

MICHIGAN COUNTIES



Cover Story: Legislative
Year in Review 2023



Contents



3	Letter from the Executive Director	18	MACAO Corner WHAT NEWAYGO COUNTY HAS LEARNED ABOUT COLLABORATING FOR HOUSING SOLUTIONS
5	Letter from the President	20	Affiliate Corner LOCAL RELATIONS WITH STATE GOVERNMENT DECLINE OVER TIME
9	MAC News NEARLY 100 COUNTY LEADERS PARTICIPATE IN POLICY SUMMIT OAKLAND COMMISSIONER REMEMBERED AS FRIEND OF PARKS ISABELLA'S LING PASSES; SERVED 22 YEARS ON BOARD	24	Legislator Q&A REP. AMOS O'NEAL
11	Cover Story MAC SCORES WINS IN SHORT, BUT BUSY, YEAR IN LANSING	26	Meet Your MAC Board VAUGHN BEGICK AND ANTOINETTE WALLACE
17	CRC Analysis GOVERNMENTAL COLLABORATION IS CRITICAL IF MICHIGAN IS TO GROW	27	Legal Corner CHIEF DEPUTIES OF ELECTED OFFICIALS: WHEN TO ESTABLISH PAY, AND HOW MUCH?

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Letter from the Executive Director



A stylized black ink signature of Stephan W. Currie.

STEPHAN W. CURRIE
MAC EXECUTIVE DIRECTOR

“On behalf of the entire staff, I extend to you warmest wishes for a safe and happy holiday season.”



MAC STAFFERS GATHERED IN NOVEMBER FOR THE ASSOCIATION'S HOLIDAY PHOTO. PICTURED ARE (L-R, FRONT) JAMIE PEMBERTON, SAMANTHA GIBSON, DEENA BOSWORTH AND VICKKI DOZIER; AND (L-R, BACK) DEREK MELOT, TAMMI CONNELL, STEPHAN CURRIE, AMANDA GIBSON, KRISTINA GARNER, GABRIEL ZAWADZKI AND MADELINA FATA. (PHOTO: MATT MITCHELL PHOTOGRAPHY)

Living in a household with four children, ranging from elementary age to high school, I understand all too well when someone mentions how they get caught up in the whirl of events and lose proper sight of the reason for the season.

To that end, I wished to conclude my 2023 reports to you on the theme of thankfulness and appreciation.

For those who attend our conferences and other in-person events, most of these faces are familiar, but above you see the people behind the phone and the email account serving you each day at MAC.

Having started at MAC in 2011 as deputy director, I have had a direct hand in hiring seven of the faces. So, perhaps I take an inordinate bit of pride in their efforts to serve our members, but there you go.

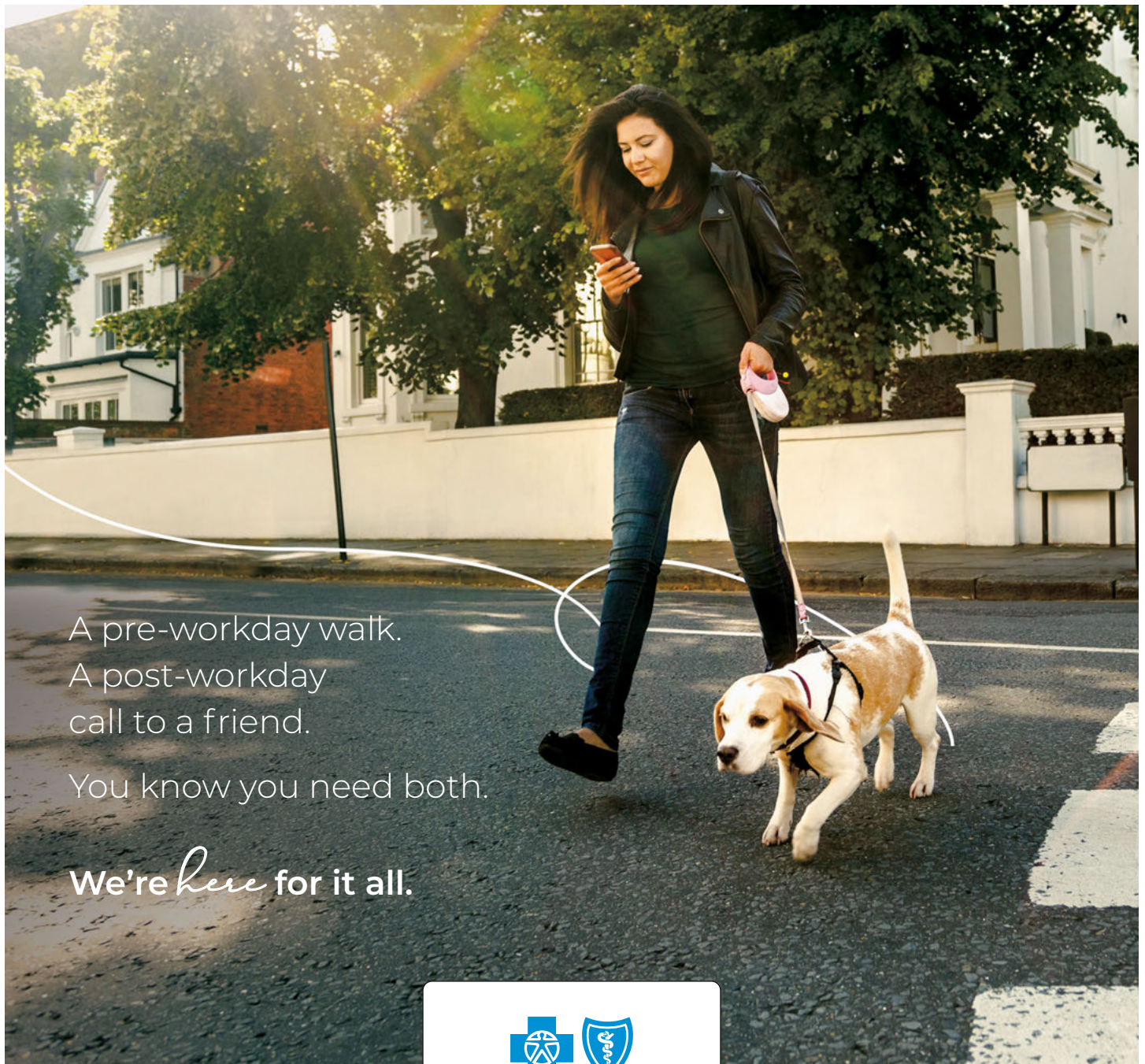
Deena Bosworth, director of governmental affairs, joined MAC the same year I did and, of course, has long been central to our advocacy work, of which you can see more about on page xx.

Two of our staffers have all of us beat for longevity, though: Kristina Garner, who runs our COBRA services; and Gabriel Zawadzki, who heads up our grant services. Each is closing in on 20 years of service to MAC and its members and our veritable institutions in our offices.

Not pictured, unfortunately, is Amy Dolinky, who leads our new opioid settlement services. In an example of MAC's year-round commitment to you, Amy was in St. Joseph County that day, part of a swing across West Michigan to counsel members on resources to combat addiction in our communities.

As we conclude another successful year for our association, I want to publicly thank the people who make it possible: our county members AND our MAC family here in Lansing.

On behalf of the entire staff, I extend to you warmest wishes for a safe and happy holiday season. ♦



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Letter from the President



Jim Storey

JIM STOREY
PRESIDENT, MAC BOARD OF
DIRECTORS

**“MACPAC helps
our effective
legislative action
team guard against
those initiatives
that undermine
county government,
while championing
efforts to build-
up the regional
government closest
to the people.”**

I don't know about you, but during the last two months of the year, solicitations for this cause and that “need” are regular visitors to my mailbox and phone lines. Many are good and important causes; a few are not.

Sifting among those solicitations to decide which to support can be a time-consuming and challenging task.

There is one cause, I believe, that requires our urgent attention as the leaders in and for Michigan's 83 counties. It is the need to support legislators who will recognize counties as the regional yet local government that efficiently provides services on which our residents depend.

Recent actions of the Legislature indicate the recognition of that fundamental role local governments, including counties, play in Michigan's governmental organization is not as respected as in previous times.

Whether it is regulating the location and positioning of windmills and solar arrays, mineral mining, including gravel operations now regulated by county and district health departments, or short-term vacation rentals, the trend in the State Capitol is to strip away the oversight authority over these enterprises from locally elected boards. It is a trend that legislators and elected state officers can — and should — stop, then reverse.

All of that brings me back to the cause I hope you and your colleagues on your Board of Commissioners seriously consider as you weigh a contribution to this or that appeal.

It is to become a serious donor to MACPAC, the Michigan Association of Counties political action committee. It is the small, but effective fund with which we support those who support counties. In 2024, all 110 state representatives will face election, including two currently vacant seats that will be decided in April.

MACPAC helps our effective legislative action team guard against those initiatives that undermine county government, while championing efforts to build-up the regional government closest to the people. Recently, while arguing against the stripping of local control in the windmill-solar field bills, they were able to gain support for the Revenue Sharing Trust Fund that assures county revenue sharing is not the fulcrum for state budget balancing in the future.

Operating in that legislative environment demonstrates the skill our legislative team can exert — if they have the tools to be heard. MACPAC is that crucial tool they need to help us.

As business and governmental activity slows us to share in year-end holiday gatherings, please accept my best wishes for a New Year filled with hope, prosperity and good health for you and all you hold dear.

May 2024 be your — and MAC's — best year yet! ♦



83 COUNTIES MANY MORE STORIES

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MAC PRESIDENT JIM STOREY WELCOMES THE IN-PERSON AND VIRTUAL AUDIENCES FOR THE 2023 POLICY SUMMIT ON DEC. 7, AS EXECUTIVE DIRECTOR STEPHAN CURRIE LOOKS ON.

Nearly 100 county leaders participate in Policy Summit

Counties have an excellent opportunity to drive policy change in Lansing in coming months, if their leaders work with MAC at every opportunity, Boad President Jim Storey of Allegan County told the nearly 100 attendees of the MAC Policy Summit on Dec. 7.

Storey's remarks opened the one-day event at the Kellogg Center, which included presentations on:

The expected effects of the recently approved juvenile justice reform package, most notably the shift to a 75 percent reimbursement rate for community-based services for counties.

The politics and implications over the upcoming debate for a statewide septic code: Presenters explained there is a consensus among stakeholders — including local health departments and septic industry experts — that reform is needed. They added, though, that the final product will not look like the legislation that was introduced in Lansing this year.

National efforts to change federal law so that counties are not left with the health bills of jail inmates who have not yet been charged with a crime. Blaire Bryant of the National Association of Counties noted that county efforts were gaining traction on Capitol Hill to reform the Medicaid Inmate Exclusion Policy.

The continuing work of a MAC-commissioned study on the services that each county provides to the local governments within its borders.

"We are thrilled by the turnout for the event — and by the extended Q&A segments in the sessions," said Executive Director Stephan Currie. "I think the results speak to the quality of the presentations and to the eagerness of our members to stay current on policy questions so they can protect their constituents' interests."

Resources from the summit can be found on MAC's website at <https://micounties.org/conferences-2>.

Oakland commissioner remembered as friend of parks

Oakland County Commissioner Gary R. McGillivray passed away on Nov. 3. He had served 15 years on the Oakland board at the time of his passing, and he recently was honored by his colleagues with the renaming of a park as "McGillivray Park" for his long efforts in recreation work. Before joining the Oakland board, he served for more than 20 years in the city of Madison Heights as its mayor and a member of its City Council.



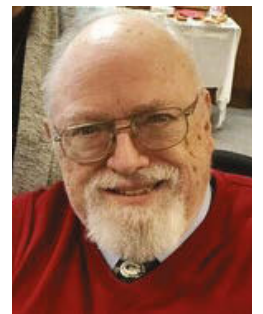
MCGILLIVRAY

"Our county is stronger because he served us all," Oakland Board Chair David Woodward said in a statement. "Our thoughts and prayers are with his family, friends and all of those whose lives were touched by his service."

Isabella's Ling passes; served 22 years on board

David Ling, who served more than two decades on the Isabella County Board of Commissioners, passed away Dec. 1.

First elected to the board in 1996, Ling served as board chair from 2003 through 2011. He left the board at the end of 2018 as vice chair after 22 years of service. In a tribute on his retirement, Isabella noted that Ling "provided a culture of care, support and leadership to all corners" of the county.



LING

Ling taught for more than three decades in speech communication at Central Michigan University.

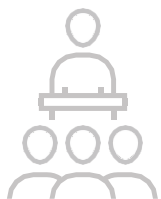


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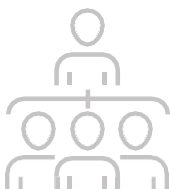
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MAC scores wins in short, but busy, year in Lansing

COVER
STORY

BY MAC GOVERNMENTAL AFFAIRS STAFF



In a year abbreviated by an early adjournment of the Michigan Legislature, MAC and its 83 members still scored several policy victories in Lansing, highlighted by the adoption of a long-overdue reform of juvenile justice law and progress on a dedicated Revenue Sharing Trust Fund. Presented below is a summary of MAC's advocacy work in Lansing in 2023 grouped alphabetically by subject area.



Environmental

• Solar and Wind Siting

- o MAC opposed legislation to grant the Public Service Commission (PSC) siting authority over solar and wind facilities, preempting locals.
- o The final version of House Bill 5120 does enable locals to review applications before the PSC but

offers limited flexibility in denying a project.

- o MAC testified in opposition in both chambers, and some of our concerns were addressed in the final version. It passed both chambers along party lines.
- **Septic Code**
 - o MAC opposes legislation, as written, to create a statewide septic code.
 - o HB 4479 prescribes that each property owner with a septic tank must have it inspected every five years, and all county point-of-sale ordinances will be invalid.
 - o Workgroups happening through the fall and legislation may be revisited in the spring.
- **Gravel Mine Siting**
 - o MAC opposes legislation to preempt

“MAC has long sought to create stability and fairness in the revenue sharing system by removing the statutory portion of it from the annual appropriations process.”

CONTINUED ON PAGE 12

MAC scores wins in short, but busy, year in Lansing

FROM PAGE 11

local control and grant siting authority for gravel mining operations to the Department of Environment, Great Lakes and Energy (EGLE).

- o MAC signed a letter with other groups to oppose HBs 4526-28 and managed to halt their movement.
- o It could be revisited in the spring.

• Materials Management Plans

- o Legislation was signed late last term requiring all counties to update their Materials Management Plans. We have worked closely with EGLE to educate our members and connect them with the proper staff in preparation for the upcoming changes.



Finance

• Designated Assessor

- o HB 4979 would allow a county that has not or cannot designate an assessor of record for the county to have the State Tax Commission (STC) appoint one.
- o In 2018, Michigan amended the law to require a county to appoint an assessor or record to handle assessments at the local township or city level if the local unit was found to be substantially noncompliant with the act's requirements.
- o The intent was to allow the county designated assessor to clean up a local unit's tax roll.
- o Subsequently to the enactment of that statute, several counties have been unable to identify qualified assessors to fill that role.
- o The bill received bipartisan support in the House and now advances to the Senate for consideration.

• Revenue Sharing Trust Fund

- o A two-bill package creates a separate "Revenue Sharing Trust Fund" to receive and hold dollars solely for the purpose of fulfilling the state's promise to local governments on revenue sharing.
- o Requires that 8 percent of the revenue generated by 4 percentage points of the state's sales tax rate be deposited into fund.
- o MAC has long sought to create stability and fairness in the revenue sharing system by removing the statutory portion of it from the annual appropriations process.
- o The House passed the bills with overwhelming support. Now awaiting Senate action.

• Public Safety Trust Fund

- o A two-bill package creates a Public Safety Trust Fund.
- o Carves out 1.5 percent of the first 4 percentage points of the state sales tax and dedicates those funds.
- o Passed the House. Now awaits Senate action.

• Small Business Personal Property Tax Exemption Reimbursement

- o Now PAs 174-175 of 2023
- o Due to the expansion of the small business personal property tax exemption expansion from \$80,000 in true cash value to \$180,000 in true cash value, it is anticipated that local governments across the state will face a reduction in revenue of up to \$75 per year.
- o The bills provide a methodology and reimbursement mechanism to reimburse locals for their losses associated with this expanded tax exemption.
- o Changes to the Use Tax Act would be made to require \$75 million in use tax revenue to be deposited into the Local Government Reimbursement Fund each fiscal year beginning with the fiscal year ending Sept. 30, 2024.

• Disabled Veterans Property Tax Exemption Reimbursement

- o In yet another attempt to secure reimbursement for counties for their losses associated with the 100 percent disabled veterans property tax exemption, MAC testified in support of HBs 4894-96.
- o The bills would create a refundable income tax credit for the veterans payable to the local unit of government as the mechanism for reimbursement.
- o A vote was not taken on the bills.

• Solar PILT Bills

- o The bills allow for an optional structure for the taxes levied on solar facilities.
- o PAs 108-109 of 2023 allow for the creation of solar energy districts by local municipalities after a mandatory public hearing. Subsequently, solar energy developers could apply for an exemption from local property taxes and instead pay a flat rate of \$7,000 per megawatt of nameplate capacity per year for the proposed solar energy facility, instead of ad valorem property taxes.
- o The payment would be locked in for 20 years and distributed based on the proportions of

normal taxes that would have been paid to each taxing unit.

- o An additional incentive would be offered for developers that choose to site facilities on brownfields, in opportunity zones, as a secondary use on already improved real property (i.e., roof tops) or on state-owned property. In such cases, the reimbursement rate would be \$2,000 per MW of nameplate capacity.



General Government

- **Early Voting Implementation**

- o Now PA 81 of 2023
- o MAC supported legislation that permits clerks from other municipalities to jointly conduct elections. Pooling staff and other resources can make this process easier and more cost effective given the new circumstances.

- **Open Meetings Act**

- o MAC participated in a workgroup on updating the Open Meetings Act (OMA). We continue to advocate for the ability to participate in county board meetings remotely, so long as a physical quorum is present. We are open to other practical guardrails. More than 10,000 organizations in Michigan adhere to OMA, so there are many opinions to consider when updating the Act. Workgroup will resume in the spring.

- **FY24 Budget**

- o \$30 million in incentive grants to counties to coordinate implementation of early voting by local governments within their jurisdiction and to incentivize multijurisdictional coordination that provides for efficient election administration.

- **Opioid Fatality Review Teams**

- o Legislation to allow counties to form an Opioid Fatality Review Team passed both chambers in November.
- o MAC supported the bill, SB 133, which would operate similarly to Child Death Review Teams.
- o An individual county or a group of counties can choose to establish an Opioid Fatality Review Team to study the opioid crisis within their community.

- **Medicaid Inmate Exclusion Policy (MIEP)**

- o MAC, alongside Michigan Sheriffs Association and Community Mental Health Association of Michigan, has been seeking solutions for the MIEP. We are asking MDHHS to apply for a waiver from the Federal Centers for Medicare and Medicaid Services to allow incarcerated individuals to receive Medicaid coverage, sparing counties significant cost burden for those within county jails that are in need of medical care.

- **FY24 Budget**

- o \$31.5 million increase to County Child Care Fund for state reimbursement to counties. This coincides with the increase to 75 percent reimbursement for community-based services.
- o \$19.3 million dedicated to foster care per diems, representing an 8 percent increase.
- o \$25 million dedicated in an increase to Essential Local Public Health Services.
- o County Medical Care Facilities received grants for workforce retention -- \$67 million in workforce retention grants to nursing home providers (there are 34 county-operated medical care facilities).



Judiciary and Public Safety

- **Juvenile Justice Reform**

- o MAC-backed reform legislation was sent to governor's desk before adjournment in November.
- o HBs 4624-4643 and SBs 418-437:
 - Child Care Fund increase to 75 percent reimbursement for community-based services
 - Expanding Michigan Indigent Defense Commission's work to include juveniles was removed, so MIDC will remain as is.



Labor

- **Expansion of Binding Arbitration**

- o Now PA 171 of 2023
- o MAC opposed legislation to expand binding arbitration benefits to county correctional officers.
- o Binding arbitration can be costly and unpredictable and diminishes local control.

CONTINUED ON PAGE 14

MAC scores wins in short, but busy, year in Lansing

FROM PAGE 13

- **Minimum Staffing**

- o Legislation (HB 4688) to make minimum staffing a mandatory subject of bargaining for PA 312 employees did not make it out of House in 2023
- o MAC-opposed the legislation.
- o Counties are already facing severe staffing shortages, from sheriff's deputies to corrections officers, and implementing minimum staffing in negotiations for public employers/employees will not solve this staffing crisis.
- o Counties need assistance in recruiting and retaining public safety workers, not mandates from the state on how to staff departments they are constitutionally obligated to maintain.

- **Governmental Immunity**

- o Bill (HB 4486) to remove governmental immunity for cases of criminal sexual conduct by county employees never received a vote in the House.
- o MAC fought hard to ensure governmental immunity remains intact and local units are not held liable to unreasonable standards.

- **Expansion of Workers' Compensation Presumption**

- o HB 4729 would add respiratory and heart diseases to the list of ailments covered under the Workers' Compensation Act for fire, police, and public safety departments. The disease or illness must be attributable to the individual's employment. This would include full, part-time, and volunteer members of public safety.
- o The bill was not voted out of committee.



Transportation

- **Equipment Sharing**

- o MAC supported legislation to allow county road agencies to share equipment with the Michigan Department of Transportation (MDOT).
- o It is already common practice, but we codified it in law so that MDOT cannot change its mind down the road.



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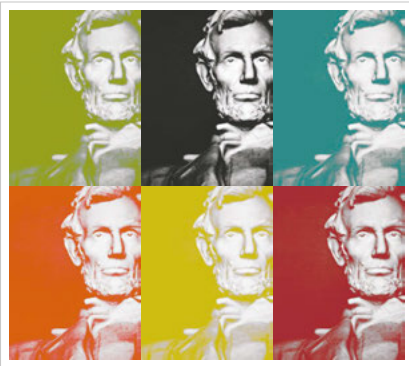
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- HB 4897 passed both chambers unanimously and is awaiting the governor's signature.
- **Local Grade Separation**
 - Now PA 66 of 2023.
 - MAC supported legislation to create a local grade separation grant program and fund. MAC worked closely with MI Railroad Association for several years to get it across the finish line in July.
 - Local Road Funding
 - MAC participated in a study with the County Road Association (CRA) and other interest groups on the impact of electric vehicles on road funding.
 - Much of Michigan's road funding comes from fuel tax, and with the growth of electric vehicles, there will be a major loss of revenue from petroleum fuels over time.
 - It is estimated that by 2030 anywhere from \$65 million to \$90 million will be lost annually.
 - We continue to work closely with CRA and others to find policy solutions and advocate for state appropriations.



- **Federal Funding for Internet**
 - MAC is working closely with the MIHI Office on the distribution of nearly \$1.56 billion to expand high-speed internet across Michigan.
 - Counties have been classified as "enabling partners" and will play a key role in "identifying barriers to infrastructure deployment and developing and implementing solutions to overcome these barriers."
 - MAC has been keeping members informed of important deadlines and relaying information to MIHI staff to ensure funds are distributed fairly. ♦



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Document Storage Solution Contracts

CoPro+ is a purchasing consortium program sponsored by the Michigan Association of Counties (MAC) and powered by Procurement Consulting Group. The program was intentionally designed to make procurement easier for a variety of public organizations.

Essentially, CoPro+ serves as a bridge between public agencies and vetted, trustworthy contractors who are waiting to fulfill procurement requests. Our program supports Michigan companies, provides resources for public agencies, creates real cost and time savings, and, above all else, makes procurement a breeze.

AVAILABLE CONTRACTS: Four document storage solution contracts were competitively bid through Wayne RESA, one of our CoPro+ partners. The contracts are available to all counties.

The vendors chosen through this process are prequalified to provide a wide range of document storage solutions.
(see “Contract Highlights” at right)

PROCESS: Counties can work with any of the four contractors to set up their document management systems. All four contractors may also be contacted to provide a quote based on each individual county’s needs. Mention the CoPro+ Program to “piggyback” on the contract and avoid the bid process.

CONTRACT HIGHLIGHTS:

- ✓ Effective methods to file, retrieve, and harvest data
- ✓ Efficiently manage, report, search and analyze documents and records
- ✓ Generate approval workflows
- ✓ Process document information into records management systems
- ✓ Document storage, life cycle retention, and analysis
- ✓ Web-based solutions
- ✓ Increased efficiency
- ✓ Permissions-based interfaces
- ✓ Flexible, scalable solutions
- ✓ Enhanced productivity
- ✓ Customizable content services
- ✓ Encrypted and secure



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Governmental collaboration is critical if Michigan is to grow

BY ERIC LUPHER/CITIZENS RESEARCH COUNCIL OF MICHIGAN

Over the summer, the Citizens Research Council of Michigan and Altarum published a series of papers about the demographic, economic, infrastructure and environmental opportunities and challenges confronting Michigan. The governor created the Growing Michigan Together Council in reaction to the findings of those papers.

These papers identify, and the council was created to address, Michigan's stagnant population growth for the past five decades. Those trends are projected to continue. Significantly, the lack of growth is related to the loss of young adults to other states.

Michigan already is experiencing the effects of the stagnant population growth with shortages of health care workers, teachers, skilled trades, and other professionals. The loss of college educated graduates has lessened income levels in the state relative to other states, affecting business retention and attraction.

The Upper Peninsula has been at the forefront of these metrics. The population of the Upper Peninsula has experienced little growth and is much older than the rest of the state and the nation. This relates to the percent of the UP population with college degrees, the percentage of population in the work force, and the availability of labor to fill available jobs.

The governments in the Upper Peninsula (and all of Michigan) should view these challenges as opportunities for innovation and collaboration. Already, UP governments have experienced challenges finding workers. The lack of new population moving to the UP has minimized growth of their tax bases.

The reaction should be to maximize efficiency. There are tremendous opportunities for the counties to work together and for the counties to provide services on behalf of their cities and townships.

Governmental services can broadly be categorized into two groups.

Capital Intensive Services require major expenditures for land, buildings, vehicles, or equipment. The cost of these services is not directly related to the size of the population or geographic area served. Once a government has invested in those assets, it can serve populations and geographic areas broader than that single government. In economic terms, this is known as economies of scale. With the capital items in place, the marginal cost to the local government of providing services to additional people or areas is relatively small.

Technically Intensive Services require people with college degrees or professional certification. As with capital intensive services, once governments hire people with specialized expertise, they have assets capable of serving populations and geographic areas broader than their individual government. In economic terms, this is known as economies of skill. With the professional staff member on staff, the marginal cost to the governmental unit of providing services to additional people or areas is relatively small.

Because the UP has a relatively small population spread over a large geographic area, the emphasis should be on efforts to achieve economies of skill. Many of the opportunities will be in back-office functions such as human resource and payroll functions. Others may focus on fiscal functions that deal with property assessment, accounting, purchasing, and banking operations; and information technology functions, geographic information system (GIS) mapping, and website maintenance.

County officials also could take a proactive approach to relieving cities and townships of service delivery responsibilities whenever possible. This will allow the local governments to focus on creating quality places where people want to live, and businesses want to locate.

The UP counties have a history of collaborating to improve the skills of county commissioners. Those efforts can lay the foundation for greater efforts to work together in service provision. ♦



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.

“There are tremendous opportunities for the counties to work together and for the counties to provide services on behalf of their cities and townships.”

What Newaygo County has learned about collaborating for housing solutions

BY CHRISTOPHER WREN/NEWAYGO COUNTY ADMINISTRATOR

“The word is out that Newaygo County is the place to build. A conservative estimate is upwards of 200 new housing units in 2024.”

Newaygo County, like many communities in Michigan, is facing a housing shortage. Our latest data shows a need for 300-400 additional housing units, with the greatest need among families earning between 60 percent and 120 percent of the area median income (\$45,420-\$90,840 for a four-person household).

In lieu of waiting for solutions to come to walk in our door, the Newaygo County Board of Commissioners approached the Fremont Area Community Foundation (FACF) about a partnership to incentivize new and renovated housing to come to us.

The Fremont Area Community Foundation Housing Partnership fund was born.

FACF has been a long partner with the county, providing significant funding for programs and projects from the Commission on Aging to Law Enforcement to recycling. The county, while contemplating how to utilize a portion of ARPA dollars in the community, realized an opportunity.

Newaygo County approved \$1 million from its ARPA allotment for the Partnership Fund and FACF matched with an additional \$500,000.

A committee including county officials, FACF staff and community representatives was formed to create guidelines and review proposals. The fund will focus on “missile middle” housing, with a target of household annual income of 60 percent to 120 percent of area median income. Grant funds can be provided up to \$30,000 per unit, with a \$150,000 maximum per project. Both nonprofit and for-profit developers can apply. Applicants are encouraged to leverage additional funding sources.



A “shortened” first round was completed in the fall. Projects receiving funds will add 13 housing units in the county, using \$300,000 in awards to three projects to leverage \$3 million in total investments. Although the initial round was small, the impact was immediate. Projects that have been “wavering” were able to get under way with this new catalyst.

The final decision for allocating funds is made by the FACF Board, using recommendations of the committee. The funds have solely been transferred to the foundation, and we expect the match to continue into the foreseeable future even after the County’s investment is used.

Applications for the next round of grants are being accepted and an enormous increase in interest has been observed. The word is out that Newaygo County is the place to build. A conservative estimate is upwards of 200 new housing units in 2024.

Newaygo County has learned that to compete with larger markets that surround us, innovations must be found. Partnering with a local or regional foundation is a great way to leverage county investment and/or structure a plan to begin building up a fund. ♦

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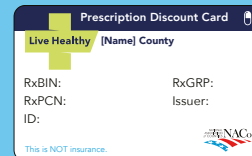
- Save up to 80%* on generics and up to 40%* on brand-name prescription medications for residents and their pet

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- Provides 24/7 telemedicine service and save 15% to 75% on vision services, hearing aids and screenings, diabetes supplies, prepaid lab work and more

Low-fee dental discounts nationwide.

- Save 15% to 50% on check-ups, cleanings, fillings, crowns, x-rays, root canals and more at over 110,000 participating providers



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Local relations with state government decline over time

BY TOM IVACKO, DEBRA HORNER AND NATALIE FITZPATRICK/CENTER FOR LOCAL, STATE AND URBAN POLICY

The Center for Local, State and Urban Policy (CLOSUP) is a MAC affiliate member.

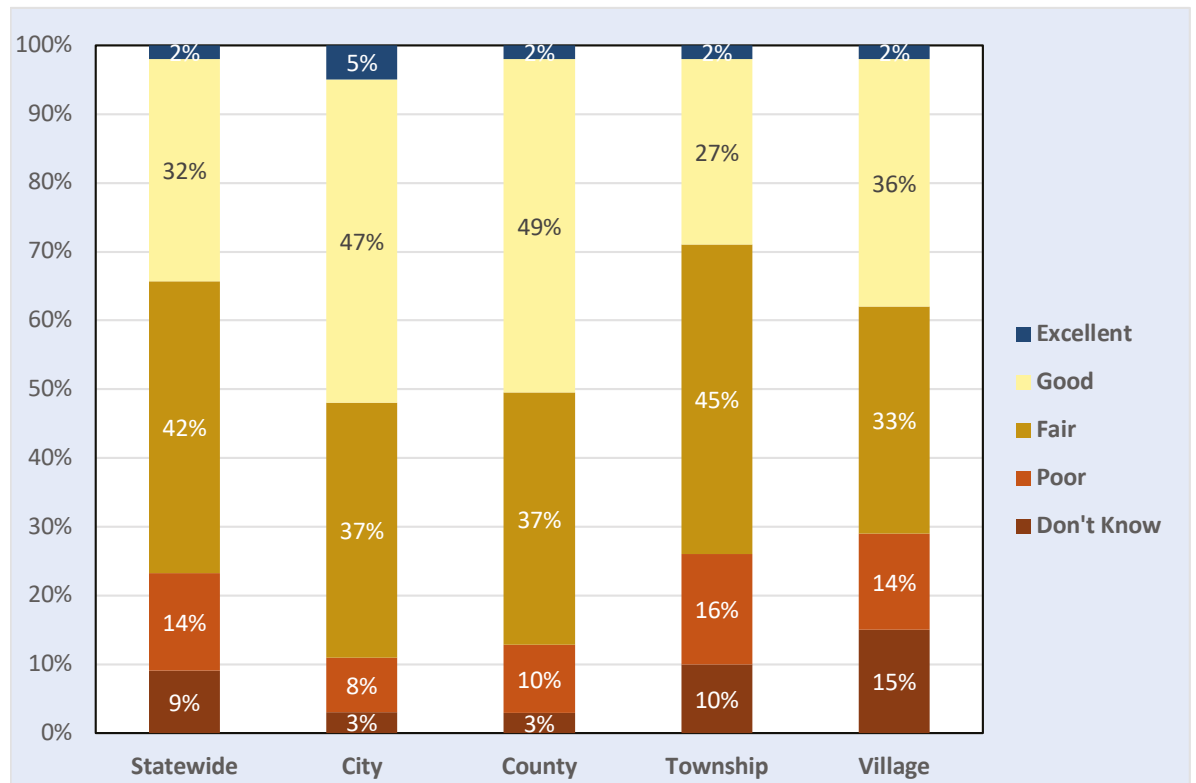


Figure 1. Local leaders' evaluations of state-local relations, by jurisdiction type, 2023

“In Michigan, 70 percent of all local leaders — including 73 percent of county leaders — believe the state is preempting too much local authority.”

Public service delivery is a process that often depends on multiple levels of government, especially among the state and its local governments. As threats to American democracy have increased, working relationships across levels of government in our federal system have become increasingly important. Cooperation and collaboration between state and local governments can offer a powerful antidote to the worsening dysfunction in Washington, D.C.

Unfortunately, the latest Michigan Public Policy Survey (MPPS) of local government leaders finds relations between Michigan's state government and its local jurisdictions have also declined over the last seven years, with 34 percent of local leaders in 2023 saying their government's relationship with the State is generally good or even excellent, compared with 46 percent who said the same in 2016. Some of these evaluations are correlated with the local leaders' partisan identification, with

the sharp statewide changes likely reflecting the shift in partisan control of Michigan's state government from the Republican to Democratic party in the 2022 elections. But that's not the only factor at play.

As seen in **Figure 1**, city (53%) and county (51%) leaders are much more likely than their peers in villages (38%) or townships (29%) to report positive relationships with the state today. There is also strong correlation based on community size, with larger places more likely than smaller ones to report positive relationships. And geographic differences exist too, including the somewhat surprising finding that U.P. leaders (39 percent) are the second most likely regional group to report positive relationships with Lansing, following only those from Southeast Michigan (43%), and significantly ahead of their counterparts from the Northern Lower and the East Central Lower Peninsula regions (each at 29% positive).

One key driver of the less-than-rosy relationships is that local leaders overwhelmingly believe the state is taking away too much authority from local governments. Often called “preemption,” this is a common and growing feature (see <https://bit.ly/statelocalrelations>) of state-local relations across the country.

In Michigan, 70 percent of all local leaders — including 73 percent of county leaders — believe the state is preempting too much local authority. These percentages are essentially unchanged since 2016, remaining high regardless of which party controls Michigan’s state government.

Meanwhile, an earlier MPPS survey (see <https://bit.ly/pubsurvey2023>) found that while local leaders believe the state should have primary policy authority on certain issues (including anti-discrimination policies, gun regulation, and business regulation) they also strongly believe local governments should have primary authority

over other policy domains, most especially including land use planning and zoning. Statewide, an overwhelming 92 percent said local governments should have complete (49%) or the most authority (43%) for land use policy, one of the highest levels of agreement ever found in the 15-year history of the MPPS surveys.

The state’s move this fall to preempt local authority on siting of large-scale renewable energy projects seems almost certain to worsen evaluations of state-local relations among Michigan’s local government leaders and highlights the need for renewed efforts to strengthen these relationships.

This is a time for “all hands on deck” to address the wide range of threats to U.S. democracy. Here in Michigan, one good place to start is to look more closely at the strained condition of state-local government relations, and to launch conversations on how to reverse the downward trend. ♦



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Rep. Amos O'Neal



Name:

Rep. Amos O'Neal

District/Counties:

94/Saginaw

Committees:

Appropriations (majority vice chair); Labor; Appropriations subcommittees on Corrections (chair); General Government; Health and Human Services and Joint Capital Outlay

Term: Second

Previous public service:

Saginaw City Council, 13 years (member and mayor pro tem); Saginaw County Board of Commissioners, 4 years

What is the most pressing issue facing Michigan?

In the Legislature, we are putting people first, and we have demonstrated this through all the important legislation we've passed so far this term. I am proud of the work we've accomplished — from passing a transformative budget, to repealing the retirement tax, to increasing the working families tax credit and passing legislation that makes Michigan a better place to live, work and raise a family. All legislators have their own priorities, but we work hard to come together to make positive change for the people.

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

Very important. My colleagues and I have recognized their serious contributions and passed several bills that help support them.

We recently passed House Bill 4360 to strength public safety while also making the necessary changes to the current law to increase the efficiency and productivity of emergency service responses between jurisdictions. This legislation will help Michiganders receive emergency response services quicker and more efficiently while helping local municipalities work together.

The Public Safety and Violence Prevention Fund bills were another set of bills that I supported.

House Bills 4605-06 create a fund that will empower local governments to increase investment in first responders and community violence intervention. These bills directly support our local counties and will make an impact in Michiganders' lives, while giving the counties the support and tools they need. These bills are about preventing crime and safeguarding the health and wellbeing of Michiganders.

I am proud of the work we've done thus far because counties are a huge part of effectively delivering public services.

How do you feel your experience as a county commissioner impacts your policy decisions in the Legislature?

My experience makes me a better representative. It gives me insight on what Michigan counties need, where their struggles are and how to go about making a difference. I support fair legislation. What allows fairness to transpire and thrive is perspective. Without my experience from the county board, I would not have the full depth of knowledge that I have today, and that I bring with me each day as a state representative and when enacting legislation.

Thank you for sponsoring the Revenue Sharing Trust Fund Legislation, backed by MAC. How do you foresee the trust fund benefiting counties, and what made you choose to sponsor the bill?

HBs 4274-75 create a bipartisan package that I was honored to work on with my colleague Rep. Mark Tisdell.

State revenue sharing began in the 1930s when Michigan started taxing enterprises that held licenses for alcoholic beverages. At that time, the state returned 85 percent of liquor license tax collections to the municipalities of origin. As time passed, however, Michigan's revenue-sharing base changed.

I sponsored one of these bills because they aim to preserve resources used to fund revenue sharing.

Through the concept of a Revenue Sharing Trust Fund, the state can dedicate general sales tax revenue into a restricted fund to distribute those resources to cities, villages, townships and counties. This legislation helps counties continue to make an impact in our Michiganders' lives, and it is important they have the necessary support to do just that.

As a member of the Health and Human Services Appropriations Subcommittee, how can you and your colleagues assist counties in their ability to provide local public health services, community mental health and care and rehabilitation services to youth in the juvenile justice system?

Putting people first is our no. 1 priority. Public health, mental health and rehabilitation services are important in every community. My colleagues and I have been spearheading legislation that focuses on just that.

We recently passed the juvenile justice bill package that focused on several areas of the juvenile justice system. In this package, many of the bills put in place screening safeguards so juveniles will be screened to receive the help they need.

Diverting young people away from the criminal justice system and toward rehabilitative services will decrease

costs for counties and improve public safety. This legislation is for the protection and success of our youth.

On the matter of public health, I'm proud that we were able to include funding to open nearly 20 more behavioral health clinics across the state. Michigan counties, particularly through the CMH system, are crucial in reaching people who need support for substance use disorder and other mental and behavioral health challenges.

We must remember that as we move forward, we must continue to respond to the needs of our communities.

That's the good thing about change — there is always room for improvement. ♦

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NRM-12870M5 (01/15)



Vaughn Begick

Name: Vaughn Begick

County/MAC Region: Bay/Region 6

Position: Director

County Service: Bay County Board of Commissioners, 2005-present

Profession: Medical/Physician Assistant

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

I'm on the MAC Health and Human Services Committee and the National Association of Counties' Health Steering Committee. Both of those committees have been focusing on the opioid epidemic — and it continues to be an epidemic.

Settlement money has been paid and will continue to be paid for as much as 18 more years because of lawsuits against pharmaceutical companies, drug stores and distributors.

MAC has been helping counties to get the funds out to their communities and I want to continue to help with this process.



Antoinette Wallace

Name: Antoinette Wallace

County/MAC Region: Macomb/Region 5

Position: Second Vice President

County Service: Macomb County Board of Commissioners, 2021-Present

Profession: Realtor

What do you see as the biggest challenge for your county in 2024?

The biggest challenge I see right now is the division within Macomb County. I have found a lot of people saying the same thing or want a similar outcome but, because they are on different political islands, they can't hear that there are similarities in what they are saying. They just see that their path of getting to a decision is different. We need to do more listening to one another to find solid solutions to the county issues.

Chief deputies of elected officials: When to establish pay, and how much?

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

Questions frequently arise related to how salaries are established for elected County officers and their statutory chief deputies. The same legal requirements and restrictions regarding salaries apply to both, and include the chief deputies of the clerk, sheriff, prosecutor, register of deeds, treasurer, and drain commissioner. Each of these chief deputy positions, except for drain commissioner, is required by law (the chief deputy sheriff is called the undersheriff). Because the elected official works directly for the citizens of their county, their chief deputy carries the additional responsibility of having to “step in” if there is a vacancy in the office of the elected official.

The Board of Commissioners has the exclusive power to fix the compensation of county officers not otherwise provided by law. Const 1963, art. 7, §9. MCL 45.421(1) provides that the Board of Commissioners must set the salaries and that the salaries may not be reduced during the officer’s term of office:

The annual salary of each salaried county officer, which is by law fixed by the county board of commissioners, shall be fixed by the board before November 1 each year and shall not be diminished during the term for which the county officer has been elected or appointed, but may be increased by the board during the officer’s term of office.

Chief deputies of elected officers meet the test to be considered public officers enunciated in *Meiland v Cody*, 359 Mich 78 (1960). Chief deputies serve at the pleasure of the elected official they serve. Their term of office is, therefore, coterminous with the elected official who appointed them. The chief deputy’s salary may not be reduced during their current term of office. OAG, 1977 1978, No. 5384, p. 635 (September 27, 1978). The board has the authority to set what is, in



effect, the minimum salary of the chief deputies for each four-year term of office, but once set the salary level set cannot be reduced during the term for which the chief deputy was appointed.¹ See *McQuaid v Bd of Auditors of Oakland Co*, 315 Mich 234; 23 NW2d 644 (1946). This is true even if a vacancy occurs during the term of office. OAG,

2003, No. 7128 (April 7, 2003). **If a vacancy occurs mid-term, the person appointed to fill the remainder of the term must be paid (at least) the same salary as was set by the Board for their office. Less experience on the job is not to be used as a factor in decreasing the salary mid-term. Pay-scales that result in reduced salary are not applicable.**

In contrast, like salaries for elected officials, salaries for chief deputies may be increased at any time as determined by the County Board. OAG, 1983-1984, No. 6149, p 109 (April 19, 1983). For example, a chief deputy hired mid-term must at a minimum be paid the salary that their immediate predecessor was paid. If the Board wants to decrease pay, it must make the change before November 1 to take effect at the start of the next term of office. ♦

****Note that the statute applies only to salaries, not fringe benefits which may be decreased or eliminated at any time. Scheduled pay increases for a predecessor in office are speculative and not binding. To address these issues in a manner which complies with the statute, it is recommended that counties adopt a written policy regarding adoption of salaries for chief deputies and elected officials.***

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.

“The Board of Commissioners has the exclusive power to fix the compensation of county officers not otherwise provided by law.”

1. The statute previously also barred salary increases during the term of office. Following a 1967 amendment, the Court of Appeals held that MCL 45.421(1) permits the BOC to increase the salaries of elected officers and their chief deputies without limitation as to the effective date of such increases. *Attorney General v Oakland Co*, 125 Mich App 157; 335 NW2d 654 (1983). Further, the Court held that the Nov. 1 date was continued by historical accident.

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