

MICHIGAN COUNTIES

Winds of Change

Counties need to start preparing now on how to handle new state law on siting renewable energy facilities, expert says



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2024 LEGISLATIVE CONFERENCE

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Letter from the Executive Director



STEPHAN W. CURRIE
MAC EXECUTIVE DIRECTOR

“Linking a resident’s medical debt to economic growth, now that’s something you would not have heard at the courthouse 30, or even 10, years ago.”

Greetings from Lansing,

My unofficial label for this edition of Michigan Counties is “the more things change, the more they stay the same” when comes to county government.

In the “change” department:

- A number of counties have chosen to use the surge of funding from the pandemic to pay off the medical debts of thousands of their residents. (page 12)

“It’s a good return on investment,” said Oakland Commissioner Charlie Cavell. “Clearing (this) debt is giving 80,000 families in Oakland County a fresh start. It frees money for economic investment.”

Linking a resident’s medical debt to economic growth, now that’s something you would not have heard at the courthouse 30, or even 10, years ago.

- In Washtenaw County, the treasurer and the IT Department are thrilled with the performance of a new “employee”: RPA. RPA is a “bot” designed to handle the flood of routine transactions that are necessary for any county government so the county’s other staffers can focus on more complicated matters. (page 22)

And in the “stay the same” theme, you can read about:

- How proper understanding of the Michigan Open Meetings Act is an essential part of a commissioner’s responsibility to ensure effective and legal committee meetings are being held. (page 18)
- How the design of your millage levies can be just as important as the overall amount you are asking from voters. (page 14)
- How Sen. Sarah Anthony’s experience as an Ingham County commissioner informs her work as the chair of the powerful Senate Appropriations Committee. (page 27)

Finally, be sure to take note of the back cover of this edition and its reminder of the dates for our 2024 Annual Conference: Sept. 24-26. I know the MAC team is excited to again be hosting members from an “Up North” venue, and we expect a large crowd this year. More about that will be coming in the August edition of Michigan Counties.

Until then, my best wishes to you and your family for a relaxing Michigan summer. ♦



83 COUNTIES MANY MORE STORIES

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Letter from the President



Jim Storey

JIM STOREY
PRESIDENT, MAC BOARD OF
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“Ford Motor Company’s investment in the Michigan Central Station is emblematic in how important a home-based corporation can be to the life of a community.”



PHOTO CREDIT: PATCH, BRIDGES & TUNNELS



June 2024 is proving to be a momentous month in the long, storied and sometimes challenging history of our largest county, Wayne.

The outstanding, marvelous renovation of the iconic Michigan Central railroad station was dedicated at the start of the month. This beacon in southwestern Detroit has been reborn through the generous investment of the Ford Motor Company.

A serious involvement by a hometown company will anchor an innovation campus for its own employees and others whom they intend to attract to this glistening landmark in our largest city.

Later this month, the long-planned Gordie Howe International Bridge construction will mark a momentous milestone. The last 200 feet of bridge deck will be installed, thus physically connecting Detroit and Michigan with Windsor, Ontario, for the fourth time.

It is the first new connection since the Detroit Windsor Tunnel was completed in 1929. It is an important leap forward for the economic lives of both the United States and Canada. It also strongly signals confidence in the future of our state, wherever we live.

Both investments, one from private sources, the other from the taxpayers of Canada, have important lessons, I believe, for the rest of our state as we look into the future.

Ford Motor Company’s investment in the Michigan Central Station is emblematic in how important a home-based corporation can be to the life of a community. Leaders of companies based in a specific community can see the needs and oftentimes commit their own investment and that of the companies they lead to community projects.

Keeping our existing companies, especially those with legacy families leading them, in place can yield important investments in building strong communities. As county leaders, one of our roles, working with other local government leaders, is to ensure we keep companies headquartered within our borders content and, perhaps, excited that we appreciate their contributions to our shared future.

The Howe Bridge, which will soon see its final road section installed, reaffirms in concrete the almost familial connection between two countries who share the longest undefended border on the planet.

This multi-billion investment in infrastructure testifies to the need to constantly pay attention to transportation needs. Despite a protracted political battle, the persistent vision of successive Michigan governors and Canadian governments ensures the six-lane structure meets future needs.

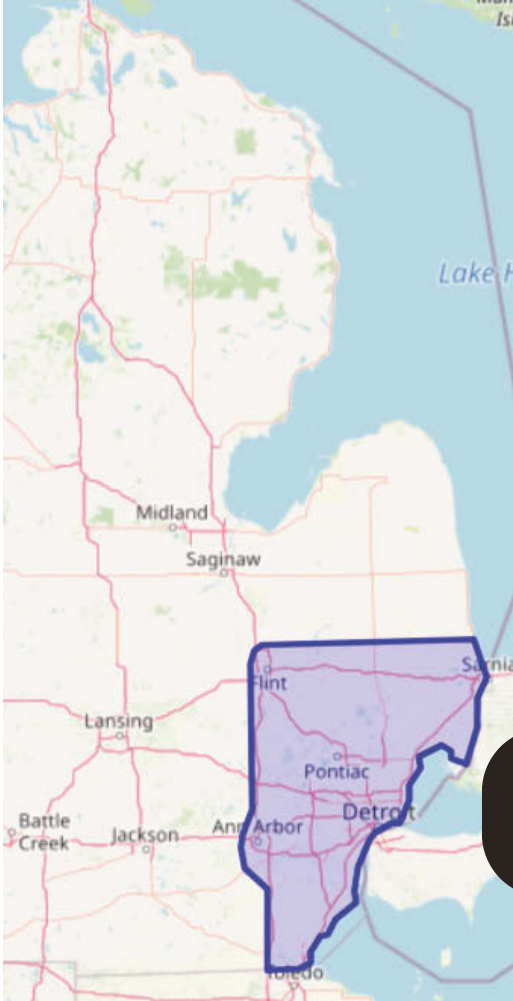
CONTINUED ON PAGE 29



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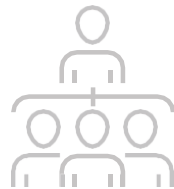
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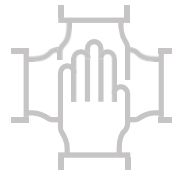
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Engage teams and stakeholders to foster positive climates and exceed common expectations



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Legislative Conference draws hundreds to state capital

Nearly 300 county and business leaders from across Michigan April 29-May 1 to hear from state leaders and policymakers at the 2024 Michigan Counties Legislative Conference.

Michigan Association of Counties Board President Jim Storey of Allegan County (pictured) urged attendees to invite state leaders into their communities during his welcome remarks on Tuesday, April 30.

During the event, the first of MAC’s two major conferences for the year, commissioners also:

- Heard from a special panel of state legislative leaders, including Senate Minority Leader Aric Nesbitt (R-Van Buren), Sen. Jeremy Moss (D-Oakland), Rep. John Fitzgerald (D-Kent) and Rep. Graham Filler (R-Clinton);
- Heard keynoter Dr. Peter Cressy discuss how to apply the leadership lessons of George Washington and other figures from history;
- Attended some of the 12 policy breakouts available on issues ranging from the use of opioid settlement dollars to managing Michigan’s burgeoning deer herd; and

- Helped honor the Michigan Association of Counties’ 2024 County Advocate Award winners, Reps. Amos O’Neal (D-Saginaw) and Curt VanderWall (R-Mason).
- Elected county commissioners from 45 of Michigan’s 83 counties traveled to Lansing for the policy and networking sessions in downtown Lansing.

“The need to keep learning never stops for county leaders,” said Stephan W. Currie, executive director. “It is our challenge, and privilege, as an association to facilitate this learning so that our members can better serve their communities in the years ahead.”

See a photo spread of the conference on page 31.

Filing period opens for MAC Board elections at Annual Conference

County commissioners interested in serving on the MAC Board of Directors have until Aug. 23, 2024, to file for special elections to fill five seats on the Board at the 2024 Michigan Counties Annual Conference.

The elections will be held on Sept 25 at the conference at the Grand Traverse Resort. To be an official candidate, commissioners must file official notice of their intent to run. Applications are due by 4 p.m. on Aug. 23, 2024.



Four seats available represent regions, so will be decided by a vote in that specific region. The at-large seat is determined by votes in all six MAC regions.

To download an application form, go to <https://bit.ly/2024appform>.

CONTINUED ON PAGE 10

The MAC Board of Directors (<https://bit.ly/3H5zQXB>) is the key body in guiding the legislative and organizational strategies of MAC. Board terms are three years in length and individuals may serve up to three terms.

Following seats are vacant and will be filled at the 2024 Annual Conference:

- Region I, Seat A (Open seat)
- Region II, Seat A (Bryan Kolk of Newaygo County is the incumbent)
- Region III, Seat A (Rick Shaffer of St. Joseph County is the incumbent)
- Region V, Seat B (Sarah Lucido of Macomb County is the incumbent)
- At-large, Seat C (Melissa Daub of Wayne County is the incumbent)

No director shall serve more than three full three-year terms, except in certain situations where a director is filling a vacancy in an unexpired term. If the elected replacement shall serve more than half of the unexpired term, it shall be considered as if such person has served one full term for purposes of term limits. If the person filling the vacancy shall serve less than half of the unexpired term, that person shall be permitted to serve up to three additional full 3-year terms.

Candidates who file are also encouraged to submit a statement of up to 400 words on why members should support them. These statements will be posted to the MAC website in late August.

If you have any questions about Board duties, please contact Executive Director Stephan W. Currie at 517-372-5374 or scurrie@micounties.org.

MAC releases huge update on opioid settlement data

MAC is excited to announce the updating of its Opioid Settlement Dashboard at <https://bit.ly/opioidcenter> and the release of the Michigan County Opioid Settlement Reporting: Data Overview. Data included on the dashboard and in the report are pulled from the Annual Opioid Settlement County Reporting Survey. The survey was administered between April and May of 2024 and was intended to capture data associated with calendar year 2023.

Information collected included county activities associated with planning efforts, stakeholder engagement, management of funds and spending. The data captured highlighted common themes and trends across the state and will also serve as a tool to assist in developing technical assistance offerings. Seventy-seven percent (77%) of counties responded to the survey, allowing for the most comprehensive picture of local government efforts associated with opioid settlement funds available in Michigan.

Direct questions to Amy Dolinky at dolinky@micounties.org. ♦



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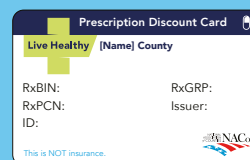
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To learn more and enroll your county, visit NACo.org/Health

*This is not insurance. Savings may vary by drug and by pharmacy. The Prescription Discount Card is operated by CVS Caremark®. The Discount Medical Organization for NACo Health and Dental Discounts is Alliance HealthCard of Florida, Inc. All rights reserved. ©2022 CVS Caremark



Counties see huge benefit in medical debt repayment efforts

BY NANCY DERRINGER

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



HOW COUNTIES ARE TURNING CHALLENGES INTO OPPORTUNITIES

The challenges of service delivery for never end, making it imperative that counties always be looking for the next thing, the cutting edge. MAC wants to share and celebrate that work with our “Innovation Center” feature. Is your county on the cutting edge?

Tell us how by sending an email to **melot@micounties.org** and you may be the next highlight.



CREDIT: FREEPIK.COM

Dr. Abdul El-Sayed, Wayne County’s director of Health, Human, and Veterans Services, had some decisions to make when handed \$60 million of federal money to address health issues in Michigan’s most populated county.

The money, from Wayne’s share of American Rescue Plan Act dollars, was earmarked for an urban/suburban county with high rates of poverty, hit hard by Covid. With the pandemic no longer a serious threat, but still a reminder of inequities in health care, El-Sayed was free to widen his focus.

The county installed vending machines dispensing Narcan, the overdose-reversal drug. Air-quality monitoring went in near some industrial sites. And then he reached out to a nonprofit called Undue Medical Debt.

Formerly known as RIP Medical Debt, the organization buys tranches of unpaid medical bills on the debt market, but instead of trying to get debtors to pay up – as collection agencies would do – the company pays them off, then sends letters to debtors with the good news.

El-Sayed asked Undue Medical Debt to find debt owed by Wayne County residents whose burden is more than 5 percent of their annual income, or who earn less than 400 percent of the federal poverty level. Wayne County bought the total amount for \$5 million, 85 percent of which came from ARPA funds. Those affected received letters informing them their burden had been paid.

If \$5 million sounds low, it’s a reflection of the nature of medical debt, which can be bought

for pennies on the dollar – even one penny, El-Sayed said.

“When a medical claim is not paid, the value of it drops significantly,” he said. “And health systems don’t want to carry bad debt for very long.”

Generally, an unpaid medical bill will be unloaded by a hospital or health system within a year, said Daniel Lempert, vice president of communications and marketing for Undue Medical Debt. Then it goes onto the debt market, along with other types of unsecured bad loans. Collection agencies buy debt by the tranche, in hopes of being able to collect enough to make a profit.

Medical debt is considered the least profitable, Lempert said, because those who owe are often low-income, and sometimes unable to work. They may live in a state with no Medicaid expansion or fall into the gap between being able to afford private insurance and qualifying for assistance.

To county officials like El-Sayed, it’s a chance to help some of the most vulnerable residents and lift a barrier toward further care: “The consequences of poverty and racism have kept people away from quality health care,” he said.

The idea is spreading. Cook County, Illinois, and Lucas County, Ohio, have both contracted with Undue Medical Debt for this service, as well as Oakland County in Michigan. Oakland Commissioner Charles Cavell, a social worker by training, saw others taking the step and said he thought “holy cow, this is amazing.” In Oakland County, he said, \$2 million in ARPA money was added to state funds to retire medical debt for qualified residents.

Kalamazoo County has allocated \$466,000, and the city of Kalamazoo \$330,000, while an agreement is still being finalized with Undue Medical Debt that would cover both, said County Administrator/Controller Kevin Catlin. Kent County commissioners considered

the idea, but rejected it, said Lori Latham, assistant county administrator.

Cavell cited the oft-mentioned influence of medical debt on personal bankruptcies in advocating for forgiveness.

“It’s a good return on investment,” Cavell said. “Clearing (this) debt is giving 80,000 families in Oakland County a fresh start. It frees money for economic investment.”

Wayne County Commissioner Melissa Daub said she and her colleagues “had a lot of questions” before they came on board, but what won her over was the fairly low, 400-percent-of-poverty threshold to qualify.

“You could be more affluent but still have a tremendous amount of debt,” Daub said. “Most people don’t choose to go into this sort of debt; they’re making a decision to stay alive, in some cases. Our hope is that by relieving this burden, it can open other opportunities for people who receive this help.”



DAUB

El-Sayed said officials hope to quantify the advantage in future years:

“Every single person who’s had a credit hit (from this debt) took a health care risk. From a moral standpoint, we had an opportunity to address that. Debt has become a financial albatross on their lives. This takes it away.” ♦

“El-Sayed asked Undue Medical Debt to find debt owed by Wayne County residents whose burden is more than 5 percent of their annual income, or who earn less than 400 percent of the federal poverty level.”

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What's better: One big or several smaller property tax millages?

BY ERIC LUPHER/CITIZENS RESEARCH COUNCIL OF MICHIGAN



CREDIT: FREEPIK.COM

Eric Luper is president of the 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.

I don't envy the county commissioners who need to ask voter approval for millage increases. It is a difficult political decision, but with stagnant property tax base growth caused by Michigan's property tax limitations and inadequate state revenue sharing, that need has arisen more frequently.

And when that need arises, county boards must decide between general operating millage increases or millages dedicated to specific county services.

Two years ago, the Citizens Research Council performed an analysis (bit.ly/3UxwD10) on local governments' ability to raise revenues within the confines of Michigan's constitutional property tax limitations: the 1978 Headlee Amendment and the modified value acquisition value system created by Proposal A of 1994.

Many local governments of all kinds are not able to yield year-to-year property tax revenue growth sufficient to maintain services. Only governments that can add to their tax bases – accommodate/encourage new development – prosper.

Those without developable land or where no parties are interested in developing available land have often sought new property tax revenue to maintain service levels.

We followed the tax limitation analysis by documenting the prevalence of tax rate increases (bit.ly/3U86LRs) from 2004 through 2020. We found 90 percent of counties have increased tax rates, as have 68 percent of cities and 62 percent of townships. This includes urban and rural, dense city and suburb and rural, populous and small communities.

The exurb communities and the counties that host them fare the best. But even these communities may need to seek new tax revenues because increased populations create demands for increased service levels.

So, should you, the county commissioners, seek general operating millage increases or levy dedicated millages when the need arises?

In a fiscal sense, it is a non-issue. All money is fungible. A dedicated millage for a specific

service frees up general fund tax dollars to be spent on something else.

If I told you that the county would get \$5 million in property tax revenue to fund the services that you as a county commission decided were priorities, you probably wouldn't care if all \$5 million came from a general operating millage or if \$1.5 million came from a general operations millage, another \$1.5 million from a public safety millage, \$1 million from a parks millage and the final \$1 million from a senior services millage (let's stipulate that these are the priorities in our hypothetical county).

However, from a budget management perspective, it is an issue.

Receiving \$5 million from a general operations millage provides the flexibility to adjust to changing needs and changing cost drivers. It provides latitude if new needs arise. The five dedicated millages provide no wiggle room to respond to changing priorities.

Additionally, when creating dedicated millages, the underlying assumption is that the needs of the public safety departments, parks, etc.

are growing evenly at the rate of growth of the tax base (which is closely tied to the rate of inflation with our tax limitations). We empirically know that things don't work that way. Cost drivers vary by service and few of them are tied to the rate of inflation.

Not all county services are created equal. While it may be possible to gain voter support for a public safety or parks millage, finding support for a millage dedicated to the drain commission might be a little harder. By funding more and more favored services with dedicated millages, the budget leaves fewer resources for the rest of the services.

Both the state and many local governments have increasingly used dedicated taxes when revenue is needed. The politics are rather straightforward. People don't trust that their elected officials will allocate revenues to meet their priorities, so it is easier to sell taxes for favored services.

However, as the county finance committee chair in our hypothetical county, I prefer the single, general operations millage. ♦

“Receiving \$5 million from a general operations millage provides the flexibility to adjust to changing needs and changing cost drivers.”



MACAO
Michigan Association of County Administrative Officers

LEARN MORE

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For six decades, the Michigan Association of County Administrative Officers (MACAO) has been a trusted resource to county administrative officers as they continuously improve their abilities in serving county boards of commissioners by:

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

MAC working to mitigate environmental proposals that could burden counties

BY MADELINE FATA/GOVERNMENTAL AFFAIRS ASSOCIATE



CREDIT: FREEPIK.COM

“ ‘Polluter Pay’ is the misnomer advocates applied to this legislation, which actually does not hold polluters accountable.”

Summer is upon us, which means legislators will soon leave Lansing and return to their districts. This is a great time for you, as local leaders, to connect and remind them of important policies that impact counties.

In Lansing, the focus of legislative work will be what’s going to happen in “lame duck,” the legislative session held after the November elections and before the end of the year. Lame duck is when both parties try to secure their priorities before bills expire. And if there is a change of power due to election results, such as via the House majority shifting from Democrats to Republicans, the stakes become even higher.

The MAC team already anticipates a heavy focus on environmental policy in lame duck, with three issues that could have sweeping implications on county government:

- “Polluter Pay” legislation
- Statewide Sanitary Code
- Tipping fees on solid waste

‘Polluter Pay’

“Polluter Pay” is the misnomer advocates applied to this legislation, which actually does not hold polluters accountable.

Instead, the bills (SBs 605-611 & HBs 5241-47) add new regulations for businesses and local governments that own and operate contaminated sites by requiring current owners of contaminated sites to conduct a baseline environmental assessment and submit a due care plan to the state every five years. Contaminated sites would need to be cleaned up to the highest possible standard, regardless of cost.

Further, there is a stipulation for financial assurance on any facility that houses a pollutant requiring a bond for 70 percent of the cost to remediate the release of all pollutants on site. Many county road agencies own salt sheds and brine tanks for maintenance activities and an average salt shed would call for a bond of hundreds of thousands of dollars.

MAC has consistently opposed this legislation due to concerns about land banks, safety mandates that require the use of certain pollutants, community development and financial implications. Additionally, we are concerned onerous regulations will deter redevelopment of brownfield sites.

The Department of Environment, Great Lakes and Energy is hosting workgroups this summer with MAC and others. They plan to have new bill drafts prepared before legislators return this fall.

MAC's goal is to strike a balance between protecting the environment from pollution while ensuring the financial liability of local governments is limited.

Statewide Sanitary Code

Septic tank inspection policies are adopted and enforced at the local level, but under this proposal (SBs 299-300 & HBs 4479-80), a statewide sanitary code would preempt local control and enable the state to mandate every tank in Michigan be inspected every five years. The problems for counties here are numerous.

First, there's the cost for local public health departments to administer a program, with one estimate pegging the need at 1,799 inspectors to cover 1.4 million tanks. That won't be cheap.

Second, there is not enough infrastructure to manage the waste if all these tanks have to be pumped clear for inspections. Homeowners would need to pay for inspections and necessary repairs. And the proposal eliminates a county's ability to administer a point-of-sale program.

MAC has consulted extensively with advocates. And there is a consensus among local public health officials and environmentalists to act in this area.

However, MAC opposes the current proposal.

Counties should retain the ability to adopt a point-of-sale ordinance as they see fit; many counties are already operating such programs successfully. And the proposal lacks proper funding for local health departments to carry out new duties.

Tipping fees

Tipping fees are paid by residents and businesses for the disposal of solid waste. In early 2024, the governor proposed to boost tipping fees from 36 cents per ton to \$5 per ton. This would yield \$80 million, which the governor wants for environmental remediation and brownfield redevelopment.

Counties play an active role in managing waste and have already been tasked with creating new Material Management Plans. MAC opposes the governor's plan, but if any revenue increase from larger fees were adopted, our view is the dollars should go back into the system to help counties implement these plans and for recycling programs and infrastructure.

No policy bills have been introduced to reflect the governor's recommendation yet, but we will be prepared if they do. ♦



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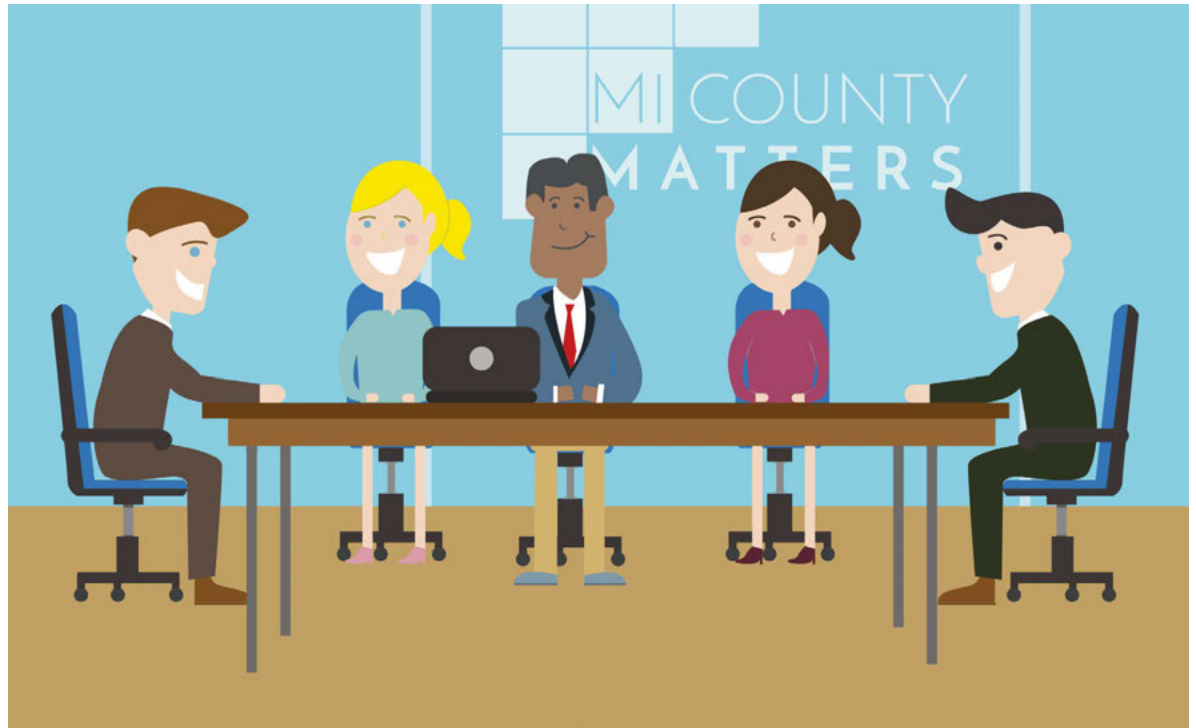
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Where do committees stand under the Open Meetings Act?

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.



“Matters referred to or considered by a committee will reach the full Board of Commissioners only if the committee makes a positive recommendation to the Board.”

Where a committee, council or subcommittee is empowered to act on matters in such a fashion as to deprive the full body (here the Board of Commissioners) of the opportunity to consider and vote on all of the matters before it, the committee’s decision “is an exercise of governmental authority which effectuates public policy,” and the committee proceedings are therefore subject to the Open Meetings Act (OMA). [OAG, 1997-1998, No 5222, p 216, 217-218 (Sept. 1, 1977)] For example, when a committee (or subcommittee) considers and eliminates potential options that are not part of the eventual advisory conclusion sent to the Board of Commissioners, this narrowing of scope is an exercise of governmental authority that effectuates public policy.

This point is underscored by the decision of the Michigan Court of Appeals in *Schmiedicke v Clare School Bd.* [228 Mich App 259, 261 (1998)] In that case, a local school board established a Personnel and Policy Committee (PPC) and delegated to that committee “the task of reviewing whether the school district should retain its current method for

evaluating school administrators and whether the length of administrator contracts should be changed.” The committee thereafter met in private and ultimately recommended no change in the school district’s existing policies. After receiving the committee’s report, the full school board took no action, effectively adopting the committee’s recommendation.

The Michigan Court of Appeals concluded that, under these facts, the committee was subject to the OMA and had violated that Act by meeting in private. The Court reached this conclusion despite the fact that the school board had apparently not intended to delegate actual decision-making authority to the committee:

The primary purpose of the OMA is to ensure that public entities conduct all their decision-making activities in open meetings and not simply hold open meetings where they rubber-stamp decisions that were previously made behind closed doors. See *Booth Newspapers, Inc v Univ of Michigan Bd of Regents*, 444 Mich 211, 222; 507 NW2d 422 [1933]; *Wexford Co Prosecutor v Pranger*, 83 Mich App 197,

204; 268 NW2d 344 (1978). Here defendant school board's referral to the PPC for a recommendation was a delegation of authority to perform a governmental function. The focus of the inquiry is the authority delegated to the PPC, not the authority it exercised. The PPC failed to openly deliberate on the governmental function that the defendant school board had delegated to it. Subsequently, the defendant school board adopted the PPC's recommendation. The defendant school board's adoption of the recommendation effectively foreclosed any involvement by members of the public and essentially meant that the decision made by the PPC at a closed meeting was a *fait accompli*. Booth Newspapers, *supra* at 229. Consequently, the PPC made closed-session deliberations and decisions in violation of the OMA.

These authorities are directly applicable to the current questions. Matters referred to or considered by a committee will reach the full Board of Commissioners only if the committee makes a positive recommendation to the Board; if the committee makes an unfavorable recommendation,

the matter may never reach the Board. Thus, the committee may effectively exercise the authority to preclude various matters from reaching the full Board for deliberation and decision. Under these circumstances, the committee is not merely advisory, but also will exercise governmental authority which effectuates public policy and is, therefore, subject to the requirements of the OMA. [OAG, 1977-1978, No 5222, *supra*, at 218; OAG, 1998, No. 7000]

Based on the typical operation of standing committees and any other similar committees/sub-committees of the County Board of Commissioners are subject to the Open Meetings Act when the committee is effectively authorized to determine whether items of consideration will or will not be referred forward for consideration and action by the full Board of Commissioners. The tasks of studying, considering and narrowing a variety of issues for the purpose of rendering a final recommendation(s) to the full Board should be open to the public consistent with the purpose of the OMA. ♦

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Assessing your energy siting options in light of PA 233

BY SARAH MILLS AND MADELEINE KROL, CENTER FOR EMPOWERING COMMUNITIES, UNIVERSITY OF MICHIGAN



“This law alters the permitting process for large renewable energy projects, giving developers the option to seek approval directly from the Michigan Public Service Commission (MPSC) rather than go through local zoning.”

On Nov. 29, 2024, Public Act 233 takes effect.

This law alters the permitting process for large renewable energy projects, giving developers the option to seek approval directly from the Michigan Public Service Commission (MPSC) rather than go through local zoning. And while a ballot petition effort on the law continues for the 2026 ballot, local officials have to deal with the law, as is, this year.

So, if you are in one of the 23 counties with zoning responsibilities, you need to quickly decide how to proceed. Even if your county doesn't have zoning jurisdiction, if you have a planning commission, here's information to help your townships and county road and drain commissions prepare.

Zoning authorities effectively have three options now.

Option A: Let projects go to the MPSC: Perhaps the easiest and cheapest option for zoning authorities is just to let large projects go to the MPSC. Here, there's no need to hire an attorney to make zoning amendments or process applications, any controversy that might come with a project proposal is pushed to state regulators, and you receive a

guaranteed \$2,000 per megawatt (MW), one-time “Host Community Agreement” paid by the developer [though there's a dispute about whether all counties are entitled to this or only those with zoning jurisdiction].

Option B: Develop a Compatible Renewable Energy Ordinance (CREO): The only way to guarantee that projects stay local is to amend your ordinance to be compatible with the regulations in the state law. The MPSC staff is still working out what exactly is allowed to be in a CREO — but the conservative, lawsuit-proof approach is nothing more than the (minimal and lax) regulations for height, setbacks, and sound laid out in the law. If a zoning jurisdiction has a CREO, the developer must first work with locals.

Most developers, though, would love to work with communities with a CREO: a CREO can't be stricter than the state process, the law requires local units working through a CREO approve a project more swiftly than the state and the process is expected to be much cheaper in part because when a project is approved at the local level, the state (not the developer) provides a \$5,000 per MW, one-time “Renewables Ready Communities Award.” If you are looking to attract developers, this is the path for you.

Option C: Amend your ordinance to be workable: There is no definition for “workable” in the law, but the law doesn’t prevent developers from applying for normal, non-CREO zoning approval. The trick is that the reason we have PA 233 in the first place is that many ordinances aren’t “workable.” So, choosing this path is likely to require zoning amendments. And there’s no guarantee that a developer won’t bypass a “workable” ordinance and go to the MPSC.

There is room for communities to ask for things beyond what’s in a CREO and still be attractive to developers; again, the state-level process is expected to be long and expensive, and local communities with workable ordinances are also eligible for the \$5,000 per MW paid by the state. We at UM are working with the state and others on a tool to help communities understand how much “negotiation power” they have. In the meantime, the only way to assess workability is to talk to a developer or look at what’s worked before.

While the MPSC is still working out how it will implement the law, you will need to pick your local option soon. In particular, if you choose B or C, you need to get your planner and lawyer scheduled now. Amending your ordinance, including public hearings at both the planning commission and county board levels, as per the Zoning Enabling Act, can’t happen overnight.

Even if you don’t zone, your drain/water resources commissioner and road commission should get ready. We’re likely to see an uptick in renewable energy project proposals in the fall; whether they are permitted at the local or state level, they still need to comply with county drain and road regulations. ♦

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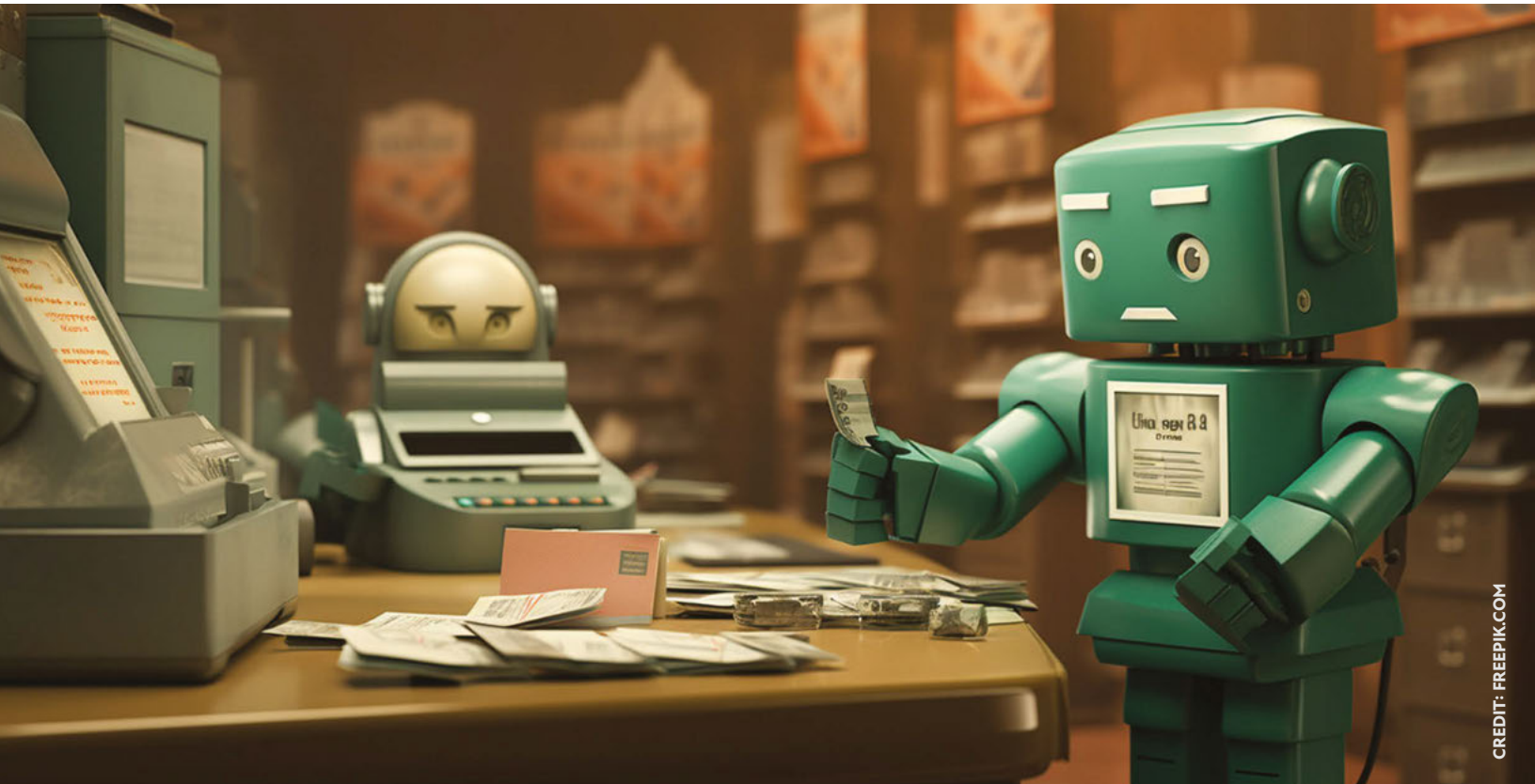


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NRM-12870M5 (01/15)

Robots record revenue for Washtenaw County Treasurer's Office

BY CATHERINE MCCLARY/WASHTENAW COUNTY TREASURER



CREDIT: FREEPIK.COM

Catherine McClary is a member of the Michigan Association of County Treasurers, a MAC Affiliate.

Like so many governments, Washtenaw County has too few staff and all-too-limited budgets. And the COVID pandemic triggered a tremendous turnover in front-line staff.

Fortunately, we had already laid the groundwork to respond to these staffing issues with Robotic Process Automation (RPA).

RPA is a software robot (bot) that can be programmed to replicate a person's repetitive, rules-based tasks. Bots can increase productivity, reduce errors, and free up staff for higher-value work, including direct customer service. RPA has helped the Treasurer's Office accomplish the routine, repetitive work, enabling us to allocate more interesting work assignments to our front-line people — and retain staff in the process.

The Washtenaw County Treasurer's Office has a pooled banking and investment model in which all departments deposit into one

main bank account. All revenue is identified and recorded by the Treasurer's Office. With more than 100 bank deposits a day, this largely manual process to identify and record revenue is vulnerable to staff turnover and absences. Furthermore, volume and complexity in banking operations continues to increase.

In 2021, it became clear we needed to change or improve the way we process routine business. The treasurer and information technology (IT) director agreed to commit considerable staff time to begin the RPA project. IT purchased the software from Automation Anywhere after reviewing a national list of prequalified vendors, for an amount below our threshold requiring an RFP.

High-level staff from both offices, familiar with flow-chart creation or programming and facile in Excel spreadsheet use, devoted approximately 200 hours learning to use the software and building the first bot.

By 2022, we were ready to deploy the bot. The treasurer's pilot bot identified certain bank deposits from the courts that were consistent and easy to identify. The bot configured the data into a specific transmittal format and entered the transmittal into the county's financial system for staff review and approval.

We discovered we are saving more than 450 hours each year in receipt and general ledger entry; furthermore, the bot is error-free. In mid-2023, the treasurer and IT director credentialed the bot as an independent user of the financial software. The credentialed bot is responsible for inputting \$27 million in revenue via 3,600 receipts in its first six months of use. Credentialing also improves internal controls.


There have been some hiccups. We discovered the hard way that each time there is even a

modest upgrade to our financial software, the bot needs to be tested and often re-programmed. We have discovered that when the bot is "down," there are not enough staff available to complete the work in a timely manner.

Another consideration is making the commitment and devoting the time to implement RPA. It took high-level agreement and deliberate effort. It was time-consuming to implement.

But RPA has proven to be a successful project for our county, and it could prove to be one for yours, too. ♦

“By 2022, we were ready to deploy the bot.”




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Public-private partnership brings high-speed internet to rural residents

BY BRIAN DISSETTE/BERRIEN COUNTY ADMINISTRATOR



“In 2021, the Berrien County Internet Task Force partnered with Merit Network, Inc. to survey residents to determine who truly had access to high-speed broadband compared to the FCC map.”

Berrien, Cass and Van Buren counties, several townships and the state of Michigan are eliminating the digital divide for thousands of residents in Southwest Michigan who lack access to high-speed broadband.

The counties recently partnered with Midwest Energy & Communications, a Michigan internet service provider serving rural customers to apply for funding through the State’s Realizing Opportunity with Broadband Infrastructure Networks (ROBIN) program. The state created ROBIN to help bring high-speed broadband to the “unserved and underserved,” defined as addresses lacking access to speeds of at least 100 Mbps download and 20 Mbps upload. MEC was awarded \$25.3 million and has committed \$15 million to the project.

What made this proposal a success, however, was the advocacy and foresight of local leaders to prioritize matching funds, engage residents, and identify the “unserved and underserved.” Inaccuracies with the Federal Communications Commission’s (FCC) broadband maps presented a challenge as officials sought to identify the need in their areas. However, efforts paid off. Construction has begun on MEC’s ROBIN project and will

continue through 2026. As part of the build-out, MEC will also offer service to nearby addresses that do not have high-speed internet access, giving these customers another option in the marketplace.

Here is a summary of each county’s efforts:

Berrien County

- County commitment: \$3.8 million
- Township commitments: nearly \$2.7 million from 18 townships
- Unserved addresses: 5,722
- Served addresses: 3,501

In 2021, the Berrien County Internet Task Force partnered with Merit Network, Inc. to survey residents to determine who truly had access to high-speed broadband compared to the FCC map. The County then worked with the Southwest Michigan Planning Commission on GIS story maps. As funds from the American Rescue Plan Act (ARPA) became available, Berrien officials approved a portion for broadband. That ultimately led to a Request for Proposals to find a provider to build the infrastructure and deliver service. MEC won the bid and incorporated Berrien County in its ROBIN application. For more information, visit [berriencounty.org](https://www.berriencounty.org).

Cass County

- County commitment: \$250,000
- Township commitment: about \$185,000 from four townships
- Unserved addresses: 578
- Served addresses: 171

In 2021, Cass County formed a broadband committee to investigate gaps in coverage, understand challenges, and identify opportunities for addressing the unserved or underserved. In March 2023, the Cass County Board of Commissioners adopted a resolution acknowledging the need for high-speed broadband and supporting MEC's ROBIN proposal to bring service to over 500 addresses. Additionally, in May of 2023, Market Van Buren and the County received a grant through the Michigan Department of Agriculture and Rural Development to facilitate a county-wide, parcel-level map of internet availability in partnership with DCS Technology Design. The County anticipates the completed map by the end of April and plans to post updates at casscountymi.org. Interested individuals can also contact the County Administrator with questions.

Van Buren County

- County commitment: \$4.1 million
- Township commitment: \$1.2 million from 14 townships
- Unserved addresses: 3,734
- Served addresses: 1,995

In 2021, Van Buren County and Market Van Buren formed an internet task force of community and business leaders to address the critical need for internet access. Officials also designated ARPA funds for broadband efforts, which included the critical task of refuting the imprecise FCC map. The county selected DCS Technology Design to utilize its parcel-level mapping to create accurate broadband maps. DCS then developed a process for deciding who was most suited to serve specific proposed funded service areas. MEC was awarded the opportunity and included Van Buren County in the ROBIN grant. Visit www.vanburencountymi.gov for more information.

Anyone interested in learning more about MEC, visit www.teammidwest.com. ♦

MEET YOUR MAC BOARD



William Miller

County/MAC Region:
Oakland/At-large

Position: Director

County Service: 2019
to present

Profession: Political Director, Operating Engineers 324

Previous Public Service: President, Warner Upper Elementary PTA; Parks and Recreation Commissioner, city of Farmington Hills

What do you see as the biggest challenge for your county, or all counties, in 2024?

The biggest challenge I see for all Michigan counties in 2024 is funding for local infrastructure.



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Sen. Sarah Anthony

LEGISLATOR
Q&A

What is the most pressing issue facing Michigan?

The most concerning issue is our current cost of living crisis. The gap between the cost of everyday necessities and the wages of full-time workers has been growing exponentially for decades. Over the past two years, my colleagues and I have been working hard to ease the undue financial burden on Michiganders who have been hit the hardest by these increases.

In only our first year of the Democratic majority, we took significant steps to help Michiganders keep more of their hard-earned paychecks and benefits, eliminating the unfair tax rate on retirees and expanding the Working Families Tax Credit. We are taking steps to ensure folks can afford high quality medical care, because too often people are forced into the impossible choice between receiving the care they need and putting food on the table.

I led the charge in last year's budget to secure \$4.5 million for the elimination of medical debt. When you stop to consider local matching funds and partnerships on the ground level, that \$4.5 million quickly grows to provide an estimated \$450 million in medical debt relief for approximately 180,000 Michiganders. County leaders in Oakland, Wayne, Ingham, and Kalamazoo have already taken action to eliminate medical debt for affected residents in their communities. (See related story on page 12.)

Just recently, I was proud to join Gov. Gretchen Whitmer as she signed my legislation to establish mental health parity in Michigan. This bill will ensure more individuals can afford the high-quality health care they need, for both mental and physical illness. This is just the beginning.

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

When I served as a county commissioner, I learned firsthand the power of local governments. As a state official, I often rely on county leaders and other local elected officials to help me better understand the impact state-

level policies will have on the ground. County officials are hyper-connected to the residents they serve. They can often anticipate the needs of social service organizations, neighborhoods, local businesses and residents in a way that is difficult when you are serving on the state level. County advocacy and action continues to be one of the most impactful ways Michiganders can see their unique needs met.

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

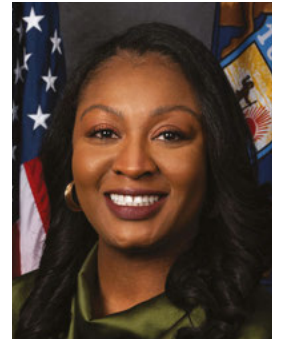
My experience serving as a county commissioner truly shaped me into the legislator I am today. Working hand-in-hand with departments and social service organizations to invest county dollars back into our community prepared me well for my role as appropriations chair. These experiences permanently ingrained in me the connection between politics and people, a motto I carry with me in my leadership style today. Every vote I take is reflective of my understanding that my actions impact the everyday lives of Michiganders.

As chair of the Senate Appropriations Committee, what are you hoping to accomplish?

I am focused on passing a fiscally responsible and balanced budget that has bipartisan support. It's important to continue to build on the historic investments we have made in historically overlooked and marginalized communities. I am committed to doing everything we can to lower costs for working families, build sustainably and ensure everyone has the skills and services they need to thrive. Beyond my budget priorities, I am also working to provide Michiganders with greater economic opportunity and justice by fighting to pass legislation that would end predatory payday lending practices and reform Michigan housing laws to help address the current housing crisis that has left many Michiganders without affordable or secure shelter.

County revenue sharing payments from the State are critical to the

CONTINUED ON PAGE 29




Name:
Sen. Sarah Anthony

District/Counties:
21st/Ingham, Eaton

Committees:
Appropriations
Committee, Chair

Previous public service:
Member, Michigan House of Representatives, 2019-2022; Member, Ingham County Board of Commissioners, 2013-18



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Letter from the President

FROM PAGE 5

Studies indicate an overhaul in how Michigan finances transportation improvements and maintenance is overdue. While most county general governments do not directly operate streets and roads, it is nonetheless important that through our county association and our individual relationships with county road agencies that county commissioners, especially as they assume four-year terms, be serious partners in that discussion.

So, we congratulate Wayne County and Detroit for doing what was necessary to see these two projects become a reality. They both instill hope that our largest county and city enjoy new confidence for a strong future. ♦

Legislator Q&A: Sen. Sarah Anthony

FROM PAGE 27

operational needs and services counties provide. How important do you think it is to invest in a sustainable funding solution to improve revenue sharing for counties and other local governments?

Michigan residents rely on crucial public health and safety services provided on the county level every day — it is time for state leaders to update our state's funding formula to reflect ongoing fluctuations in population and community demographics. Our historic Democratic trifecta put forward three different proposals for revenue sharing this year, all of which increase revenue for counties, villages and townships by significant amounts. I was proud to partner with my colleagues in the Senate to put forward a proposal that would bring back a flexible, three-factor formula that would restore revenue sharing payments to 1,200 cities, villages and townships. The bill also proposes a 20.5 percent increase in revenue sharing for CVTs and counties, ensuring no community loses funding. ♦

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