their 70th anniversary event in July. Stop by their booth at our Annual Conference to congratulate them.

That’s it, folks, I’m looking forward to seeing everyone in Kalamazoo for the 2023 Annual Conference Oct. 1-3. “Yes, there really is a Kalamazoo (County),” and they are waiting to welcome you to their county and city. ♦



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).

To subscribe, send your name and mailing address to melot@micounties.org with the email header of “MI Counties Subscription.” To pay, visit MAC’s digital payment center at micounties.org/macsc.

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**For period of Dec. 16, 2022, to Aug. 21, 2023*

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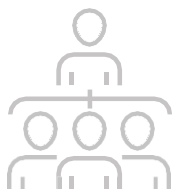
Counties affect the lives of residents every day. When our frontline staff are empowered as leaders, we deliver services more effectively. **The NACo High Performance Leadership Academy is a resource that connects your staff with practical leadership training.** HPLA uses an innovative, interactive online learning platform that combines real-time webinars, recorded sessions, and small group discussions to deliver effective training without traveling away from the county – saving money and maximizing time.

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ORGANIZE:

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COLLABORATE:

Establish alignment and strong partnerships through building stronger relationships



DELIVER:

Measure projects and processes to deliver results aligned with county and community priorities



COMMUNICATE:

Create clarity, confidence, and community

The NACo High Performance Leadership Academy empowers frontline county government professionals with fundamental, practical leadership skills to deliver results for counties and residents.

The Academy enrollment fee is \$2,495 per participant. Enrollees from each Michigan County will receive a NACo scholarship of \$850, reducing the fee to \$1,645.

With a curriculum developed by the late *General Colin Powell* and public and private sector leaders, NACo High Performance Leadership Academy gives students the opportunity to learn from world-class faculty. All content is guided by an expert facilitator.

Find out more at [NACo.org/Skills](https://www.naco.org/skills)





2023 Annual Conference will feature Anniversary Gala

Please join MAC and your fellow county leaders in Kalamazoo County Oct. 1-3 for the 2023 Michigan Counties Annual Conference to celebrate MAC's 125th Anniversary.

Registration is now open and online only. Visit micounties.org to begin your registration.

In honor of MAC's anniversary year, the annual President's Banquet will be capped by music and dancing in the ballroom of the **Radisson Hotel in downtown Kalamazoo.**

Additional highlights for this year's event are:

- A two-part, two-day dive into the details of Public Act 51, the state's road funding formula via workshops held on Sunday afternoon and Monday morning
- Plenary sessions on affordable housing and bridging generational differences in the workplace,
- MAC's Annual Business Meeting, during which members will review and approve MAC's policy platforms for the coming year
- **MAC Board elections**, with four seats to be filled via decisions of regional caucuses on Oct. 2

Commissioners who attend the conference will earn 3 credit hours for MAC's **County Commissioner Academy.**

Early-bird pricing for members of \$415 for the entire conference ends on Sept. 8, so act soon!

For all conference-related questions, contact Director of Member Events Tammi Connell at connell@micounties.org.

MAC president featured in NACo's County News

Stan Ponstein, Kent County commissioner and MAC president, was featured in the "Profiles in Service" section of the July 17, 2023, edition of *County News*, the publication of the National Association of Counties.



PONSTEIN

Among the tidbits Ponstein shared with the NACo writers were:

- His favorite movie is "The Sound of Music."
- He has a culinary arts degree.
- The three people (living or dead) he'd invite to dinner are: Yvon Chouinard, founder of Patagonia, chef Anthony Bourdain and Susan Butcher, Iditarod Sled Dog Race champion.

To see the full feature, go to <https://micounties.org/wp-content/uploads/Ponstein-NACo-News-7-15-23.pdf>.

Park named for Oakland commissioner

Oakland County Commissioner Gary R. McGillivray (D-Madison Heights) was honored recently as Twelve-Sherry Park was renamed "McGillivray Park" during a special ceremony. McGillivray, who was mayor of Madison Heights from 1998 to 1999, has long been an advocate for Madison Heights, serving on its city council from 1983-1998 and 2001-2008. He has represented Madison Heights as a county commissioner since 2009. ♦



MCGILLIVRAY



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2023 Annual Conference AGENDA

Oct. 1-3, 2023 | Radisson Hotel | Downtown Kalamazoo

DATE	TIME	EVENT
Sunday, Oct. 1		
10/1/23	11 a.m.	Registration Desk Open
10/1/23	12 p.m.-5 p.m.	MCMCFC Workshop - MDS Series - Part Two (Advanced)
10/1/23	2 p.m.-3 p.m.	MAC Workshop - Public Act 51 - Part One
10/1/23	2 p.m.-3 p.m.	MAC Workshop - Aging Services
10/1/23	2 p.m.-3 p.m.	MAC Workshop - Strategies to Manage Unfunded Liabilities
10/1/23	2 p.m.-3 p.m.	MACSC Board of Directors Meeting
10/1/23	3:45 p.m.-4:45 p.m.	MAC Board of Directors Meeting
10/1/23	5 p.m.-6:30 p.m.	Networking Reception in Exhibit Hall

Monday, Oct. 2		
10/2/23	7:30:00 a.m.	Registration Desk Open
10/2/23	7:45 a.m.-9 a.m.	Breakfast
10/2/23	9 a.m.-10 a.m.	Plenary Session: Building an Effective Multi-generational Workplace
10/2/23	10 a.m.-10:45 a.m.	Networking with Exhibitors
10/2/23	8:30 a.m.-12 p.m.	MCMCFC Workshop - MDS Series - Part Three (Deep Dive into PDPM)
10/2/23	10:45 a.m.-11:45 a.m.	MAC Workshop - Public Act 51 - Part Two
10/2/23	10:45 a.m.-11:45 a.m.	MAC Workshop - MDOC's Walk a Mile Mentoring Program
10/2/23	10:45 a.m.-11:45 a.m.	MAC Workshop - County Services to Local Governments
10/2/23	12 p.m.-1:15 p.m.	Lunch & Plenary Session: Legislative Update & Affordable Housing
10/2/23	1:15 p.m.-2 p.m.	Networking with Exhibitors
10/2/23	1:15 p.m.-4:30 p.m.	MCMCFC Workshop - MDS Series - Part Three (Deep Dive into PDPM) - cont'd.
10/2/23	2 p.m.-3 p.m.	MAC Workshop - Overdose Detection and Prevention

DATE	TIME	EVENT
Monday, October 2, Cont'd.		
10/2/23	2 p.m.-3 p.m.	MAC Workshop - Trends in Hunting & Fishing in Michigan
10/2/23	2 p.m.-3 p.m.	MAC Workshop - Materials Management Planning
10/2/23	2 p.m.-3 p.m.	MAC Workshop - Update on Collective Bargaining Trends
10/2/23	3 p.m.-4 p.m.	MACAO "Nuts & Bolts"
10/2/23	3:15 p.m.-3:45 p.m.	MAC Regional Caucuses
10/2/23	5 p.m.-6 p.m.	Cocktail Reception
10/2/23	6 p.m.-7 p.m.	125th Anniversary Gala: President's Banquet
10/2/23	7 p.m.-9 p.m.	125th Anniversary Gala: Dancing & Live Band
10/2/23	9 p.m.-11 p.m.	President's Hospitality Suite

Tuesday, Oct. 3		
10/3/23	7 a.m.	Registration Desk Open
10/3/23	7:30 a.m.-8:30 a.m.	Breakfast
10/3/23	8:30 a.m.-9:30 a.m.	Plenary Session: MAC Annual Business Meeting
10/3/23	8:30 a.m.-9:30 a.m.	MCMCFC Workshop - Cultivating a Falls Prevention Culture by Intelligent Learning
10/3/23	9:30 a.m.-9:45 a.m.	Refreshments Break
10/3/23	9:45 a.m.-10:45 a.m.	MCMCFC Workshop - MDS Workflow After Oct. 1, 2023, Changes
10/3/23	9:45 a.m.-10:45 a.m.	MAC Workshop - Implementing Early Voting & Other Proposal 2 Measures
10/3/23	9:45 a.m.-10:45 a.m.	MAC Workshop - How AI Is Transforming the County Operations Landscape
10/3/23	9:45 a.m.-10:45 a.m.	MAC Workshop - Putting More People in Michigan
10/3/23	10:45 a.m.-11 a.m.	Boxed Lunch (Pick up outside breakout rooms)
10/3/23	11 a.m.-11:30 a.m.	MAC Board of Directors Meeting

A summer tradition navigates challenges of 21st century

BY: AIDAN BINFORD/MAC COMMUNICATIONS INTERN

“Oakland’s fair is one of 73 county fairs held in Michigan each year, with 69 of them held between Memorial Day and Labor Day.”

As the summer draws countless Michigani-ans and tourists outside to enjoy blue skies and warm temperatures at the seasonal staple of county fairs, few get as excited as LC Scramlin. Having served 34 years as president and general manager of the Oakland County Fair, Scramlin sees county fairs as an integral part of summer and a unique opportunity to bring urban and suburban residents into contact with Michigan’s rural character.

Known for its sprawling suburbs housing 1.2 million people, Oakland County’s fairgrounds are found in an atypical place, in Davisburg (population 7,300), surrounded by farmland. “We are in the most rural part of Oakland County, and it works to our benefit,” said Scramlin. “People just love the idea that you’re out in the country doing a country-based activity. People are excited to come out and see farm animals and horses in their own backyard.”

Oakland’s fair is one of 73 county fairs held in Michigan each year, with 69 of them held between Memorial Day and Labor Day.

County fairs have a long tradition within Michigan, with the oldest exceeding 180 years of continuous activity. With that history, however, comes wear and tear, and efforts to maintain safe and stable infrastructure present a constant challenge. Fairs need greater amounts of electricity and clean water to meet the increase in attendees, and facilities are being upgraded to accommodate fairgoers with disabilities.

According to Scramlin, Oakland bounced back from the COVID-19 pandemic with a record-breaking 120,000 attendees in 2021, and he’s



IONIA COUNTY’S FAIR RECEIVED A \$100,000 GRANT TO IMPROVE ITS HISTORIC FLORAL BUILDING. (PHOTO: AIDAN BINFORD)

optimistic about this year’s turnout. “Friday night was a huge crowd, the biggest the fair has ever had on a Friday night,” said Scramlin.

However, the most exciting part of the fair for Scramlin can be found in a less than bucolic quality: the pavement.

“We replaced all the asphalt around our main core of buildings. Some of it was 35 years old,” said Scramlin. “It was breaking up extremely bad and wasn’t safe.”

“Our infrastructure is always a hard thing,” he added. “The horse barn has more leaks in it than a sieve, the campgrounds need a major upgrade, we’ve got plenty of things on the backburner.”

“Running the fair is like owning a home,” explained Marcia Hansen, communication coordinator for the Western Michigan Fair in Mason County. “Every time you think you’ve come to the end of the list of what needs to be done, something else pops up.”

Further complicating matters is the growing price tag of maintenance and improvements.

“We put in over half a million dollars in upgrades this year,” said Brenda Lehmkuhle, executive director of the Ionia Free Fair. “This fair is over 100 years old, so a lot of buildings need repairs, and there’s no way we could do it on our regular budget.”

Ionia and other fairs in need of additional funds can receive state grant money to offset costs. The Michigan Department of Agriculture and Rural Development’s (MDARD) County Fairs Capital Improvement Grant Program allows county fairs to apply for up to \$100,000. This year, the program provided more than \$1.4 million in grants.

Ionia received a \$100,000 grant to improve its historic floral building, situated along the Grand River. “It needs a new roof, and it’ll get a new back patio and new stairs down to the river,” said Lehmkuhle. “We’re going to work on it until we can make it a 12-month rental.”



BEHIND THE ANIMAL COMPETITIONS AND RIDES, COUNTY FAIRS ARE HUGE LOGISTICAL CHALLENGES REQUIRING SIGNIFICANT FACILITIES, FAIR LEADERS NOTE. (PHOTO: AIDAN BINFORD)

Efforts to equip fairgrounds for year-round usage have been a priority in many locales receiving grant money, including the Western Michigan Fair, which received \$100,000 for its horse arena.

“There is so much that can become of that arena,” said Hansen. “We can have antique shows, car shows... and the thing I’m most excited about is a winter soccer program. These bring a huge economic impact to the community.”

Hansen also highlighted the use of grant money to address a 21st century need at the horse arena: accessibility. “The



COUNTY FAIRS HAVE BEEN ON THEIR OWN WILD RIDE WITH FUNDING, WITH THE STATE GRANT PROGRAM SURVIVING A BID FOR ITS ELIMINATION JUST A FEW YEARS AGO.

(PHOTO: AIDAN BINFORD)

arena is designed with a sidewalk that allows anyone with disabilities to have easy access and be able to see what is happening in the arena.”

Other examples of accessibility projects include upgrades at bathrooms to meet ADA standards in Ionia and the new asphalt roads in Oakland.

County fair leaders have been on their own roller-coaster ride in recent years with state support.

As recently as budget planning for fiscal 2017, the Governor’s Office wanted to end the grant program. And no dollars were allocated for it in fiscal 2020.

But now there’s an upswing, with grant dollars rising from \$500,000 in FY21 to \$2.5 million for the upcoming FY24.

Scramlin expressed his gratitude for the \$100,000 grant provided this year that allowed the Oakland County Fair to repave the grounds. “It’s been a blessing to have them all ready, the benefits are there every day,” said Scramlin.

Available grant funds have increased more than fivefold since 2017, as a result of one-time \$2 million allocations in the state budget. Hansen hopes the Legislature recognizes the positive impact of the grants and continues to assist county fairs in their efforts to improve the fair experience.

“We are so grateful for the opportunity to get these additional funds,” said Hansen. “I don’t believe that we could do it alone.” ♦

Rural housing: Complicated problem, complicated solutions

BY JANET KOCH/ANTRIM COUNTY DEPUTY ADMINISTRATOR

In addition to serving in Antrim County government, Janet Koch sits on the board of Housing North, a nonprofit based in Traverse City that builds awareness, influences policy and expands capacity so communities can create housing solutions that meet their unique needs.

“In 2019, MSHDA released a Statewide Housing Needs Assessment. This was followed by the state’s 2022 publication of Michigan’s first Statewide Housing Plan, which has a five-year timeline to achieve five targets, one of which is 75,000+ new or rehabilitated housing units.”

Funding from the Michigan Indigent Defense Commission (MIDC) remains a thorny issue for our member counties a decade after the commission’s creation.

It feels like every conversation about economic development quickly shifts to a workforce attraction conversation, which then shifts quickly to a discussion about the lack of affordable housing.

At the core, the problems are simple: there isn’t enough housing, either to rent or to buy. In addition, the housing that exists is priced beyond what most people can afford.

A 2023 Housing Needs Assessment of the 10 counties in northwest Lower Michigan states that “nearly half of the jobs do not pay sufficient wages for a single wage-earning household to rent a unit and virtually none can afford to buy a home ...”

How did we get here?

Relatively few new homes are being built. In 2021, there were 17,296 Michigan housing starts. Compare that with the number of 1999 single-family housing permits issued — 45,240 — and the depth of the problem can start to be felt.

Contributing factors? Rising construction costs, conversions of primary homes to secondary homes, a rise in the number of single-person households, the success of short-term rentals and the many senior citizens who are lucky enough to stay in their homes. Add it all up and the result is a housing crisis that is impacting everyone.

What is being done?

As with many issues, becoming aware of the problem is the first step. Numerous nonprofits are also working on awareness, advocacy, and capacity building. Two such organizations are Housing North in Northwest Lower Michigan and Housing Next in West Michigan.

In addition, many townships, cities and villages are combing through their zoning ordinances. Amendments regarding dwelling size, lot size, allowing multi-family homes in additional zoning districts, allowing accessory dwelling units, etc., all make a difference.

In 2019, MSHDA released a Statewide Housing Needs Assessment. This was followed by the state’s 2022 publication of Michigan’s first Statewide Housing Plan, which has a five-year timeline to achieve five targets, one of which is 75,000+ new or rehabilitated housing units.

Also in 2022, the Michigan Municipal League, in partnership with the Michigan Economic Development Corp. (MEDC) and East Arbor Architects, released plan sets for two- and four-home models, along with a guide titled “This Used to be Normal: Pattern Book Homes for 21st Century Michigan.”

The Housing Michigan Coalition has a tight focus on changes to state policy that can happen within one year. This coalition has a wide variety of members who are working together to make our communities stronger by increasing housing affordability and housing supply. Members range from the expected — Home Builders Association of Michigan, chambers of commerce and Michigan Realtors — to the more unexpected, such as the West Michigan Food Processing Association, Alger County and the Deaf & Hard of Hearing Services. That these disparate organizations are involved in housing efforts underscores the severity of the problem.

Success stories

Despite high construction costs and other barriers, new single- and multi-family houses are going up in northern Michigan. Housing North is making great strides with advocacy and awareness, and with partner support, has created the Housing Ready Program to provide technical support to help local governments remove housing barriers.

Also, late last year, four housing-related bills were enacted into state law (and additional housing-related legislation is being proposed):

- PA 230 (SB 432) allows local governments to develop Payment in Lieu of Taxes policies for affordable housing units.
- PA 238 (SB 364) expanded Neighborhood Enterprise Zones.
- PA 236 (SB 362) allows local governments to create attainable housing districts.
- PA 237 (SB 422) created a Residential Facilities Exemption that allows a temporary tax abatement for qualified new housing developments.



What can we do today?

Again, the first step is to acknowledge the problem. Better yet would be a widespread acceptance that housing is everyone's problem. If elementary school teachers, police officers, and nurses can't find or afford a place to live, how can we retain a quality workforce? How can we possibly attract the younger demographic to our state, which has so much to offer?

The lack of affordable housing is having a slow, but debilitating, impact on our communities. There are ways to deal with the problem, but none of them are easy. It's up to each of us to take that first step. ♦

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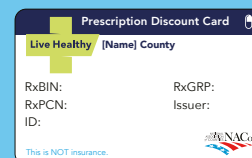
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LEGISLATIVE
UPDATE

State adds, expands tools for locals to address housing crisis

BY DEENA BOSWORTH/DIRECTOR OF GOVERNMENTAL AFFAIRS

“Over the past year, Michigan has demonstrated a commitment to address the affordable housing crisis through increased funding, incentives for developers, and more tools for local governments...”

Michigan, like many other states, is facing the pressing issue of affordable housing. Over the past several years concerted efforts and legislative initiatives have been put into place to address this crucial problem and create housing opportunities for low — and middle — income individuals and families. If Michigan is to grow in population and increase economic activity, providing housing for the residents and workforce is key to this growth.

The steps taken over the past several years focused on expanding the tools local governments have in their arsenal to address the housing shortage. Some of tools incorporate state appropriations, some expand existing tools, while others are new tools.

Expansion of existing tools

PA 238 of 2022/Neighborhood Enterprise Zones

This act was expanded to all of the cities, villages and townships in Michigan. Local governments designate the NEZ and the tax incentive is equal to ½ the tax rate during the year prior to the investment which can last anywhere from 6-15 years for new and rehabilitated facilities, but for those in a qualified historical building, the exemption from half of the taxes can range from 11-17 years. This tool is for the rehabilitation or development of owner occupied and mixed-use buildings.

PA 239 of 2002/Payment-in-Lieu of Taxes (PILT) incentive flexibility

Previously the law required the recipients to have received competitive MSHDA low-income housing tax credits to be eligible for the PILT agreements offered by local units of government. The newly expanded law allows local governments to enter PILT agreements for developments regardless of tax credit awards. PILT agreements are flexible and negotiated between the local



government and the developers regarding the amount, the length of time for the agreement and the targeted Area Median Income (AMI). This tool can be utilized to target the development of workforce housing.

New tools

PA 236 of 2002/Attainable Housing and Rehabilitation Act

This new act enables local governments to create districts specifically designed for attainable housing. The act allows property owners of buildings with 4 units or less to apply for a partial tax exemption if they meet certain affordability criteria determined by the local government. Property taxes can be reduced by 50 percent for a period of 1-12 years if the applicant supplies housing to those at or below 120 percent of the countywide area median income. This act expires in December 2031.

PA 237 of 2002/Residential Housing Facilities Exemption

This new law is targeted at providing a temporary tax abatement on larger housing developments of 5 units or more for either multifamily or single-family homes. Again, the criteria for obtaining the abatement are based on 120 percent of the area median income or less for the renters. This abatement can be for

**LEGISLATIVE
UPDATE**

up to 12 years for renovation and expansion of aging resident units as well as construction of new residential units.

PA 90 of 2023/Tax Increment Financing for Residential Uses

Although this new law was incorporated into the existing Brownfield Rehabilitation Act, it is nonetheless a new financing tool that would allow tax revenues captured from brownfield property, including blighted property to be used for certain housing activities. Of benefit to local governments and planning purposes, this tax capture financing could also be used for infrastructure and site preparation improvements for housing with the approval of MSHDA.

Appropriations

The January 2023 budget supplemental allocated \$150 million for the Housing and Community Development Fund meant to build and refurbish housing and revitalize

downtown areas across the state. It will also fund the Missing Middle Housing Program which specifically aims to build and rehabilitate properties for middle class families. An additional \$100 million in Revitalization and Placemaking Grants to turn underutilized office and commercial buildings into multi-use facilities for affordable housing and other businesses.

Over the past year, Michigan has demonstrated a commitment to address the affordable housing crisis through increased funding, incentives for developers, and more tools for local governments to address the problem. However, the Michigan Statewide Housing Plan estimates that 75,000 new homes need to be built every year just to keep up the demand. The enacted legislation encourages multi-use buildings and multiple unit development to push us closer to meeting the need. With a concerted and sustained approach, Michigan can build a future where affordable housing is accessible to all, fostering a stronger, more inclusive society and economy for its residents. ♦

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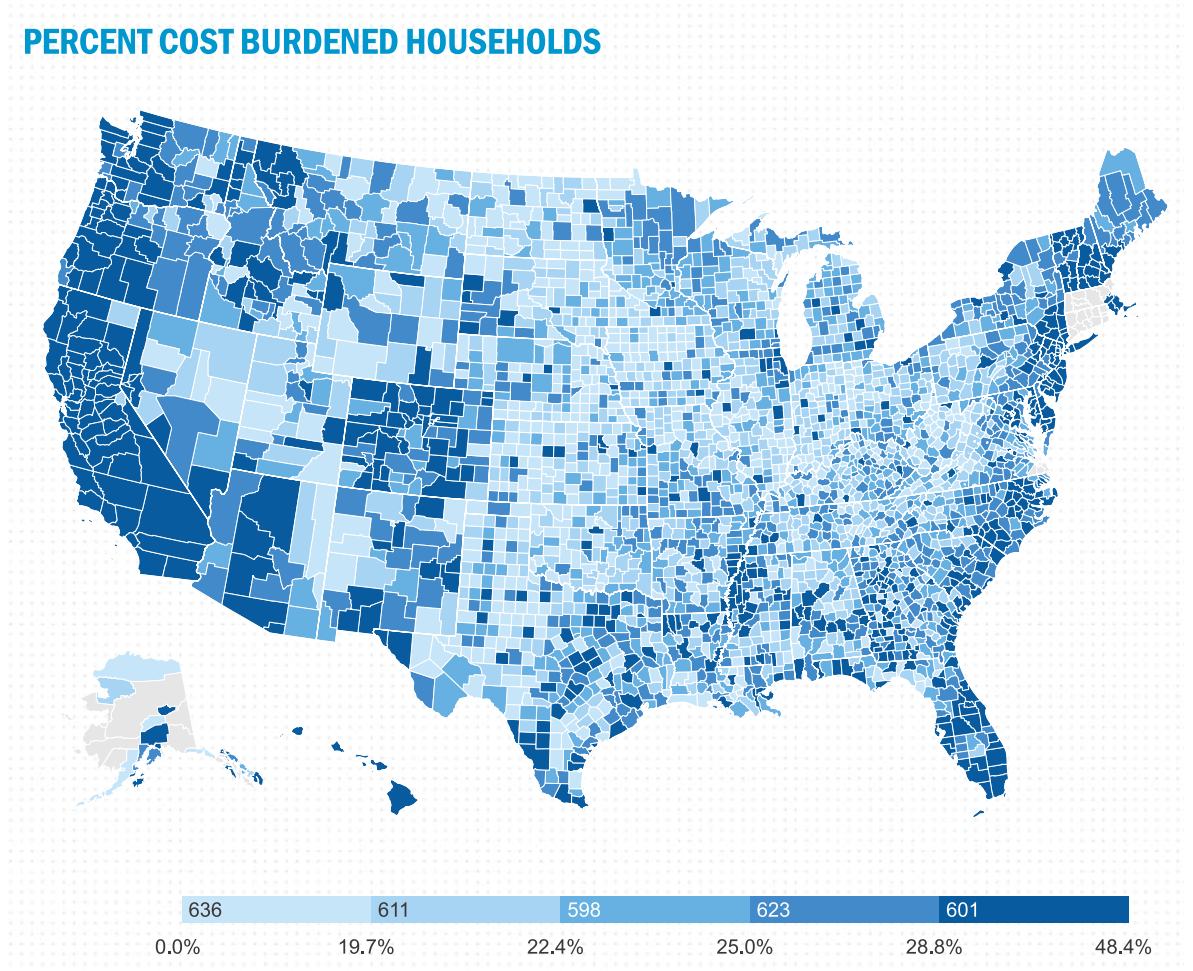
Counties can follow the map to the ‘missing middle’

BY KEVIN SHRAWDER/NATIONAL ASSOCIATION OF COUNTIES

This is an abridged version of an article that originally appeared in NACo's County News on July 3, 2023.

“Over the past year, Michigan has demonstrated a commitment to address the affordable housing crisis through increased funding, incentives for developers, and more tools for local governments...”

PERCENT COST BURDENED HOUSEHOLDS



Goldilocks and her Realtor were getting frustrated. Single-family homes were too big, and too expensive. Apartments were too small. Fewer and fewer properties were just right. They aren't alone. The scarcity, and solution to, the “missing middle when it comes to housing was the focus of a recent program that took center stage at the Kreisman Initiative Symposium on Housing Law and Policy held at the University of Chicago.

The summit focused on the widening gap between single-family homes and mid- to high-rise apartment units. The missing middle includes duplexes, cottage courts, townhomes and multi-use buildings, among others. Many of these types of structures were built in the early 1900s, up until the

mid-20th century. As populations shifted in communities, governments implemented modern regulations and existing housing stock aged; the missing middle became a smaller share of units.

Two key strategies influenced the symposium's programming: Preserving existing missing middle units and fostering the creation of new housing stock through construction.

Not all strategies for housing affordability necessitate new construction. In counties across the country, vacant homes and commercial structures can be repurposed into suitable homes. Renovating existing homes helps to preserve owner-occupied, smaller-type multi-unit buildings (such as courtyard apartments, triplexes, fourplexes

and townhomes). One strategy to preserve some of these properties is incremental development, wherein structures are intended to evolve as the community evolves. This could mean revitalizing a vacant or blighted property to multi-use commercial, adding on an Accessory Dwelling Unit (ADU), or renovating a larger single-family property into separate units. Many of these concepts fall under the umbrella of “lean urbanism,” which focuses on projects that “aim small to provide maximum impact.”

Vacant commercial properties offer opportunities to use these strategies. Though it is a longer process than demolition, revitalizing old office buildings, hotels or other properties that are no longer providing commercial value can often be more sustainable and more cost effective than new construction. The critical component of revitalization is to lower the barrier to entry for existing residents.

Neighborhoods are better when they are built and maintained by residents, who generally have more of a stake in the community, and it keeps money in the local economy, supporting entrepreneurs and small businesses. When residents don’t buy in, community-based organizations and nonprofits can be key partners to help grow and sustain support.

Building codes and liability laws pose some of the biggest barriers to increasing missing middle housing. Building codes are the governing regulations for new construction, establishing requirements on the materials, processes and standards used in projects. The arbitrary threshold between residential and largescale commercial construction (for example, a 500-unit apartment complex), wherein any building with four units or more are viewed as commercial properties, can lead to increased costs for builders and stymie the process. While returning to the days of mail-order homes from Sears may not be realistic, there are a few strategies county policymakers can employ.

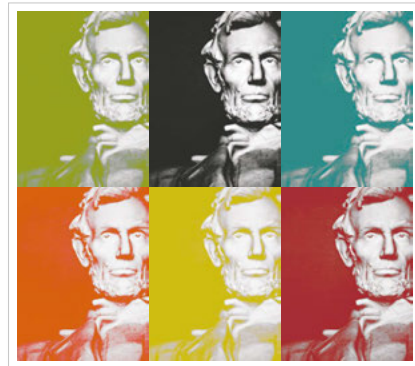
The first is to review zoning and land use codes and consider solutions from a regional perspective. Counties can also comprehensively review current regulations to ensure projects have viability. Analyzing regulations governing ADUs could reveal areas to ensure the ADU process is legal and efficient.

Leveraging local community leaders to engage residents can help build momentum. No housing policy change can be created in a vacuum, and resident voices are crucial to the process. While this can sometimes be a contentious

process, several speakers raised the idea of “reframing the conversation” to better communicate the goals.

By enabling, encouraging and incentivizing more missing middle type homes, counties can help accomplish this goal. Read more about NACo’s local housing policy research and explore the county policy solutions developed by the Housing Affordability Task Force at www.naco.org/housing. ♦

Kevin Shrawder is a senior analyst for economic and government studies in the NACo Counties Futures Lab.



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Michigan has much to gain by mandating a ‘dig-once’ policy

BY ERIC LUPHER AND ERIC PAUL DENNIS/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.

We’ve all seen it and shaken our heads: A work crew digging into a freshly paved road. A seemingly continuous series of work trucks along a roadside for weeks on end, all with different names and logos.

There is, thankfully, a better way.

“Dig once” is the idea that when a road agency or utility company performs construction, other agencies should work at the same time to avoid the excessive costs and disruptions of multiple construction projects.

“Dig once” and similar policies have another timely benefit for Michigan: facilitating the burying of power lines to reduce storm-related power outages. Most utilities and road agencies understand the potential benefits, but there are practical barriers. Agencies are responsive to their own incentives, not what is good for the whole system. This collective action problem, therefore, will require state legislation.

Beyond carrying traffic, roadways provide a public right-of-way (ROW) that is used by infrastructure and utility providers that, usually, work with minimal coordination with

other water, sewer, electric, natural gas and telecom providers.

Excavation work within the ROW often proceeds without a complete picture of underground utilities. This lack of coordination imposes substantial inefficiencies and costs that are passed on to the public as taxpayers, ratepayers and users.

New technologies provide opportunities to manage infrastructure assets more collaboratively. Coordination of stakeholders, through efforts such as the **Michigan Infrastructure Council’s Dig-Once Project Portal** (<https://www.michigan.gov/mic>), though, relies on the voluntary participation of agencies that may not have the resources or expertise to pursue it.

Dealing with the large number of actors and the voluntary nature of collaboration will require legislation that enables and supports needed investments, as well as provides regulatory compliance monitoring. It should enable ROW users to share resources, data and even a common vision for long-term life-cycle management of all utilities and public assets within the ROW.



“...(R)oadways provide a public right-of-way (ROW) that is used by infrastructure and utility providers that, usually, work with minimal coordination with other water, sewer, electric, natural gas and telecom providers.”

Collaborative construction projects create new costs, complications, and uncertainties. An independent infrastructure coordinator can identify and promote dig-once opportunities, dedicate funding to subsidize collaborative efforts and resolve conflicts.

Identifying and managing collaborative projects is easier with good data on underground utilities. Whereas MISS DIG relies on existing records, which often are inaccurate, subsurface utility engineering (SUE) locates, identifies and maps underground utilities, utilizing a combination of utility records and field surveys to precisely determine the location and characteristics of subsurface infrastructure.

This adds to a project’s costs, but a long-term perspective suggests that if SUE were employed, the data would exist for all ensuing projects, reducing future costs. A statewide program and funding mechanism to subsidize SUE would benefit all ROW assets.

Building information modeling (BIM) allows for a coherent, data-based approach, typically focused on design and construction. The adoption of BIM would utilize data from SUE

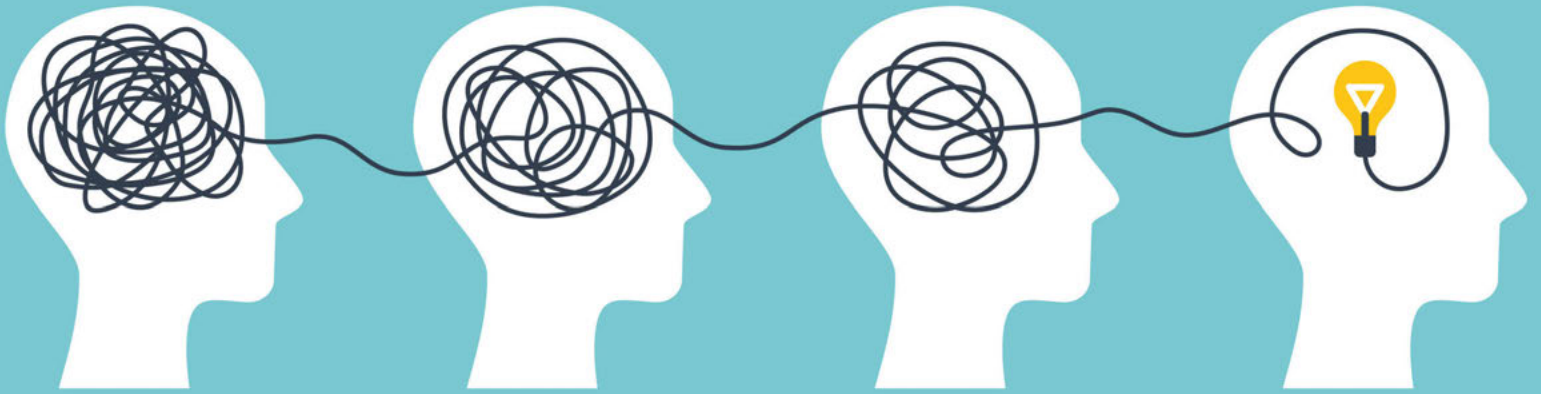
efforts and facilitate a dig-once approach. It could be used to develop a long-term ROW plan that guides project design by all users. For example, road reconstructions could include the installation of utility corridors or conduit banks so electric utilities could subsequently run their lines underground, on their own schedule, at a minimal cost. This would benefit the public in general by making utility lines less subject to storm damage, reducing visual clutter in the environment and allowing for the unfettered growth of street trees.

Michigan needs legislation creating a framework by which infrastructure with public ROW is managed as a coherent engineered system, thus reducing costs for all ROW users and improving the condition and performance of infrastructure. Implementation should fall under the purview of an official commission tasked with further advising the Legislature on how to achieve these goals.

The legislation and corresponding oversight should include these three concepts. Efficient coordination requires that all ROW users have a shared vision for how the ROW could be managed as a coherent engineered system; this is the function of BIM. SUE facilitates obtaining that information to establish and record where underground utilities are located. Together, BIM and SUE will enable the sharing of resources and the reduction of costs through collaborative dig-once construction projects. ♦

Workplace burnout: Balancing work and a personal life

BY BLUE CROSS BLUE SHIELD OF MICHIGAN



“Over the past year, Michigan has demonstrated a commitment to address the affordable housing crisis through increased funding, incentives for developers, and more tools for local governments...”

Have you ever had the feeling of being completely exhausted both mentally and physically at work? You had a good night's rest, you had your morning coffee, but you can't seem to shake this feeling of exhaustion. You could be experiencing burnout and you're not alone in feeling this way.

Burnout is actually listed as an **occupational phenomenon** in the International Classification of Diseases, described as a "syndrome conceptualized as resulting from chronic workplace stress that has not been successfully managed." Feelings of exhaustion, reduced effectiveness at work and negative feelings or cynicism about one's job are all listed as characteristics of occupational burnout.

Studies have shown that in **one generation**, the number of hours worked increased by 8 percent to an average of 47 hours per week. In most workplaces, the idea of always being involved with work in some way to be successful has played a part in why so many people suffer from burnout.

Nearly **50 percent** of workers say they need help learning how to manage stress. So, unless you suddenly win the lottery, quitting your job likely isn't an option.

Here are our top tips for managing your work life with less stress and creating time for yourself outside of the office.

Set Your Priorities: Determine what is most important. Organize your work by what will require the most work and when it is due. This will allow you to prioritize what is truly important to focus on.

Track Your Time: Figure out exactly what you're spending time on. See what aligns with your priorities. If something of lesser importance interferes with your ultimate career goals, try to delegate these tasks to a junior teammate or talk to your boss about eliminating them from your workload.

Respect Your Private Time: Learn to disconnect from work when you're not at the office. Unless it's an emergency, give yourself a chance to disconnect from work and enjoy the time you have to yourself.

Learn How to Say "No": If it doesn't fit in your schedule, don't overwhelm yourself by trying to do work you can't make time for. The work won't be your best and you'll be stressed, compromising your other priorities. Talk to your boss and communicate your concerns

about taking on work you can't fit in your schedule — he or she might be able to help you rearrange your schedule or offload other, less important tasks.

Take a Vacation: Taking some time off and getting away from the workplace can be exactly what you need. It doesn't have to be somewhere far or even expensive, but you do need a chance to replenish your energy, so you can be happy and productive when you return to work.

Being able to find balance in both your work and personal life gives you an opportunity to perform efficiently in both areas.

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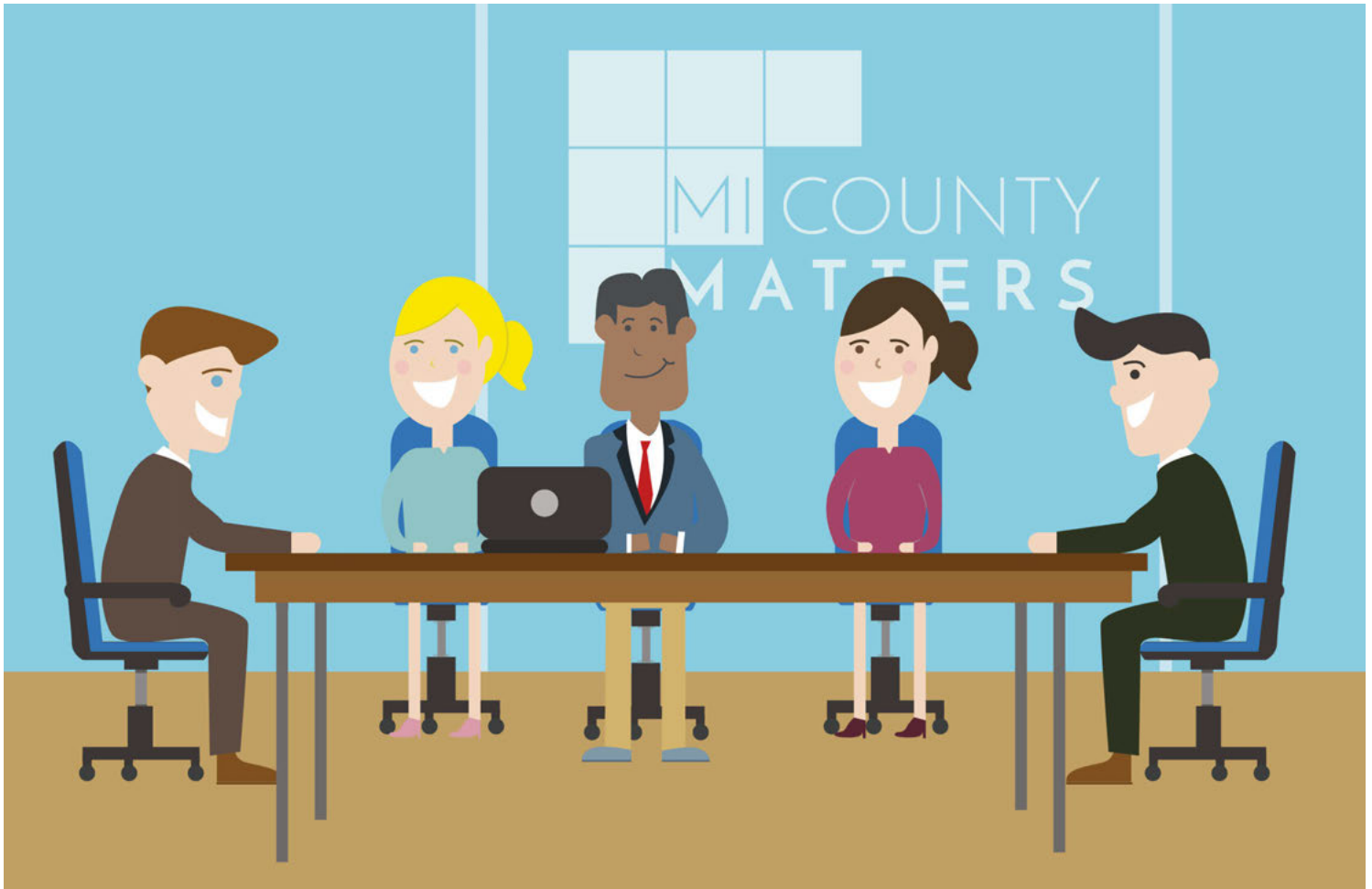
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9 to 5: Pros and cons of a reduction in board size

BY JANET KOCH, ANTRIM COUNTY DEPUTY ADMINISTRATOR, AND JEREMY SCOTT, ANTRIM COUNTY ADMINISTRATOR



“Shifting from nine to five commissioners is saving the county almost \$130,000 annually. That’s more than \$250,000 of taxpayer funds saved in this last two-year commissioner term.”

Each week, on Friday mornings, an email from Lenawee County Administrator Kimberly Murphy lands in the inbox of municipal leaders, community organizers and residents throughout the county. Called “The 60 Second Update,” it is designed to be read in under a minute but keeps everyone updated about important things happening with their local county government.

The first governing body of Antrim County was a 15-member Board of Supervisors. In 1966, the state abolished Boards of Supervisors and created County Boards of Commissioners (BOCs) of directly elected commissioners. The first Antrim County BOC had nine districts — and stayed that way for more than 50 years.

In 2021, the Antrim County Apportionment Committee met to discuss 2020 census data and potential redistricting. Then-Deputy Administrator Jeremy Scott informed the committee that Antrim County was the smallest Michigan county by population to have nine commissioners. He also presented data that showed the majority of counties with a population similar to Antrim’s (23,580) had five commissioner districts. The committee briefly considered reducing the number of districts to seven before committing to five. In January 2023, the first five-member Antrim County BOC was sworn into office.

What are the pros?

The most immediate and visible benefit is cost.

Shifting from nine to five commissioners is saving the county almost \$130,000 annually. That's more than \$250,000 of taxpayer funds saved in this last two-year commissioner term.

Additional benefits are improved efficiency and communication. With fewer commissioners, contacting each commissioner individually takes the Administrator significantly less time, which tends to encourage the contact and could lead to better overall relationships.

One more benefit? With fewer people at the table, the board meetings are trending shorter. Past BOC meetings routinely lasted more than three hours, and it wasn't uncommon to have a five- or six-hour meeting. To date in 2023, only two meetings have run longer than two hours. The 2023 average BOC meeting length through the first July meeting is an hour and 40 minutes.

What are the cons?

It could be viewed that shorter meetings result in issues not being discussed thoroughly in a public meeting. Though this does not appear to be the case in Antrim County, it is certainly something to be aware of, and to consider.

Another point that could be construed as a negative is that with fewer commissioners, each individual commissioner's

voice carries more weight. Also, it is far easier to have an accidental BOC quorum. Antrim County currently has two full BOC meetings and no standing committees. If, in the future, the Board wishes to reconstitute committee meetings, the committees would consist of two members, as three would be a BOC quorum.

The primary negative, however, is the number of commissioner responsibilities that lie outside of BOC meetings. Antrim County has 19 various boards and committees to which commissioners are appointed, 14 of which have regular meetings. In addition, there are several liaison appointments. Due to the limited number of commissioners, some of those liaison appointments are vacant, while others have been filled by staff.

Summary

To date, the positive benefits of moving from a nine-commissioner BOC to a five-member BOC far outweigh the negatives. The shift occurred with a few small problems, but since the largest of those was what to do with the four extra commissioner chairs, we're considering the change a solid win. ♦

Janet Koch and Jeremy Scott are members of the Michigan Association of County Administrative Officers, an affiliate of MAC.



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- Providing forums for information exchange and experiences while delivering solutions to common challenges
- Offering guidance and best practices from educational, governmental and professional organizations to members searching for leading edge practices in public administration
- Promoting and advancing high ethical standards and values as a foundation of managing Michigan public organizations

A photograph of a white lighthouse on a dark pier, surrounded by large grey rocks. The scene is set at sunset or sunrise, with a warm orange and yellow sky. The lighthouse is tall and slender, with a small lantern room at the top. A group of people is visible on the pier near the lighthouse. The water is calm, reflecting the light from the sky.

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What are legally prohibited conflicts of interest?

BY MATT NORDFJORD/COHL, STOKER AND TOSKEY P.C.

On April 28, 2023, a panel of the U.S. Court of Appeals for the Sixth Circuit issued its ruling in the case of *Fox v Saginaw County, et al*, in which it found that the individual plaintiff property owner (Fox) lacked standing to name multiple counties as defendants and claim class action status against them, on his claim for the fair market value of his tax-foreclosed property that exceeded the amount due and owing for taxes.

Fox owed around \$3,000 in delinquent taxes on his property in Gratiot County. The property was foreclosed, and the County Treasurer sold it for around \$25,000, and retained all proceeds from the sale, consistent with the procedure set out in the General Property Tax Act (GPTA) as it existed at the time.

As a consequence of the Michigan Supreme Court's ruling in *Rafaelli, LLC v Oakland County*, 505 Mich 429 (2020), which determined that a tax-foreclosed property owner retains a property interest in the excess proceeds from the sale of the property that remain after payment of the amounts owed for taxes, penalties, interests, and costs, the Michigan Supreme Court determined the owner's property interest was limited to the remaining or balance of the proceeds from the sale, and was not the difference between the fair market value of the property and the amount of delinquent taxes owed. As a result of *Rafaelli*, the Michigan Legislature amended the GPTA to establish a procedure by which a foreclosed property owner may claim the "remaining proceeds." MCL 211.78t.

The Sixth Circuit viewed the Treasurer's retention of remaining proceeds as an unconstitutional taking of the property owner's "equitable title." See *Hall v Meisner*, 51 F4th 185 (6th Cir. 2022). One of the issues before the U.S. District Court in *Fox* was whether the County was liable for the fair market value of the property less the amount of delinquent taxes owed, which remains an issue. The appeal before the 6th Circuit was limited to



the issue of Fox's standing to bring a class action against all the Counties he named as defendants.

The District Court had ruled that Fox had standing to sue all Defendants, including those Counties that had not injured

him, under the "juridical link" doctrine, which calls for an expeditious resolution of certain disputes, and certified a class including Fox and similarly situated property owners.

The Sixth Circuit: (1) reversed the District Court and held that Fox lacked standing to sue other Counties on behalf of absent parties; (2) vacated the certified class; and (3) remanded for further proceedings.

The juridical link doctrine was determined not to apply, as it was inconsistent with precedent and conflicted with the requirements for standing under Article III, including (a) an individual injury of the class representative by all defendants, and (b) an active case or controversy between all parties at the time the litigation was commenced.

The Sixth Circuit's recent ruling on the narrow issues on the Fox appeal constituted a victory of sorts for the affected Counties who were wrongfully named as defendants by an individual to whom they had caused no injury. However, the issue which remains to be decided in the District Court is the extent of the taking for which the County may be liable, i.e., the fair market value of the property less the amount of delinquent taxes owed versus the remaining proceeds from the sale of the property.

The extent of the taking in a tax foreclosure case was also an issue recently decided by the U.S. Supreme Court in the case of *Tyler v Hennepin County, Minnesota*, 598 US 631; 143 S Ct 1369 (May 25, 2023), which also held that a property owner retains a property interest in the excess proceeds from the sale of tax foreclosed property, and that retention of those excess proceeds by the government constitutes an unlawful taking. ♦

Matt Nordfjord is a principal with the firm of Cohl, Stoker and Toskey P.C. and speaks regularly at MAC events on the legal details of the Open Meetings Act and Freedom of Information Act.

“Here, a public servant is prohibited from taking any part in the negotiations for such a contract, the renegotiation or amendment of the contract, or in the approval of the contract.”

MAC's Bosworth honored by Michigan drain commissioners

BY STACY HISSONG/MICHIGAN ASSOCIATION OF COUNTY DRAIN COMMISSIONERS

“Bosworth is only the fifth recipient of McLeod Award in 20 years. ‘I am always impressed at how much she cares about the people we serve.’ ”

MAC Director of Governmental Affairs Deena Bosworth was honored in July by the Michigan Association of County Drain Commissioners (MACDC) with its Darwin McLeod Award during the group's annual summer conference.

“The McLeod Award is to recognize individuals who've gone above and beyond,” said MACDC Board President Evan Pratt of Washtenaw County. “They've shown a dedication that goes above and beyond to advance the goals of MACDC.”

According to Pratt, Bosworth is only the fifth recipient of McLeod Award in 20 years. “I am always impressed at how much she cares about the people we serve,” said Pratt. “Deena's ability to convey constituent benefits to legislators on a wide range of legislative issues is remarkable.”

The award is named after former St. Clair County Drain Commissioner Darwin McLeod, in honor of his wisdom, commitment and enthusiasm through more than 50 years of involvement with MACDC. McLeod praised Bosworth for many of the same characteristics in a speech given on his behalf at the award ceremony.

“She has time and again, proven to be a wise counselor, tireless advocate and savvy operator on the stage in Lansing on behalf of the MACDC,” said McLeod. “I congratulate you, Ms. Bosworth, on your selection and encourage you to continue to serve this fine organization.”



DEENA BOSWORTH IS PRESENTED THE DARWIN MCLEOD AWARD BY MACDC COUNSEL STACY HISSONG. BOSWORTH IS JUST THE FIFTH PERSON TO BE SO HONORED BY THE ORGANIZATION OF MICHIGAN'S DRAIN COMMISSIONERS. (COURTESY PHOTO)

Bosworth expressed her gratitude to MACDC for the award. “It takes a lot of pieces and parts to make an organization work properly and really make a difference, and that's what McLeod did,” said Bosworth. “Getting the award makes me feel like I'm an integral part of that dedication.”

Bosworth hopes to continue to represent MACDC in the Legislature for years to come. “Representing the drain commissioners is meaningful to me because I absolutely believe in what they do,” said Bosworth. “I don't think that we would have anywhere near the state infrastructure needed to live in Michigan if drain commissioners didn't do the work they do.” ♦

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Sarah Lucido

Name: Sarah Lucido

County/MAC Region: Macomb/Region V

Position: Director

County Service: Commissioner, 2022-present

Profession: Public service

Previous Public Service: Eastpointe City Council, 2015-2022

What is your no. 1 issue to pursue as part of the MAC Board?

As a new member of the MAC Board, I am excited to contribute to MAC's ongoing

efforts in advocating for the creation of a Revenue Sharing Trust Fund (House Bills 4274-75 and Senate Bills 229-230). This fund would help ensure a steadier and more consistent revenue source for local governments across Michigan.

When local governments can count on revenue, it allows them to plan their budgets more effectively. It can result in a higher level of efficiency in spending and may help municipalities reduce waste. This fund would also act as a fair and transparent way to allocate dollars so that all Michiganders can benefit. It is an idea we can all get behind.



Dwight Washington

Name: Dwight Washington

County/MAC Region: Clinton/Region IV

Position: Director

County Service: 2017-Present

Profession: Administration/Environmental Consultant

Previous Public Service: DEI Committee service

What is your no. 1 issue to pursue as part of the MAC Board?

While working with the MAC Environmental and Health Committees over the past seven years, I've come to reason that these issues intersect "where the rubber meets the road." A quality environment and excellent health

services are keys for a thriving economy and affect every Michigan resident's quality of life.

When I listen to my constituents and county staff, I hear challenges and hurdles that affect everyday people and their families. Wonky policies and the struggle to maintain basic social determinants of health are the primary reasons for most complaints. And, consequently, at times, being a commissioner may feel like an "upstream" struggle.

However, considering the plethora of challenges facing our counties, a pressing issue at hand — in order to support "the greatest good for the greatest number" — is the management of a clean energy future. Engaging with these policies should empower local governments to better facilitate sustainable practices that protect our health and environment "downstream."

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