

# MICHIGAN COUNTIES



**Cover Story:** Veronica Klinefelt, Matthew Bierlein and Ken Borton served together on the MAC Board of Directors, each culminating their service as MAC president. Now, the three serve together in a new role, as members of the Michigan Legislature. (Photo: Rod Sanford Photography)



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TAKING CARE OF MICHIGAN'S INLAND LAKES

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# Letter from the Executive Director



**STEPHAN W. CURRIE**  
MAC EXECUTIVE DIRECTOR

**“In the last year alone, we have expanded our Governmental Affairs Team, brought in a technical adviser for opioid settlement funding and added a dedicated staff position for member events.”**

**H**appy New Year!

No, it's not January and New York City isn't cleaning up after another “rockin” New Year's Eve.

It is the end of June though, and on July 1, MAC begins a new year of serving you, which is why your county offices are now receiving their member dues statements for 2023-2024.

Some of your veteran accounting folks may again notice something familiar about the statement: It's the same amount as last year. And the year before. And the year before that ... In fact, it's the same as it has been since 2008.

Plenty, though, has changed at MAC since 2008:

- We added our CoPro+ procurement program, which helps counties streamline their purchasing and save taxpayers loads of dollars. (Learn more about it on page 19.)
- We installed our digital advocacy platform that allows you to send vital messages of support or opposition on key issues at the veritable touch of a button.
- We added Podcast 83, our regular video/audio report on legislative issues, supplementing our weekly “Legislative Update” email reports.
- We revamped and improved our website, micounties.org, to serve as a hub for data, resolutions and policy tips for you to address immediate challenges.
- We brought *Michigan Counties*, our bimonthly magazine, back into print. The messages and stories of 83 counties are now mailed every two months to more than 1,500 decision-makers around the state.
- We created County Commissioner Academy, a continuing education program for commissioners to stay abreast of the latest trends and techniques in local government.

But we are just getting started. In the last year alone, we have expanded our Governmental Affairs Team, brought in a technical adviser for opioid settlement funding and added a dedicated staff position for member events.

On July 1, we take our next step in our work to provide you ever better services at the same old price with the launch of our new Corporate Partnership Program.

This effort, modeled on a highly successful one in California (see more on page xx), will help us expand the revenue sources your association needs to deliver the services, the information and the staff to help you be highly effective commissioners.

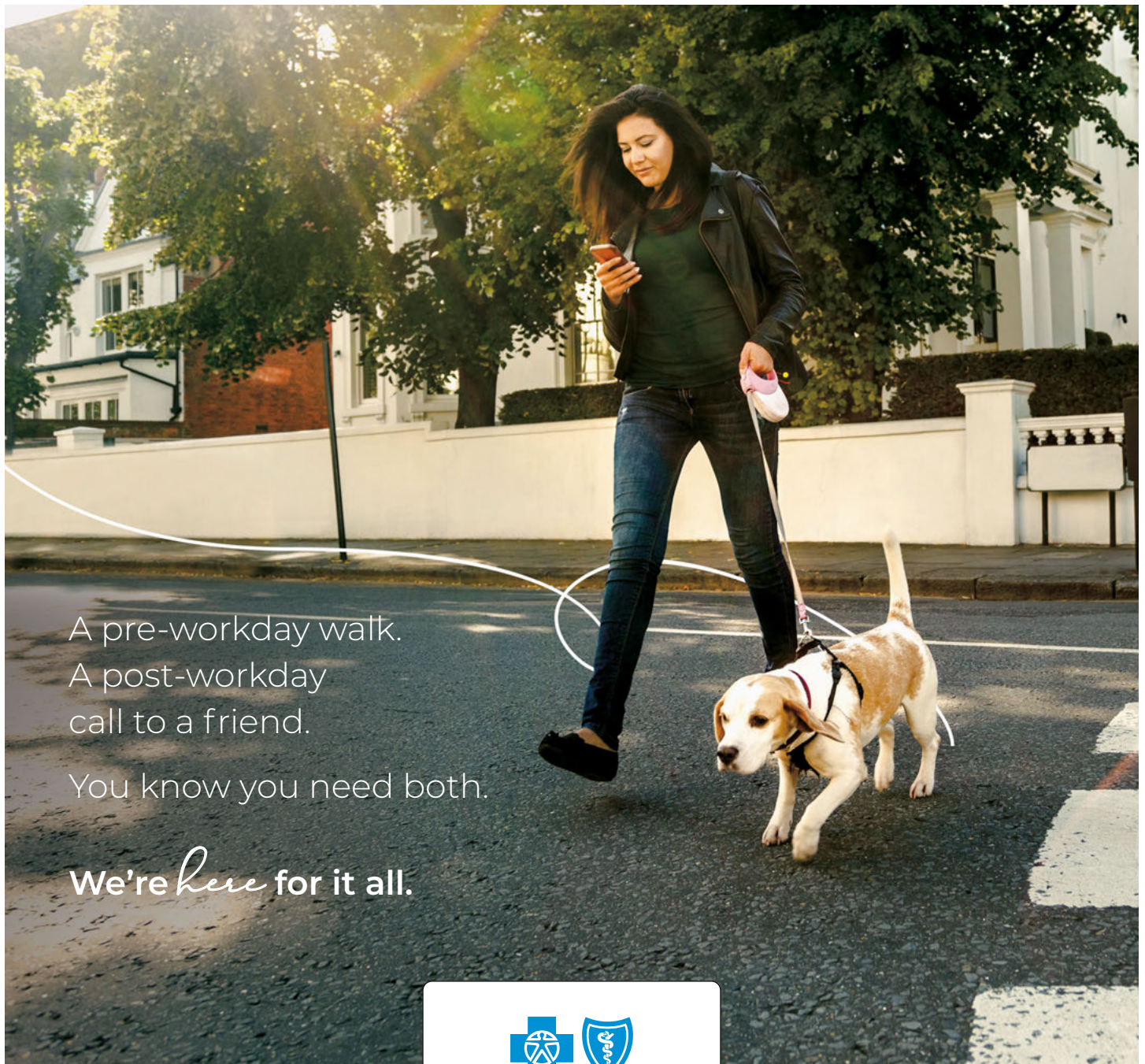
As always, if you have any questions or suggestions on how we can better serve you, please give me a call or drop me a note at [scurrie@micounties.org](mailto:scurrie@micounties.org). ♦



## 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](mailto:melot@micounties.org) with the email header of “MI Counties Subscription.” To pay, visit MAC's digital payment center at [micounties.org/macsc](https://micounties.org/macsc).



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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

**"I'm sure MAC staff and county commissioners will be busy over the summer, but please take time to recharge and enjoy the many treasures that abound in our Great Lakes State."**

I just want to start out by thanking everyone who attended the Legislative Conference in Lansing this past April. We had a great turnout of commissioners, elected officials and vendors. MAC provided many opportunities to interact with colleagues from around the state and hear from legislators, the state budget director and NACo Executive Director Matt Chase on issues that matter to Michigan counties.

With the Legislative Conference behind us, the MAC staff has been busy in Lansing advocating and lobbying on behalf of all counties. The government affairs staffers are working on legislation regarding aggregate mining and moving control to EGLE, statewide septic code revisions, juvenile justice reform package and PPT reimbursement, to mention a few. Our governmental affairs team will continue to work with former county commissioners who are now representatives and senators, as well as leadership and bill sponsors from both sides of the aisle.

Those who wish to attend the 2023 NACo Annual Conference (July 21-24) in Travis County, Texas, need to act fast on both registration and hotel space. This should be a well-attended conference with many opportunities to meet and share ideas with officials from across the country. For those who are already registered, we are having our Michigan Caucus Reception on Thursday, July 21 at the Austin Marriott Downtown. We will be having a multi-state caucus reception with Indiana, Wisconsin, New York and Virginia. It should be a great event, with more time to meet commissioners from other states. I am looking forward to seeing everyone.

I'm sure MAC staff and county commissioners will be busy over the summer, but please take time to recharge and enjoy the many treasures that abound in our Great Lakes State. We are blessed with several diverse and unique activities, too many to list them all, but I'd like to mention a few:

- The Elvis Fest (July 7-8) at the Wayne County Fairgrounds
- The 49th annual Michigan Brown Trout Festival (July 14-23) in Alpena
- The Bologna Festival (July 28-30) in Yale
- The Fish Sandwich Festival (Aug. 5-6) in Bay Port

And please don't forget to check out the Upper Peninsula State Fair, Aug. 14-20 in Escanaba.

For complete listings of events across our state, visit [www.michigan.org/fairs-festivals](http://www.michigan.org/fairs-festivals).

Enjoy your summer! ♦



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MICHIGAN ASSOCIATION OF COUNTIES

Visit MAC online at [www.micounties.org](http://www.micounties.org)

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MICHIGAN ASSOCIATION OF COUNTIES POLITICAL ACTION COMMITTEE

THANK YOU TO ALL MACPAC MEMBERS. TO SUPPORT MACPAC, PLEASE VISIT OUR WEBSITE, [MICOUNTIES.ORG](http://MICOUNTIES.ORG).

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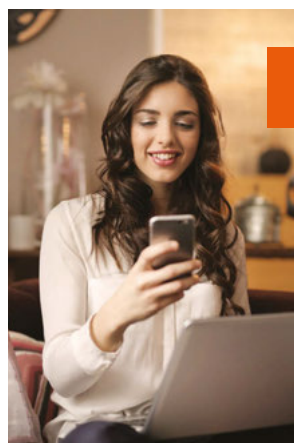
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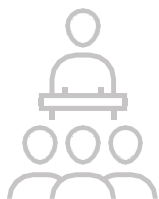


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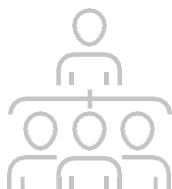
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# What's next for counties and the Michigan Indigent Defense Commission

BY SAMANTHA GIBSON/GOVERNMENTAL AFFAIRS ASSOCIATE

**“As it currently stands, two issues are at hand. The concern raised by counties with MIDC’s and LARA’s approval of Standard 8, and what happens if this new standard is not fully funded in the state’s FY24 budget.”**

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

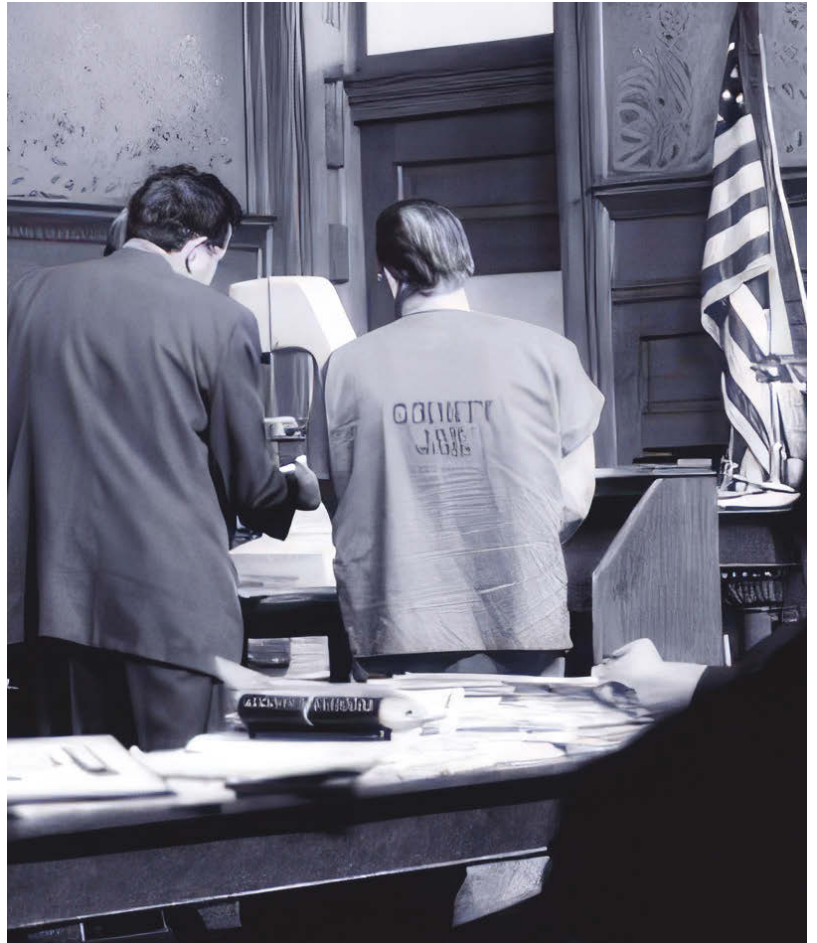
Earlier this year, Gov. Gretchen Whitmer’s fiscal 204 budget recommended a \$72 million increase to implement the recently approved MIDC Standard 8, the Attorney Compensation Standard. Standard 8 pertains to economic disincentives and incentives, including rates of payment for salaried public defenders, compensation and expenses for assigned counsel, contracting for indigent defense services, conflict counsel, reimbursements and payments.

The \$72 million is the necessary amount to implement Standard 8 and properly fund counties in doing so via the MIDC grant disbursement program.

Since then, however, the House and Senate have advanced different versions of MIDC funding. Instead of the governor’s \$72 million, the House is pursuing a \$57.2 million increase, while the Senate’s plan has only a \$30 million boost.

So, questions remain: Will Standard 8 be what the executive branch deems “fully funded” with the \$72 million increase? If not, how will this impact Standard 8 implementation at the county level? Will the MIDC be forced to reevaluate approved grants for FY24?

Under the Michigan Indigent Defense Commission Act (Public Act 93 of 2013),



counties are mandated to provide indigent defendants in criminal cases with effective counsel. In addition to effective counsel, the MIDC is to recommend “minimum standards,” which the state Department of Licensing and Regulatory Affairs (LARA) may or may not approve. Counties must comply with any minimum standards established by MIDC. Counties must also submit a plan, as they have been doing for several years now, to be approved by MIDC, funded in part by state grants and in part by the local share. This plan must demonstrate how the county will meet MIDC’s established minimum standards.

As it currently stands, two issues are at hand. The concern raised by counties with MIDC’s and LARA’s approval of Standard 8, and what happens if this new standard is not fully funded in the state’s FY24 budget.

On Standard 8, MIDC's intention is to ensure counties provide indigent defenders with sufficient time, fees and resources to provide an adequate defense that has been guaranteed to indigent citizens facing criminal charges under the Michigan Constitution.

However, concerns with Standard 8 relate to the new requirements it creates. One of these requirements includes establishing minimum hourly rates for contract attorneys. If hourly rates are not used, a county must substantiate that the alternative form of compensation is at least equivalent to the minimum rates prescribed in Standard 8.

Some counties now have contracts with local attorneys to provide indigent defense services at flat monthly rates. However, these contracts, as previously utilized, are incompatible with Standard 8. Under Standard 8, the assumption is MIDC is discouraging counties from utilizing independent contracts for indigent defense services and

is instead looking to shift toward a system of in-house public defenders.

The funding dispute raises an additional concern: If there is inadequate funding, counties would likely be unable to comply with Standard 8.

Not only will counties likely be unable to financially comply with Standard 8, they also would not have to do so under the Michigan Indigent Defense Commission Act, specifically MCL 780.997 (2). Under the MIDC Act, counties do not have to comply with a standard if there is insufficient grant funding for that particular standard. Counties would be required, however, to continue to comply with previously established standards, so long as adequate funding has been provided.

The final unanswered question relates to additional funding. If the state does fund an increase to MIDC, but it is less

**CONTINUED ON PAGE 25**

# Save the Date

## 2023 Annual Conference

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



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*Our Mission Sets Us Apart*

## MAC launches new corporate partnership program

Starting July 1, 2023, MAC is launching the MAC Corporate Partnership Program.

This program is designed to respond to the feedback given to the association by its existing corporate partners and by firms looking to expand their relationships with Michigan's 83 county governments, explained Stephan Currie, MAC's executive director.

In addition, Currie said, the program is part of the association's ongoing strategy to create and enhance revenue streams separate from the dues each county member pays. MAC, he reminded, hasn't increased its dues to members in 15 years — not even during the recent period of high inflation hitting all business enterprises.

"The MAC Board of Directors remains committed to minimizing dues pressure on members," Currie said, "so we need to ensure we have revenue elsewhere to enhance our services to members." (See more about this in Currie's letter on page 3.)

MAC will retain its affiliate program for other associations committed to the cause of good governance in Michigan. In fact, MAC has eliminated the previous annual fee for affiliates as a gesture toward greater collaboration.

For more details about these changes, visit MAC's website at [www.micounties.org](http://www.micounties.org).

our members. I look forward to continuing the celebrations with members who attend our 2023 Annual Conference, Oct. 1-3, in Kalamazoo County."

As of June 12, MAC had been notified of resolutions/statements from 67 counties:

Alger	Houghton	Midland
Allegan	Huron	Montcalm
Alpena	Ingham	Muskegon
Antrim	Ionia	Newaygo
Baraga	Iosco	Oakland
Barry	Iron	Oceana
Bay	Isabella	Ogemaw
Berrien	Jackson	Ontonagon
Branch	Kalamazoo	Osceola
Calhoun	Kent#	Oscoda
Cass	Keweenaw	Presque Isle
Cheboygan	Lake	Roscommon
Chippewa	Lapeer	Saginaw
Clare	Leelanau	Sanilac
Clinton	Lenawee	Schoolcraft
Delta	Mackinac	St. Clair
Dickinson	Macomb	St. Joseph
Eaton	Manistee	Tuscola
Genesee	Marquette	Van Buren
Gladwin	Mason	Washtenaw
Gogebic	Mecosta	Wayne
Grand Traverse	Menominee	Wexford

For a resolution template your county can use, or for more information about 125th Anniversary events, visit [www.micounties.org](http://www.micounties.org).

## Counties applaud MAC on its 125th anniversary

Almost 70 Michigan counties have passed resolutions or statements of support in honor of the Michigan Association of Counties' 125th anniversary.

"With all of the demands on each of our member boards, it is gratifying to see so many take the time to mark the association's anniversary," said MAC Board President Stan Ponstein. "I think this reflects the value of MAC's services to



## Alpena's Karschnick passes

David R. Karschnick, Sr., a member of the Alpena County Board of Commissioners, passed April 10, 2023, at the age of 82.

Karschnick was appointed in 2019 to fill the remainder of a term on the county board after a lengthy career on the Alpena City Council. He was subsequently elected to the board.



**KARSCHNICK**

In addition to his county and city service, Karschnick was a past president of the Chamber of Commerce and Alpena Softball Association and was elected to the Alpena Sports Hall of Fame.



## Dashboard tool added to MAC's opioid settlement resources

MAC has officially released an **Opioid Settlement Dashboard** on the Opioid Settlement Resource Center webpage at [www.micounties.org](http://www.micounties.org). The dashboard includes six pages of information about current funds and county readiness for spending.

The home page looks at settlement funds, highlighting the maximum number of payments per company, state and local shares, reporting requirements and, most importantly, allows counties to use a dropdown menu to see their estimated total amounts of funds per settlement.

The technical assistance page provides a map of counties that are engaged with MAC specifically for technical assistance related to settlements and highlights when these requests occurred.

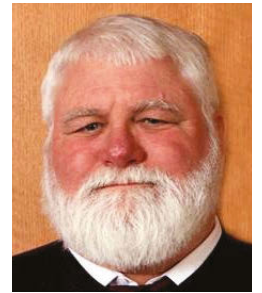
Four additional pages utilize data from the Opioid Settlement Baseline Assessment to illustrate county plans for stakeholder engagement, county planning, management of funds and monitoring of funds and activities.

Since many counties are still in the planning phases, the dashboard points to three areas where additional information will be added in the future: areas of investment, links to public-facing plans and reports as well as additional monitoring.

For more information on MAC's opioid settlement resources, contact Amy Dolinky at [dolinky@micounties.org](mailto:dolinky@micounties.org).

## Jackson's Walz passes in April

Rodney Walz, a five-term member of the Jackson County Board of Commissioners, passed away in April after a brief illness. He was 68.

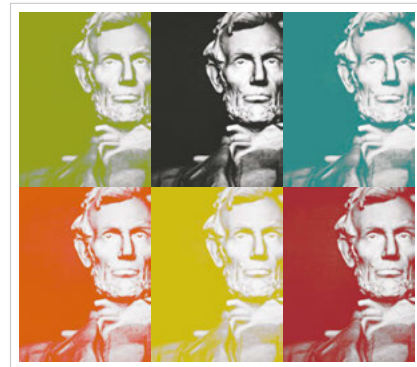


WALZ

Walz worked in maintenance and as an EMT/firefighter, in addition to owning a small business, Walz Fabrication. In addition to his county service, Walz was president of the Village of Grass Lake for 12 years.

Walz used his knowledge in a variety of ways as commissioner, including in items brought to the commissioners from facilities, the Department of Transportation and other offices. He always asked spot-on questions, county officials said, and offered reasonable resolutions to a problem when needed.

The Jackson Board in May appointed his sister, Margie, to fill his vacant seat. ♦



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# Presidential trio reunites in Legislature

BY NANCY DERRINGER

Nancy Derringer is a writer and editor based in Metro Detroit.

**“Obviously, today’s Lansing is a far more partisan place, which means Borton and Bierlein, a freshman, find themselves in unfamiliar territory: the minority.”**

Veronica Klinefelt is one of the busiest women in Lansing these days. The freshman state senator from Macomb County, a Democrat, serves on no fewer than nine separate committees, five of them as chair or vice chair. As she races from one assignment to the next at the Capitol, she may catch glimpses of a couple of familiar faces: Reps. Ken Borton (R-Otsego) and Matthew Bierlein (R-Tuscola).

In their former lives as county commissioners, all three served as president of the MAC Board of Directors — and in consecutive years to boot: 2017-2021.

Based on MAC research, the three are the largest MAC “presidential contingent” since 1949-50, when four MAC presidents were in the House together: John D. Karel of Kent; David Young of Saginaw; Cyril H. Root of Kalamazoo; and Leo Miller of Jackson. (See sidebar.)

Those four, though, didn’t face the consequences of legislative term limits, which put lawmakers on the steepest of learning curves. Klinefelt, as part of the new and narrow Democratic majority in Lansing, wound up with a massive portfolio of issues, for example. Fortunately, she says MAC prepared her well for the demands of legislating and leading key committees.

“Even though I was a commissioner, my experience and advocacy came from serving on the MAC Board,” said Klinefelt. “MAC is an area where you learn to work across the aisle. You’re advocating for all counties, not just the ones that have the same perspective and makeup as your own. It’s a little bit harder to enact that in the Legislature.”

Borton, the Capitol “veteran” of the group now in his second term, was perfectly happy being a commissioner in Otsego County. But, thanks to term limits, the local House seat became vacant, and people told Borton he was the “next logical person” to take his place.

“I talked to my senator, Jim Stamos, at the time,” said Borton, who asked how the job would be different. Stamos, he said, told



**REP. MATTHEW BIERLEIN SPEAKS WITH A COLLEAGUE ON THE FLOOR OF THE HOUSE. (COURTESY PHOTO)**



**SEN. VERONICA KLINEFELT POSES WITH MAC’S DEENA BOSWORTH AFTER BOSWORTH TESTIFIED BEFORE THE SENATE LOCAL GOVERNMENT COMMITTEE, WHICH KLINEFELT CHAIRS, ON JAN. 31.**

him, “It’s very similar to what you’re doing now, but in state government there are more zeros.”

There’s also more partisanship, Borton said.

“I worked with Democrats for years, and never knew they were Democrats. That’s the biggest difference,” he said.

Obviously, today’s Lansing is a far more partisan place, which means Borton and Bierlein, a freshman, find themselves in unfamiliar territory: the minority.

“There are certainly very frustrating days. I’ve been politically active long enough that it’s hard to see the things we worked hard for overturned so quickly,” said Bierlein, mentioning right-to-work and prevailing-

wage legislation. “There are days we can do things together. And there are days when it’s very much 56-54.”

But all three say the issues that face the state are largely the same as the ones that face Michigan’s counties, primarily the perennial one of the state’s crumbling public infrastructure.

“I’m a huge infrastructure person,” said Klinefelt, who served on a drain board in Macomb County. “I realize how old these pipes are. The underground infrastructure is at least as important as the stuff we can see. And obviously, I also see the struggles with the opioid crisis, over-incarceration, having to take a look at the state and county level about how we treat inmates in terms of mental health and addiction, so we get them the help they need.”

Borton mentioned the influx of federal funding linked to pandemic recovery, and “how to spend the money wisely, how to invest in infrastructure, not in starting new programs we won’t be able to fund later.”

Term limits are often blamed for keeping the Legislature inexperienced and dependent on staff and lobbyists, and the reforms of Proposal 1 last year (to extend term limits) haven’t started to show results yet. But the MAC trio feel confident they are an exception.

County-level service, Bierlein said, gave him “some experience



**REP. KEN BORTON TESTIFIES BEFORE A LEGISLATIVE COMMITTEE. (COURTESY PHOTO)**

in dealing with the public that not everyone has. All politics start local, and one of the truths to that is, when things go wrong at the state level, it’s very broad and blame doesn’t necessarily get directed at you. But at the local level, you’re going to hear about it. You have to deal with problems when they arise. Be ready to have conversations and be asked questions and find answers.”

The bipartisan MAC Board and the association it leads “is a great asset to counties, but also to residents across the state,” said Klinefelt. “Their advocacy is ultimately related to providing the services residents most desperately need.”

Klinefelt looks back to her time in local government leadership as being invaluable preparation for the state Senate:

“Everything I’m sitting on is tied into (my local government service). Everything I’ve seen as a county commissioner and from serving in MAC, I see where the counties are in need. And I’m able to bring all of that to the table.” ♦

## MAC presidents in the Legislature

Sen. Klinefelt and Reps. Bierlein and Borton are continuing a long tradition of MAC presidents serving in the Michigan Legislature.

Most former presidents served in the Michigan House of Representatives for a couple of terms, but Kalamazoo’s Cyril Root had a 20-year tenure in House in the 1950s and 1960s.

**Cassius R. Benton, Wayne County**  
House member, 1905-1908

**John Leidlein, Saginaw County**  
Senate member, 1899-1900, 1911-1912; 1933-1934

**Duncan Wayne, Midland County**  
House member, 1899-1900; 1905-1908

**Thomas Bolt, Muskegon County**  
Senate member, 1909-1910

**Frank L. Dodge, Ingham County**  
House member, 1883-1886

**William A. Ward, Benzie County**  
House member, 1929-1938

**John D. Karel, Kent County**  
House member, 1945-1950

**Nicholas Murphy, Genesee County**  
House member, 1937-1938

**David Young, Saginaw County**  
House member, 1943-1950

**Cyril H. Root, Kalamazoo County**  
House member, 1949-1968

**Leo Miller, Jackson County**  
House member, 1949-1954

**Sidney Ouwinga, Osceola County**  
House member, 1983-1992

**Douglas Bovin, Delta County**  
House member, 1999-2002

**Larry C. Inman, Grand Traverse County**  
House member, 2015-2020

**Shelley Taub, Oakland County**  
House member, 2003-2006

**Ken Borton, Otsego County**  
House member, 2021-present

**Matthew Bierlein, Tuscola County**  
House member, 2023-present

**Veronica Klinefelt, Macomb County**  
Senate member, 2023-present

# Locals have new costs coming via new voting rules

BY ERIC LUPHER/PRESIDENT, CITIZENS RESEARCH COUNCIL OF MICHIGAN



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



In May, voters in 69 counties voted on hundreds of local ballot proposals. Notably, this was the first election since approval of the **“Promote the Vote” constitutional amendment** that added several new voting rights to the Michigan Constitution, while locking in several existing state and local voting practices.

Some of the various new voting rights apply to all elections and others only apply to state and federal elections. For this reason, voters did not have access to all the new rights in May, including the right to early, in-person voting. The new voting rights will be implemented on a rolling basis over subsequent elections.

The Legislature still has work to do to implement key provisions of the amendment.

“Promote the Vote” grants new voting rights to citizens, but it also locks into the state

constitution several existing provisions related to voter identification and absent voter signature validation. Because these provisions were already part of election law, they did not require statutory changes before the May elections.

This was not the case for other new voting rights included in “Promote the Vote.” Legislation was just introduced for the amendment’s marquee reform: guaranteeing at least nine days of early, in-person voting. Its implementation necessitates substantial changes to state election law.

This delay is not too problematic because the amendment only guarantees the right to early voting at certain elections. While early voting is an option available at all elections, voters are guaranteed the right to early voting only at statewide and federal elections. Changes to Michigan election law will need

to be enacted in advance of the presidential primary in March 2024.

As they are being rolled out, clerks are learning more about the cost. While it was generally understood the amendment would come with substantial new costs, detailed breakdowns were not available last fall. Nor did “Promote the Vote” identify any funding for implementation. This is important because the language only requires the state to shoulder some of the financial burden. Most of the expenses will fall on the nearly 1,500 local governments responsible for running elections. Local governments will be forced to cover these costs from their existing budgets.

Last month, Secretary of State Jocelyn Benson estimated one-time costs at \$63 million: \$38 million in new local costs and \$25 million in new state costs. Not surprisingly, the most

expensive voting right is the early, in-person voting. Statewide, this reform will cost the state \$9 million and local clerks \$36 million. Most of the expense is for new equipment and temporary election worker pay.

To date, the state has not approved any funding. Gov. Gretchen Whitmer recommended a **\$10 million current-year supplemental appropriation** to cover the purchase and installation of 2,000 ballot drop boxes and associated security equipment. But, beyond this request, nothing has been recommended for the early voting or other reforms.

It is now incumbent on state lawmakers to decide how much of the implementation and ongoing costs will be covered through new state appropriations. With that answer, local governments will then have a sense of the financial burden they will have to shoulder. ♦

**“Last month, Secretary of State Jocelyn Benson estimated one-time costs at \$63 million: \$38 million in new local costs and \$25 million in new state costs.”**

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# How does CoPro ‘make the difference’ for your county

EXPERT  
CORNER

BY PENNY SAITES/COPRO+

We are often asked about our tagline: “the PLUS makes the difference.” What does that mean? Let’s break it down for your county.

CoPro+ is short for “Collaborative Procurement Plus.” Synonyms for “collaborative” include common, joint, shared, mutual. When you work with the CoPro+ Program we become part of your team, with the shared goal of obtaining quality commodities and services at competitive prices.

Most of the contracts that result from the competitive process are also available to other public entities throughout Michigan. In this way, we are collaborating with entities with similar needs, as the contracts are shared with others.

Now for the “Plus” part. CoPro+ offers much more than bidding and awarding contracts. Of course, the competitive bid process includes specification development, proposal evaluations, and contract development and management. In addition, CoPro+ provides agency assessments to identify procurement compliance controls, processing efficiencies, and cost savings;

on-call procurement support; policy/procedure development, review and compliance; and, best of all, shared program revenues.

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Some recent contracts added to the program include grant identification and writing services, inmate medical services, municipal vehicles and equipment and overhead door replacement and installation.

Earlier this year, we launched a fully revamped design at our website, [www.coproplus.org](http://www.coproplus.org), with the goal of making our offerings easier to access by purchasing officers.

Overall, there are now more than 150 contracts available to the counties and other local government units to save time and tax dollars.

If you have any questions about our program, please contact us at [info@coproplus.org](mailto:info@coproplus.org). ♦

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*The PLUS Makes the Difference*

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[www.coproplus.org](http://www.coproplus.org)

# 60 seconds are all you need to keep citizens informed

BY KIM MURPHY/LENAWEE COUNTY ADMINISTRATOR

**“Lenawee County chose an online software vendor with the capability of sending out mass emails to their distribution list.”**

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.

“It began during the early days of the COVID-19 pandemic,” explained Murphy. “We had activated our Emergency Operations Center, virtually meeting on Zoom. At the time I was the deputy administrator and the public information officer (PIO) for Lenawee County. So much information was coming out continually; our communications staff was working around the clock. We saw the need to send out a summary email at the conclusion of each business day that could

be read quickly but provide the information the public needed to know.”

As a result of the desire to keep Lenawee County constituents informed, “The 60



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Second Update” was born. This daily email started going to Murphy’s municipal leader list but quickly grew to add more organizations as the pandemic progressed. Soon churches, schools, businesses and other nonprofits were added to the list.

“We quickly outgrew the capabilities of our email server,” explained Murphy. “As more and more people requested to be added to the Update list, we had to find a better way to distribute it to multiple email addresses. We were also pulling in more members of our team to help create the update.”

Lenawee County chose an online software vendor with the capability of sending out mass emails to their distribution list. As the pandemic progressed, “The 60 Second Update” changed in many ways. The distribution list grew, as residents were offered the opportunity to sign up online, but the content also shifted.

“This communication tool was essential during the vaccine phase of the pandemic,” explained Murphy. “We were able to handle our vaccine registration through the same platform and send out updates advising when each target group became eligible for the vaccine as well as availability in our clinics. At one point we had almost 15,000 subscribers on our email distribution list.”

Once Lenawee County moved out of the emergency phase of the pandemic and into the recovery phase, the communications strategy changed as well. “The 60 Second Update” moved to a weekly segment that still included essential COVID-19 updates and important county government updates.

Today, Lenawee County offers several email newsletters across several departments, but the email that started it all, “The 60 Second Update,” remains. With its important reports on budgets, surveys, upcoming meetings, departmental programs and services and upcoming events, Lenawee County has found the email report to be an excellent way to communicate with its constituents.

“The feedback on the update has been great.” Murphy said. “Everywhere I go, someone says, ‘I get your emails every week and they are so informative. Thank you so much for sending them!’ It often comes up when we meet with our local municipal leaders as well. It’s a great way for keeping everyone in the loop on what is happening with the county.”

Mass email is a fantastic communication tool that can be utilized by any county government to keep their residents updated and engaged with their local government. It can often be difficult to figure out how to get started.

“My advice to anyone wanting to start up a similar communication tool is to surround yourself with an amazing team,” said Murphy. “I have several amazing individuals who assist in making this communication tool a success. We will continue to engage with our constituents in this manner for the foreseeable future.” ♦

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# What are legally prohibited conflicts of interest?

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

*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.*

In this edition, we will review the question of conflicts of interest.

## 1. MCL 46.30:

The County Boards of Commissioner Act at MCL 46.30 prohibits a member of a County Board of Commissioners from being interested, directly or indirectly, in any contract or other business transaction with the County, or a board, office, or commission thereof, during the time for which they are elected or appointed, and for one year thereafter, unless the contract or transaction has been approved by 3/4 of the members of the County Board of Commissioners and is shown in the minutes of the Board together with a showing that the Board is cognizant of the member's interest.

MCL 46.30 does not expressly require the affected Commissioner to abstain from voting. Rather, the conflict must be disclosed by the Commissioner (or former Commissioner) and noted by the Board then approved by vote of 3/4 of the members of the Board.

## 2. MCL 15.322:

The Contracts of Public Servants with Public Entities Act at MCL 15.322 generally prohibits a public servant from being a party, directly or indirectly, to any contract between them and the public entity of which they are an officer or employee.

This statute prohibits a public servant, directly or indirectly, from soliciting a contract between the public entity of which they are an officer or employee, and

(a) him or herself; (b) any firm of which he or she is a partner, member, or employee; (c) any private corporation in which he or she is a stockholder owning more than 1% of stock (if unlisted on a stock exchange), or stock valued in excess of \$25,000 (if listed on a stock exchange, or of which he or she is a director, officer, or employee); or (d) any trust of which he or she is a beneficiary or trustee. MCL 15.322(2).

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. Nor may the public servant represent either party in the transaction. MCL 15.322(3).

There are exceptions in this Act for public servants who are paid for working an average of 25 hours per week or less for the public entity, in which case the public servant must disclose any pecuniary interest, and the contract is approved by a 2/3 majority of the entity without the vote of the public servant making the disclosure. MCL 15.323(1)(a), (2). The disclosure is to be provided in writing to the Board Chair (or County Clerk if the Chair is making the disclosure) at least



7 days prior to the meeting where the contract is considered, and also at that meeting. If the disclosing commissioner will directly benefit \$5,000 or more from the contract, the contract would need to be voted on at a subsequent meeting held seven or more days after the meeting disclosure.

The statute does not prevent a public servant from making or participating in a governmental decision to the extent that the public servant's participation is required by law. If two-thirds of the members are not eligible (under this statute) to vote on a contract or to constitute a quorum, a member may be counted for purposes of a quorum and may vote on the contract if the member will directly benefit from the contract in

an amount less than \$250 and less than 5 percent of the public cost of the contract, and the member files an affidavit to that effect with the official body. MCL 15.323(3).

### Summary

For commissioners, MCL 46.30 most often applies in the event of a financial interest in a contract or business transaction with the County. Since commissioners are usually paid for working an average of less than 25 hours per week, the general prohibitions of MCL 15.322 rarely apply. Even so, a commissioner should disclose any financial interest in a contract between the county and the commissioner or their affiliated entity and then the county should confirm which process to follow. ♦

**“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.”**



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## Bryan Kolk



**Name:** Bryan Kolk

**County/MAC Region:** Newaygo/Region II

**Position:** Director

**County Service:** County commissioner, 2017-present; Board chair, 2019-present

**Profession:** Newaygo County deputy sheriff, 32 years (retired)

**Previous Public Service:** Zoning administrator, Bridgeton Township; zoning administrator, Big Prairie Township; deputy clerk, Sheridan Charter Township

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

I want to make sure that my district is well-represented at MAC and in Lansing and Washington, D.C.

Our district is largely rural, with small cities, villages and towns. It needs to have its perspective on legislation heard.

So many times, changes are made that impact our communities differently than the urban areas, especially in the area of unfunded mandates.

MAC does very well at representing the counties interest and is diligent at including not only input from county commissioners but also soliciting more diverse points of view in county governance such as professional associations for the prosecutors, clerks, treasurers, register of deeds, sheriffs, judges, drain commissioners and county administrators. I want to be part of making sure this works.



## Rick Shaffer

**Name:** Rick Shaffer

**County/MAC Region:** St. Joseph/Region III

**Position:** Director

**County Service:** County commissioner, 2023-present

**Profession:** RN/director of outpatient services, Covered Bridge Healthcare

**Previous Public Service:** St. Joseph County commissioner, 1991-2002; state representative, 2003-2008; St. Joseph County commissioner, 2009-2016

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

My first task will be to learn current processes from MAC staff and Board directors. I am anxious to become acquainted with commissioners in Region 3 and learn about the issues of importance. I am anxious to have discussions with MAC staff as we work together on finding commonalities among the other regions and resolve communications back to the commissioners of Region 3. With my long service as a county commissioner and state representative, I am looking forward to being an active participant on the Board as we work together to advance communication and cooperation among Michigan's county governments and state and federal officials.

# Rep. Christine Morse

## LEGISLATOR Q&A

### What is the most pressing issue facing Michigan?

The most pressing issue in Michigan is addressing our population decline. Michigan has been losing population for many decades. Now is the time to assess the challenges and take strong action to reverse the decline, keep our residents in state, and attract new residents. We have already begun this work by making recent record investments in education, economic development, and infrastructure. These investments must continue to bring Michigan back to being the attractive state it once was.

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

As a former county commissioner, I am aware of the myriad services the counties provide on behalf of the state. Counties have been and will continue to be our partner in delivering government services and planning for improving our residents' quality of life.

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

My previous work as a county commissioner informs my policy work as a state legislator.

From ensuring the state does not inflict unfunded mandates, to efforts to reduce local government power, I always keep in mind how a policy may impact our local governments in both positive and negative ways. My goal is to continue to support the work of local governments.

### As a former county commissioner, what importance do you place on the increase in state reimbursement for the County Child Care Fund?

As chair of the House Appropriations Subcommittee for Health and Human Services, I was proud to be able to include an increased reimbursement rate to the Child Care Fund in the House proposed budget. The current reimbursement rate is 50 percent, and the proposed reimbursement rate would go up to 75 percent.

Our counties are tasked with ensuring our children in the juvenile justice and child welfare systems are well taken care of and have access to the wrap around services they need. This increase will give counties more resources to plan and provide these much-needed services. ♦



**Name:**  
Rep. Christine Morse

**District/counties:**  
40th House District/  
Kalamazoo

**Committees:**  
House Appropriations Committee;  
Appropriations Subcommittee on Health and Human Services, chair;  
Appropriations Subcommittee on Corrections;  
Appropriations Subcommittee on Licensing and Regulatory Affairs/  
Insurance and Financial Services;  
Appropriations Subcommittee on Military and Veterans Affairs and State Police

**Term:**  
Second

**Previous public service:**  
Kalamazoo County commissioner, 2019-2020

## What's next for counties and the Michigan Indigent Defense Commission

FROM PAGE 11

than the \$72 million, there is no precedent for how the additional funding over the baseline would be allocated in the MIDC grants to counties.

Counties should plan for one of two scenarios:

1. The state FY24 budget does not fully fund the implementation of Standard 8, which means that counties do not have to comply with the newly approved standard.

2. Full funding for Standard 8 is provided, counties must comply with it and are left to address the hurdles that this standard poses.

MAC continues to remind both the MIDC and state lawmakers of the ripple effect Standard 8 would have on counties, particularly on prosecutor's offices. For the latest on legislative developments, be sure to check your weekly Legislative Update emails from our office. ♦

# Taking care of Michigan's inland lakes

BY STACY HISSONG/MICHIGAN ASSOCIATION OF COUNTY DRAIN COMMISSIONERS

The Michigan Association of County Drain Commissioners is an affiliate member of MAC. To see a complete list of MAC affiliates, go to [www.micounties.org/affiliates](http://www.micounties.org/affiliates).

**“A lake level special assessment district is generally made up of parcels with legal access to the lake, including both lakefront properties and backlots with a dedicated right to use the lake.”**

Michigan is home to more than 5,000 lakes that serve as a valuable natural and recreational resource for the state. Of these lakes, around 400 have established lake levels under Part 307 of the Natural Resources and Environmental Protection Act (“Part 307”). County boards of commissioners and drain commissioners play a key role in the Part 307 process, which includes detailed steps for establishing and maintaining lake levels and related infrastructure.

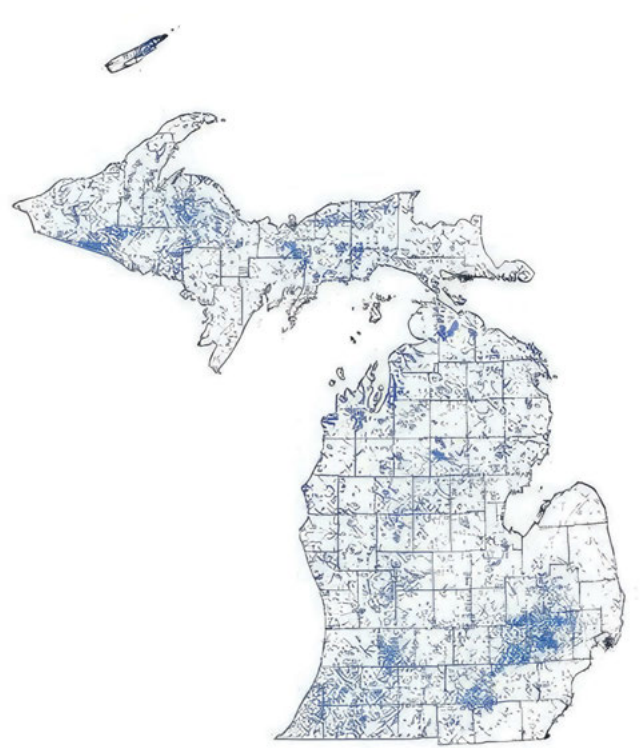
## Part 307 process

The Part 307 process begins with a county board motion or landowner petition to establish a lake level. A petition is then filed with the circuit court, who holds a hearing to establish the lake level and a corresponding special assessment district. Once a lake level is established, the county board is responsible for the operation and maintenance of the lake level. The county board can choose to delegate its Part 307 authority to a designated individual, which is typically the county drain commissioner.

Operation and maintenance of an established lake level is funded by the special assessment district set by the circuit court. A lake level special assessment district is generally made up of parcels with legal access to the lake, including both lakefront properties and backlots with a dedicated right to use the lake. Other entities may also be assessed for lake level maintenance, including the county, township(s), and the Michigan Department of Natural Resources if state land is involved.

## Maintenance and operation of lake levels

Established lake levels are maintained using lake level infrastructure, which may include a dam, water control structure, or augmentation system. Under Part 307, the county is responsible for the operation and maintenance



**MICHIGAN ENJOYS 1,300 SQUARE MILES OF INLAND LAKES, OR 1.3 PERCENT OF MICHIGAN'S TOTAL AREA, REPORTS THE MICHIGAN LAKES AND STREAMS ASSOCIATION. THE STATE HAS 1,148 LAKES EXCEEDING 100 ACRES, 98 LAKES EXCEEDING 1,000 ACRES AND 10 LAKES OVER 10,000 ACRES. (MAP COURTESY OF MLSA)**

of the lake level infrastructure. The county is also required to perform inspections of dams and water control structures every three years. Some dams and water control structures may need to be inspected more frequently, especially where the impact of failure could have catastrophic consequences.

Recent dam failures have shed light on the fact that much of our state's lake level infrastructure is aging and in need of modernization. In addition to ensuring that a dam or water control structure is safe and operating correctly, implementation of updated technology can allow for more efficient operation and monitoring, along with great public transparency. Unfortunately, modernization can require significant expenditures, which may result in public backlash. Accordingly, public education on dam safety and the benefits of modernization are an important tool for counties wishing to modernize their lake levels.

## Next steps for counties

In the wake of recent dam failures and an increased emphasis on dam safety, Part 307 lake levels and related infrastructure may seem like a daunting responsibility. However, the Part 307 process, including operation and maintenance of lake level infrastructure, can help protect property values, recreational opportunities, and natural resources surrounding an inland lake. It is important that counties are aware of their established lake levels, conduct regular inspections on lake level infrastructure, and consider opportunities for modernization.

In addition to maintaining currently established lake levels, your county may also want to consider taking jurisdiction of dams and water control structures that are under private ownership. In many cases, these structures need repairs yet lack a funding mechanism to do so. Establishing a Part 307 lake level and taking jurisdiction of the structure allows the county to conduct the necessary work by having a special assessment district in place for funding.

If your county is interested in taking jurisdiction of a privately owned structure, it is recommended that you consult with legal counsel to guide you through the process. ♦



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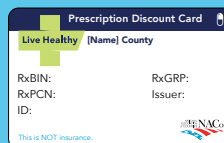
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