

MICHIGAN COUNTIES



Cover Story: MAC's 115th Board president, Jim Storey of Allegan County, salutes the audience at the 2023 President's Banquet during the 2023 Annual Conference in Kalamazoo County. (Brooke Peters Photography)



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Letter from the Executive Director




STEPHAN W. CURRIE
MAC EXECUTIVE DIRECTOR

“Through the Corporate Partnership Program, MAC helps counties access resources, technical expertise, to address critical challenges they face.”

Visitors to our website and attendees of our 2023 Annual Conference likely noticed a new initiative at MAC: our Corporate Partnership Program.

Launched in July, this initiative was formed to take MAC’s relationship with the private sector to the next level. The program is designed to foster a closer relationship between business and county government. In addition, it provides an opportunity for businesses committed to the success of county government to join with public officials on topics such as transportation, public policy, criminal justice, municipal finance and more.



JUST A FEW OF THE MAC PREMIER PARTNERS AT THE 2023 ANNUAL CONFERENCE EXHIBITOR SHOW ON OCT. 2.

Through the Corporate Partnership Program, MAC helps counties access resources and technical expertise to address critical challenges they face. These initiatives encompass a wide range of issues, from procurement and health care services to environmental sustainability and infrastructure buildout.

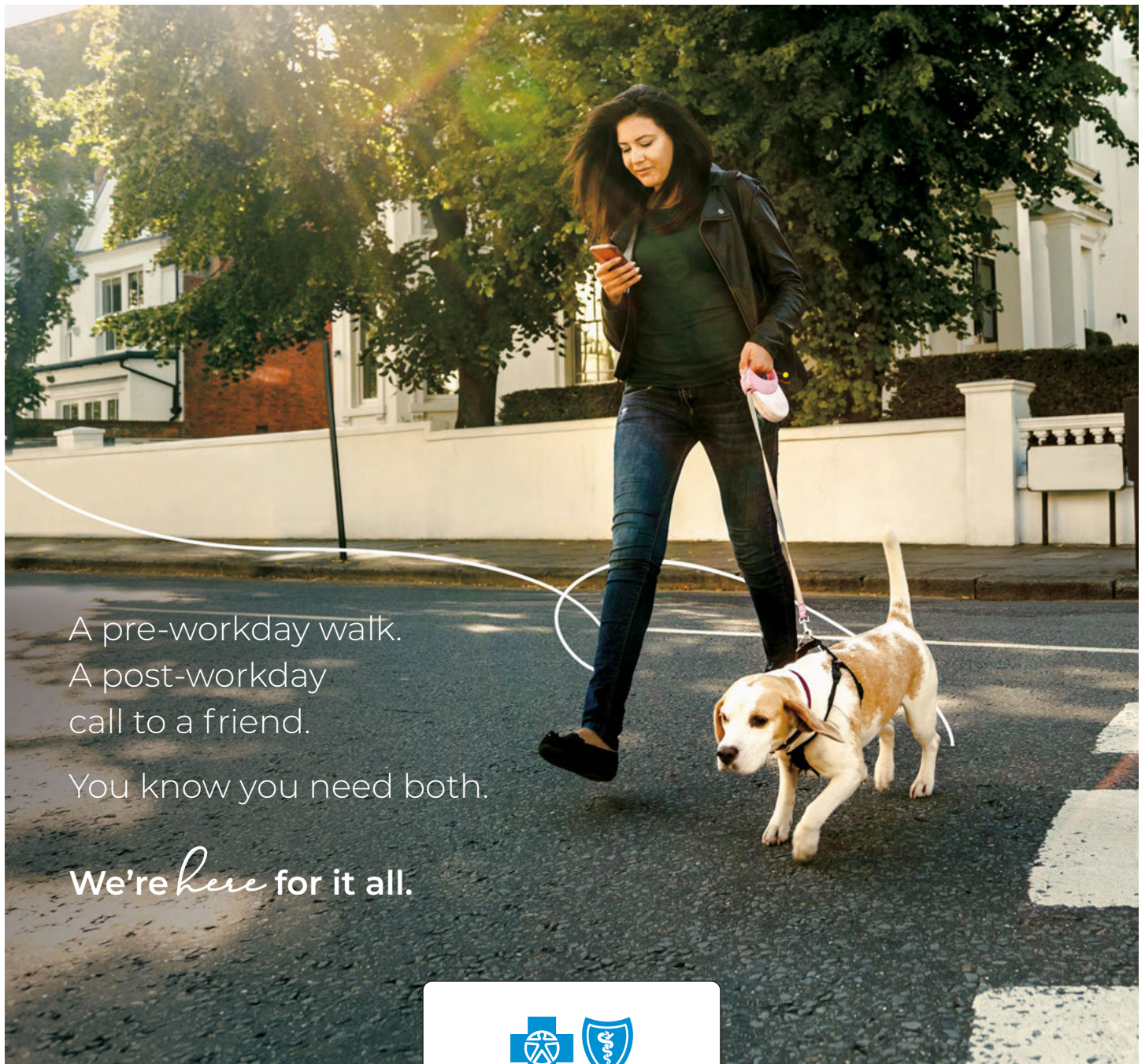
Education and training are essential components of the Corporate Partnership Program. MAC offers exclusive workshops, webinars and other opportunities to its corporate partners, allowing them to inform members of issues in their respected area of expertise. Through these exclusive offers, corporate partners gain insights into the challenges counties are experiencing; and they can tailor their support and resources to align with the needs of the communities they serve.

Please help me in welcoming our “inaugural class” of partners (listed with their membership level):

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The Michigan Association of Counties’ Corporate Partnership Program is an exemplary model of public-private collaboration. One of our roles at MAC is to assess what are the best opportunities for our members. We see the Corporate Partnership Program as another tool in that work. To learn more about the partnership, go to micounties.org/corporate-partnership/.

And, as always, please don’t hesitate to contact me if you have any questions or ideas. ♦



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Letter from the President



Jim Storey

JIM STOREY
PRESIDENT, MAC BOARD OF
DIRECTORS

“After years of MAC effort with successive legislatures, county commissioners elected next year will serve four-year terms of office for the first time since the modern form of county boards came into existence in the 1960s.”

TOGETHER, PREPARING FOR FOUR

Taking the oath of office as president at the Annual Conference on Oct. 2 was a sobering and humbling moment. After all, MAC has been an important voice for strong service to county residents for 125 years. Keeping that track record going is important to our future as county governments and, in my view, the State of Michigan itself.

After years of MAC effort with successive legislatures, county commissioners elected next year will serve four-year terms of office for the first time since the modern form of county boards came into existence in the 1960s.

With that restoration, though, comes the responsibility to use the added time in the office to better serve our residents and to continue the strong tradition of developing responses for residents without regard to personal agendas. Because counties provide services that many take for granted and do it without much fanfare, our humility has reduced recognition among our residents of all that we do and the civil manner in how we do it.

For example, how many know that a largely unchanged 1919 law requires the county to pay for livestock damage caused by stray canines? Or that one of the mandates for counties is to provide a corrections center? Or that providing public health services and counsel is largely undertaken by counties? You know the list as well as I do, but our residents largely do not.

MAC has an effective staff that works to obtain the tools we need to deliver, in a cost-effective, efficient way, those services — and many others. Yet, because responsibility for funding is shared with Lansing, I believe our counties’ good efforts are not as recognized as they should be.

Perhaps that is why when it comes to ensuring sustainable funding for services provided, counties sometimes take a back seat to others. For that reason, the current effort to establish a Revenue Sharing Trust Fund is critical. Passage of this measure will ensure the tools are there for whatever work is important to our residents. I intend to share this viewpoint with the legislators who represent my county, and I suggest you do the same.

Going forward, an equally important effort to me is retaining the collaborative approach our Boards of Commissioners (BOC) have shown in working first for residents. Although individual commissioners have personal views, my impression is when it comes to deciding issues and spending, our 83 boards traditionally focus on what is best for our residents. Sometimes, the debates may be vigorous, but, in the end, we realize it is important that we retain the trust that comes from working together.

On a personal note, we lost a champion of county government recently with the passing of Gerry Corkin, longtime chair of the Marquette County Board. Gerry also served on the MAC Bboard and helped Marquette prosper despite the winds of economic change. And please keep in mind another colleague, Richard Schmidt of Manistee County, a MAC Board member, who suffered a health scare while at the Annual Conference.

Both Corkin and Schmidt are examples of commissioners doing the job from a desire to serve their community. It is the same ethic I expect all 619 elected commissioners share.

In his welcome remarks at the conference, Kalamazoo Board Chair John Taylor professed the belief that, for many reasons, county government is the local government of the future. I share that view. Hopefully, we can use our four-year terms to further develop that future.

I am thankful for your trust and am at your service. ♦

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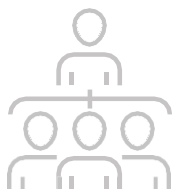
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Marquette's Corkin, a UP 'institution,' passes

Gerald "Gerry" Corkin, an institution in Michigan county government and tireless voice for the Upper Peninsula, passed away on Sept. 21.



CORKIN

In remarks at the 2023 Annual Conference, outgoing MAC President Stan Ponstein lauded Corkin as "a great friend to MAC ... and a consistent backer of our advocacy efforts and an unwavering supporter of quality public services."

At the time of his death, Corkin had the third-longest run of continuous service as a county commissioner in Michigan, according to MAC records. Corkin served on the MAC Board of Directors for eight years (1999-2007).

Corkin was born June 1, 1941, in Ishpeming, graduated from Ishpeming High School and then earned undergraduate and graduate degrees from Northern Michigan University.

Corkin's political career began as a member of the Negaunee City Council. As board chair for Marquette County, he was instrumental in leading the charge to ensure the long-term financial viability of the organization. His service extended beyond Marquette County to countless organizations across the Upper Peninsula. He was chair of the Central Upper Peninsula Planning and Development Regional Commission, served on the Board of Directors for the Upper Peninsula Commission for Area Progress, was chair of the UP 911 Authority, was chair of the Michigan Works Administrative Board and was a long-standing member of the Negaunee Parks & Recreation Commission.

of the Canadian Hockey League in 2024. It's been dubbed the "NCAA Final Four of Canada."

The Memorial Cup presented by Kia was awarded to Saginaw County and will take place May 22-June 3, 2024. More than 4,500 overnight stays in area hotel rooms will come with the event, organizers expect.

According to Dr. Annette Rummel of the Great Lakes Bay Convention and Visitors Bureau, the tournament will bring an estimated \$24 million to the region.

The Memorial Cup has been around since 1919 and this will be only the fourth time an American city has been the host. Saginaw will join Portland, Ore., Seattle and Spokane, Wash., on this list. Saginaw was selected ahead of Ontario Hockey League bids from Niagara, Sault Ste. Marie and Kingston.

"In order to win the bid, I had to have two approvals. One from Dick Garber, as the majority owner of the team. He said, 'Let's do this!' Then I went to the (Saginaw) County commissioners and told them that, in order to win the bid, the building had to be prepared and up to the Memorial Cup standards" explained Craig Goslin, president of the Saginaw Spirit hockey franchise. "For that, we needed a lot of renovations, including our suites and dressing rooms. The commissioners agreed, saying, 'You go win the bid, and we'll get this done for you.'"

The county spent approximately \$20,000 to prepare architectural estimates and renderings of the improvements at the facility. Board Chairman Christopher Boyd and the Board of Commissioners adopted a resolution to purchase, acquire and construct capital improvements and to publish notice of intent to issue bonds.

Saginaw County lands 'Final Four' of Canada

For the first time in the 104-year history of the Memorial Cup, Michigan will host the championship



MAC Policy Summit will feature analysis on county services report

A MAC-commissioned report on the services that counties provide to other local governments will be reviewed at the MAC Policy Summit set for Dec. 7, 2023.

The fee to attend the summit at the Kellogg Center in East Lansing is \$50. This includes registration, lunch and continental breakfast.

For members who cannot make it to mid-Michigan, MAC will offer digital access for a \$50 fee. (Please note, however, that digital access will be viewing only, not interactive.)



In addition to the services reported, the event will include presentations on:

- The effects of juvenile justice reform legislation
- The ongoing challenge of providing health care to county jail inmates
- Proposals to create a statewide septic code

The event will begin at 9 a.m. on Dec. 7. MAC also has secured a small room block at the Kellogg Center for members wishing to come down the evening of Dec. 6.

For complete registration details, visit MAC's events page: <https://micounties.org/conferences-2>.

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Once again this Veterans Day (Saturday, Nov. 11, 2023), the National Association of Counties (NACo) and the **National Association of County Veterans Service Officers** invite the nation's 3,069 counties, parishes, and boroughs to join Operation Green Light and show support for veterans by lighting our buildings green from Nov. 6-12. By shining a green light, county governments and our residents will let veterans know that they are seen, appreciated and supported.

For materials to participate, visit <https://www.naco.org/program/operation-green-light-veterans>. ♦



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Annual Conference capped by Board elections, 125th Anniversary celebration

COVER
STORY

BY: AIDAN BINFORD/MAC COMMUNICATIONS INTERN

In a moving address that included references ranging from the Civil War to Native American legend, newly installed MAC Board President Jim Storey of Allegan County rallied his fellow commissioners to prepare for a historic moment in Michigan at the capstone event of the 2023 Michigan Counties Annual Conference.

Storey, MAC's 115th president, spoke during the 125th Anniversary Gala on Oct. 2 at the Radisson Hotel in Kalamazoo, part of a gathering that drew nearly 300 county elected officers, appointed officials, speakers and others.

"Next year, voters will choose for the first time to entrust each of our 83 counties to commissioners elected to four-year terms," Storey told the gala audience. "It is a moment in the history of Michigan county government that opens the door for great opportunity and results if we are together."

"Getting ready for the four-year terms is an exciting prospect. It will give commissioners the time we need to examine how well we serve, to seriously evaluate current programs and services and to explore new areas in response to citizen requests," he added.

Plenary and workshop sessions at the conference focused on such issues as the use of opioid settlement dollars to detect and combat overdoses, the affordable housing crisis in Michigan and the work in Lansing to identify strategies to increase the state's population.

In regional caucuses, MAC members re-elected four colleagues to the MAC Board:



OUTGOING PRESIDENT STAN PONSTEIN LEADS MEMBERS THROUGH MAC'S POLICY PLATFORM DRAFTS DURING THE ANNUAL BUSINESS MEETING ON OCT. 3. (BROOKE PETERS PHOTOGRAPHY)

See more photos from conference on pages 26-27.

Storey (Region 3), Joe Bonovetz of Gogebic (Region 1), Richard Schmidt of Manistee (Region 2) and Stan Ponstein of Kent (At-large). After handing over the presidency to Storey for 2023-24, Ponstein moves to the role of immediate past president. Joining the duo as officers for the year are Melissa Daub of Wayne County (first vice president) and Antoinette Wallace of Macomb County (second vice president).

On Oct. 3, during their Annual Business Meeting, MAC members approved policy platforms developed by MAC's policy committees overseeing issue areas ranging from finance to agriculture and tourism.

"The conference was a great opportunity to celebrate MAC's 125 years of serving Michigan counties," said Stephan W. Currie, MAC's executive director. "Kalamazoo County was an excellent host and attendance was up from our 2022 event." ♦

"Plenary and workshop sessions at the conference focused on such issues as the use of opioid settlement dollars to detect and combat overdoses, the affordable housing crisis in Michigan and the work in Lansing to identify strategies to increase the state's population."

Principle of local control is at heart of energy zoning debate

BY MADELINE FATA/GOVERNMENTAL AFFAIRS ASSOCIATE



“Consumers Energy (CE) announced a plan to achieve 40 percent renewable energy by 2030, while DTE Energy said it would reach 65 percent renewable by 2028.”

The state and federal government have been strongly promoting clean energy programs in recent years. In 2020, Gov. Gretchen Whitmer signed an Executive Directive committing to pursue 100 percent carbon neutrality in Michigan by 2050. When Democrats won majority in the Legislature shortly after, both chambers pursued more environmentally friendly policies, including legislation to codify the governor’s clean energy goals in statute.

Similarly, President Joe Biden launched the Federal Sustainability Plan in 2021 to eliminate carbon emissions across federal operations by 2050. The president’s Inflation Reduction Act included \$27 billion in competitive funding as part of

the Environmental Protection Agency’s Greenhouse Gas Reduction Fund.

These large-scale initiatives prompted industry leaders to follow suit. Consumers Energy (CE) announced a plan to achieve 40 percent renewable energy by 2030, while DTE Energy said it would reach 65 percent renewable by 2028.

All of this is to say state and federal government officials, as well as utilities, have ambitious plans to reduce carbon emissions — and quickly. To accomplish their goals, energy providers are turning to solar panels and wind turbines. CE has referred to this moment in time as the “Solar Revolution” as developers line up to buy or lease land across the state.

At present, when a developer wants to build a solar facility, they must adhere to local zoning ordinances and engage with local elected officials and the public. The relationship between a developer and local is often fraught with conflict. There are at least three active legal cases in Michigan where a developer is suing a township over delaying project considerations or rejecting ordinance changes.

In search of consistency and stability, developers have teamed up with the governor's office and Democratic leadership. They've turned to Wisconsin for inspiration, where all siting and permitting authority for any solar project over 100 megawatts is reviewed by the Public Service Commission (PSC). However, developers have decided to pursue more restrictive conditions in Michigan, granting the PSC authority over any project larger than 50 megawatts.

The Michigan PSC consists of three governor-appointed officials whose primary function is "to serve the public by ensuring safe, reliable, and accessible energy and telecommunications services at reasonable rates." The PSC is not designed for zoning or land use matters of any kind, and all other types of energy facilities are currently subject to local zoning ordinances. Zoning is a vested interest of the local government.

By preempting local control, a county, township, city or village could not determine the location, size, setback distance, decibel level or any other criteria for a solar or wind facility. Additionally, locals would have no input on the construction, operation, use or maintenance of a solar or wind facility. If a county already has a solar or wind policy, practice, regulation, rule or ordinance, it would be null and void.

Twenty counties in Michigan have countywide renewable energy zoning ordinances. Each was carefully crafted by considering land availability, farmland capacity, the needs of property owners, and countless other factors. Under the proposed legislation, the only mechanism for locals to put a stop to a project is through intervention. This process is likely too expensive for most communities to pursue with no assurance of success. All the effort would be for naught and local voices would be lost.

It is worth noting that the view of developers is not unreasonable. With each legal dispute comes a substantial loss of time and money and having to consider

the variances across more than 1,800 separate local units of government is no small feat. However, this does not justify the elimination of local control.

MAC is working hard to preserve local control and those ordinances already in place. All 83 counties should be able to develop and adopt an ordinance of their own. If a county were to decide not to adopt an ordinance, only then should the regulating authority belong to the PSC. Eighty-three ordinances would undoubtedly be easier for developers to navigate, township and municipal leaders could have influence over the ordinance and, most importantly, counties have a unique ability to consider siting with a more regional perspective than other local units of government. ♦



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BY ERIC LUPHER AND ERIC PAUL DENNIS/CITIZENS RESEARCH COUNCIL OF MICHIGAN



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

“The 10 counties in the NWLP region have more than twice the property tax base as the NELP region, with per capita taxable value in the NWLP region (~\$75,000) well in excess of the NELP region (~\$54,000).”

Governments are created not equal. Specifically, counties, cities, villages and townships are home to communities with different levels of wealth. The income of residents is a key determinant of the services the governments will be called on to provide. The value of the property establishes the ability of the governments to fund services from own-source revenues.

Let’s use the two regions at the top of the mitten to illustrate this.

The 10 counties in the Northwest Lower Peninsula (NWLP) region average almost 32,000 people, led by Grand Traverse County with more than 96,000 residents. The 11 counties in the Northeast Lower Peninsula (NELP) region average almost 19,000 people, led by Alpena County with 29,000 residents.

With 161,200 in the labor force, the NWLP region has more than half of its population in the labor force. With 87,300 in the labor force, the NELP region has only 42 percent of its population in the labor force.

The 10 counties in the NWLP region have more than twice the property tax base as the NELP region, with per capita taxable value in the NWLP region (~\$75,000) well in excess of the NELP region (~\$54,000).

Other than the area immediately surrounding Traverse City and the wealth of Leelanau County, both regions are dealing with similar rural Michigan issues. Rural poverty is apparent.



To the extent that lumber and industry have been replaced, it has been by lower-paying tourism jobs.

What does this mean for public policy?

First, it suggests that state revenue sharing for county governments should recognize varying fiscal capacity and fiscal needs. Revenue sharing for county governments currently is distributed on a per capita basis. The distribution formula instead should be weighted to account for variances in population density and the relative property tax wealth of the counties.

Second, county officials should look for opportunities to collaborate.

The collaboration opportunities for cities, villages and townships in these regions are limited because there are variances in the menus of services the rural townships and the more urban cities/villages provide. There is much more uniformity in service provision among the counties.

The functions performed by county clerks, treasurers and registers of deeds could be performed more efficiently through collaboration. Human services provide opportunities for multi-county collaboration. Opportunities for collaboration in court services are decided by the State Court Administrator's Office, but counties provide Friend of the Court services that could be provided jointly.

Finally, the economics of the regions become more acute at the county level, and even more acute for individual cities, villages and townships. Counties should seek opportunities to perform functions for their local governments and in collaboration with them. These services could include human resource and payroll functions; fiscal functions that deal with property assessment, accounting, purchasing, and banking operations; and information technology functions, geographic information system (GIS) mapping and website maintenance.

The new elections requirements added to the Michigan Constitution in 2022 will be more easily implemented on a multi-jurisdictional basis. Counties can facilitate these opportunities.

Whether through departments of public works or in collaboration with county road commissions, counties can help to ease the road maintenance responsibilities of cities and villages.

Counties are endowed with varying fiscal capacities, but the services they provide are fairly uniform. The state should be doing more to equalize the ability of counties to serve their residents. Counties, such as those with limited capacity, should be working together to better serve their residents. ♦



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Right to Farm Act can preempt local authority — but not all local regulations

BY BRAD NEUMANN/MICHIGAN STATE UNIVERSITY EXTENSION

“Some courts have concluded commercial agricultural operations are able to establish in any local zoning district based on the broad RTFA preemption language.”



Examples of federal and state preemption of local authority abound. Most are straightforward. For example, Michigan State Police communication towers are not subject to local government regulation. Others are more complicated, such as the Michigan Right to Farm Act (MCL 286.471 et seq.).

With the Right to Farm Act (RTFA), there are some things about agriculture that can be regulated locally, other things that cannot, some that are delegated back to local government to regulate in specific instances, and unsettled case law over some aspects of all of this!

To attempt to sort out local preemption on the topic, start by asking a specific series of questions:

1. Is it a “farm operation?” (MCL 286.472(b))
2. Is it producing “farm products?” (MCL 286.472(c))
3. Is it commercial?

The definitions of those terms are very broad and all inclusive. For example, “commercial” can be as little as selling one egg in a year – there is no minimum threshold for “commercial.”

A fourth question may also apply:

- Does the operation follow Generally

Accepted Agricultural and Management Practices (GAAMPs)?

If the answer is “yes” to each of the three (or four) questions, then the land use or activity falls under the RTFA. If the activity falls under the RTFA, then certain local regulations are preempted. Importantly, a farmer does not have to follow GAAMPs, so some municipal attorneys believe this is an irrelevant question for determining whether local regulation applies. If one or more of the questions is answered “no”, then the RTFA does not apply, and local regulations do apply.

If the activity falls under the RTFA, next determine what specific local regulations are preempted and what local regulations can still be enforced. If the topic of the regulation is already covered in the RTFA or in any of the published GAAMPs, then local government cannot regulate it. If the topic is not in the RTFA or not in any of the GAAMPs, then local regulation can still apply.

The RTFA includes a few specifics, in particular stating the conversion from one or more type of farm to others cannot be prohibited (MCL 286.472(b)(ix)). Michigan Attorney General Opinion 7302 (March 28, 2018) concluded that a local government ordinance cannot regulate any of the following due to MCL 286.474(6):

1. Limit the number of livestock per acre,
2. Require a site plan be submitted to and

3. Limit manure application to fields in which the farmer owns or holds a 7-year lease,
4. Specify manure application methods, and
5. Require a comprehensive nutrient management plan to be submitted to and approved by the local unit of government.

The opinion also states: “Although the Right to Farm Act’s preemption language is broad, it is ‘only those ordinances, regulations and resolutions by local units of government that either purport to extend or revise or that conflict with the [Right to Farm Act] or the GAAMPs [that] are improper.’”

However, the GAAMPs cover a much larger range of topics and an annual effort is made to keep the eight sets of GAAMPs current with best practices. A further complication is some GAAMPs delegate authority back to the local government.

Also, can a zoning ordinance even restrict agriculture to certain zoning districts? Some courts have concluded commercial agricultural operations are able to establish in any local zoning district based on the broad RTFA preemption language. At the same time, other court cases suggest the Legislature never intended RTFA to be used “... as a sword...” to thwart the enforcement of local ordinances.

What is clear: A local government cannot choose which type of farm operation is permitted in a zoning district. If agriculture is allowed, then all types of farming need to be allowed, due to the explicit statutory allowance to convert from one farm activity to others. ♦

A version of this article was originally published by Michigan State University Extension at https://www.canr.msu.edu/news/right_to_farm_act_can_preempt_local_regulation_authority_but_not_all_local.

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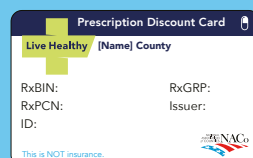
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The brave new world of ChatGPT

BY AL VANDERBERG/KENT COUNTY ADMINISTRATOR/CONTROLLER

“ChatGPT is a ‘large language model-based chatbot’ that can help users to immediately access information in a desired length, format and level of detail.”

One of the goals that has been consistent over my career is to keep myself and the organizations that I have served on the cutting edge (but not the bleeding edge) of new technology as it begins to be utilized by local governments. “New” technology changes that I have grown up with and benefited from include calculators; voice mail; fax machines; personal computers; bag phones; car phones, Blackberry’s; the internet; laptops; cell phones; smartphones; iPads; and AI.

All of these improved our ability to get more work done faster and better. Our expectations for response to our inquiries and messages went from days and weeks to hours, minutes, and seconds. Instead of freeing up time for leisure, these innovations allowed us to pack more and more into a workday and even non-work hours.

ChatGPT is a “large language model-based chatbot” that can help users to immediately access information in a desired length, format and level of detail. ChatGPT can produce research papers, lists, graphs, dashboards and legal briefs, to name just a few uses. I participated on a panel for the Grand Rapids Area Chamber of Commerce Policy Forum recently and used ChatGPT to help order my brain prior to the event.

We asked ChatGPT two questions: What makes a metropolitan area great? What can county government do to contribute to a successful regional economy?

ChatGPT delivered more than 100 categorically organized responses. I already had knowledge and years of experience related to each item on the list. ChatGPT was a huge time-saver for me in this instance, as I didn’t have to research and organize information prior to the event.

A key point: I already knew the information and was using ChatGPT to organize it for me quickly. My Grand Valley State University students are not supposed to use ChatGPT when they write papers, however, as they do not already have the knowledge in their heads, and it could be used as a tool to falsely represent their knowledge.

Though ChatGPT is a powerful tool, it remains a work in progress. It does not always deliver correct answers and sometimes solves problems beyond what was asked.

I would discuss the use of ChatGPT with your county IT director if it is to be used for business purposes so possible security issues are addressed upfront. With that said, I have spoken to leaders of several organizations who are providing training for their employees on ChatGPT.”



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Kalamazoo County using ARP funds to combat gun violence

BY AIDAN BINFORD/MAC COMMUNICATIONS INTERN

In a unique approach on American Rescue Plan (ARP) funds, Kalamazoo County is teaming up with the city of Kalamazoo to combat gun violence. Both the city and the county have agreed to leverage \$1 million in ARP money for the project, declaring gun violence to be a public health crisis in a community that has suffered 10 gun fatalities since April.

“We are working with the Kalamazoo Community Foundation and other partners within our county to come up with a blueprint that looks at ways of making an impact on gun violence,” said Kalamazoo County Administrator Kevin Catlin. “This could include addressing the mental health crisis, investing in youth programs, or looking at housing and economic support to address the root causes of violence.”

Catlin said the blueprint, known as the Kalamazoo Blueprint for Peace, is before an ad hoc gun violence subcommittee in consultation with the Kalamazoo Community Foundation. Next would be a full recommendation to the county Board of Commissioners on action steps.

The county, which has seen 110 gun-related criminal offenses in the last six months, is

tracking the effectiveness of the program through an analysis of crime statistics in the area. “We’re looking at dispatch data, police department data, and prosecution data, too, because we want to make sure that there’s some tie-in with prosecution in the courts,” said Catlin.

While the current focus is on gun violence in Kalamazoo County, Caitlin didn’t rule out the possibility of partnering with other localities to handle gun violence on a larger scale. “There are some partnerships between the Kalamazoo Department of Public Safety and the Grand Rapids Police Department,” said Catlin. “We want to concentrate on Kalamazoo County first, though, and try to understand (the situation). But there may be a point where Kent County and Kalamazoo County, as well as their police departments, are trying to partner on a larger scale.”

Catlin hoped the impact made by the Kalamazoo Blueprint for Peace could serve as a model for other counties around the state. “All you can do is try to make a robust impact to drive down crime to make your community as safe as possible,” said Catlin. “We all don’t want children and adults shot and killed; we want people to be with their families.” ♦



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.

“The county, which has seen 110 gun-related criminal offenses in the last six months, is tracking the effectiveness of the program through an analysis of crime statistics in the area.”

What do action steps look like in action?

Increase public access to data transparency and accountability

- The Blueprint's Coordinating Council will be refining data points for the first three years of implementation
- We are currently working with the Upjohn Institute and other partners

Strengthen capacity and alignment of local CVI efforts

- We are working with KVCC, Urban Alliance, and other partners on what a CVI Academy would like for our region- this would be the first in Michigan
- Our CVI Curriculum Design Team will be meeting for the first time in August

Increase community awareness and use of transformative practices and diversion programs for youth and adults

- This has become a focus in the community with existing groups- they are working on building out youth diversion

1. Leverages existing resources and capacity

2. Political will

3. Community will

4. Compliments other local efforts/interventions

AN OUTLINE OF ACTION STEPS FOR THE KALAMAZOO BLUEPRINT FOR PEACE PROVIDED BY THE KALAMAZOO COMMUNITY FOUNDATION SHOWS THE COUNTY'S UPCOMING PLANS TO CURB GUN VIOLENCE.

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Law enforcement training academy expenses are now recoverable in repayment agreements

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.

Law enforcement agencies, including County Sheriff's Offices, face the challenge of recruiting and retaining law enforcement officers. Many agencies are willing to pay the cost of police academy training for a recruit, if the recruit agrees to remain employed with the agency for a minimum period of time, in order to recoup the benefit of the expense paid.

Until recently, this arrangement was determined to be contrary to a provision in the Wages and Fringe Benefits Act, by which an employer is prohibited from demanding or receiving, directly or indirectly, a fee or any form of remuneration from a prospective employee as a condition of employment

or continuation of employment. See *Sands Appliance Servs, Inc v Wilson*, 463 Mich 231; 615 NW2d 241 (2000), citing MCL 480.478. Law enforcement agencies that paid for the police academy had no recourse when the newly trained employee resigned within a short period of time.

To address that dilemma, MCL 408.478 was recently amended by the enactment of 2023 PA 43 and 44 (effective on June 13, 2023). The law now permits a law enforcement agency to enter into an enforceable agreement with a prospective employee to pay the costs of law enforcement training academy, and to collect repayment of those costs on a proportionate basis if the employee voluntarily leaves

employment in less than four years. The terms “law enforcement agency” and “law enforcement training academy” as used in the statute are as defined in the MCOLES Act, MCL 28.601 et seq.

This new law specifically applies to signed agreements entered into on or after June 13, 2023. The agreement must state:

- (a) that the law enforcement agency will pay the cost of a law enforcement training academy required for that employee to obtain a license under the MCOLES Act, i.e., certification as a law enforcement officer,
- (b) the conditions under which payment of the training costs will be made and under which repayment by the employee may be required, and
- (c) that reimbursement from the employee will be waived if the employee is not required to be licensed as a law enforcement officer within a set period of time after the employee’s law enforcement training academy ended.

By statute, the employee may be required to repay the agency:

- (a) 100% of the cost of the training academy expenses if he or she voluntarily leaves employment with the agency within the first year of employment,
- (b) 75% of the costs if voluntarily leaving within the second year,

- (c) 50% of the costs if voluntarily leaving within the third year, and
- (d) 25% of the costs if voluntarily leaving within the fourth year. The costs to be recovered may not exceed the amount of the employee’s salary for the first year of employment with the agency.

Additionally, the agency’s recovery is waived if the employee is not required to be licensed as a law enforcement officer. The waiver occurs:

- (a) one year after the employee voluntarily leaves employment within one year after the date the employee’s law enforcement training academy ended, and
- (b) two years after the employee voluntarily leaves employment more than one year but less than four years after the date the employee’s law enforcement training academy ended.

Separately, Public Acts 43 and 44 also expressly permits any employer (not limited to a law enforcement agency) to collect from an employee under an optional education repayment agreement, in which the employer offers to fund an employee’s education, with the understanding that the employee will repay the costs incurred unless the employee remains with the employer for a specific period. This aspect of the new law does not limit the employer’s right to remuneration to only those employees who “voluntarily” leave employment. ♦

“The law now permits a law enforcement agency to enter into an enforceable agreement with a prospective employee to pay the costs of law enforcement training academy, and to collect repayment of those costs on a proportionate basis if the employee voluntarily leaves employment in less than four years.”



83 COUNTIES MANY MORE STORIES

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A photograph of a white lighthouse situated on a dark, rocky pier extending into a body of water. The scene is captured during sunset or sunrise, with a warm, orange-hued sky and a calm sea reflecting the light. A group of people is visible standing on the pier near the lighthouse. The overall mood is serene and professional.

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Sen. Veronica Klinefelt

LEGISLATOR
Q&A

What is the most pressing issue facing Michigan?

I think the loss of civility and the inability of people in different parties to work together.

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

Counties are directly involved in most of the services that are provided to residents. They maintain roads, run the health departments, maintain the jails, oversee the court systems, and are involved in small business development and many other services -- too many to name.

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

I tend to focus on good government, as opposed to the issue of the day. I'm very comfortable building relationships on the other side of the aisle to solve problems.

As a former county commissioner, what importance do you place on the need for a stable and growing funding source for revenue sharing?

It's extremely important for stability at the township, city, and county levels. Without that stability, there is no stability in the services provided.

As a member of the Senate Appropriations Committee, what did you find to be the most challenging or most rewarding part of the development of the fiscal 2024 budget?

Most challenging was overseeing a section of the budget, on the Senate side, where there were easily \$2 billion dollars' worth of requests and I only had a few million undesignated dollars to work with. Most rewarding was being able to steer the money to projects where there was a critical need and ultimately having a positive impact on the residents in this state.



Name:
Sen. Veronica Klinefelt

District/counties:
11th /Macomb

Committees:
Appropriations;
Health Policy;
Local Government;
Transportation and Infrastructure;
Veterans and Emergency Services;
Appropriations subcommittees on General Government, PreK-12, Department of Education, Military/Veterans, State Police and Transportation

Term: First

Previous public service: Macomb County commissioner (10 years); Eastpointe City Council member and mayor pro tem (8 years); East Detroit School Board (6 years)

MEET YOUR MAC BOARD



Donald "Jay" O'Farrell

Name: Donald "Jay" O'Farrell

County/MAC Region: Iosco/
Region VI

Position: Director

County Service: Iosco County commissioner (2011-present), board chair (2021-present)

Profession: Public service

Previous Public Service: Lieutenant, Pittsfield Township Police Department; councilman, city of Whittemore

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

With American Rescue Plan funding to expire in 2024, it will be a struggle to institute and manage County budgets in order to maintain programs that were developed using these funds. As county commissioners, we know that rural communities have unique challenges. It is an unfortunate reality that no one county can stand alone. We must collaborate in order to support all 83 counties to provide the utmost care and provision of quality services.

Sights from the 2023 Annual Conference



PLENARY SESSIONS OF THE CONFERENCE HEARD FROM (CLOCKWISE): 1. WORKPLACE STRATEGIST JEFF BUTLER; 2. YARROW BROWN OF HOUSING NORTH; AND 3. MAC EXECUTIVE DIRECTOR STEPHAN CURRIE, AMONG OTHERS. (BROOKE PETERS PHOTOGRAPHY)



DEENA BOSWORTH PRESENTED HER SEMI-ANNUAL "LEGISLATIVE UPDATE" AFTER BEING INTRODUCED BY STATE REP. JULIE ROGERS OF KALAMAZOO, A FORMER MAC BOARD DIRECTOR. (BROOKE PETERS PHOTOGRAPHY)



KALAMAZOO COUNTY BOARD CHAIR JOHN TAYLOR WELCOMES COLLEAGUES TO KALAMAZOO COUNTY FOR THE 2023 ANNUAL CONFERENCE. (BROOKE PETERS PHOTOGRAPHY)



STAN PONSTEIN (RIGHT) ASSISTS STEPHAN CURRIE WITH THE MAC SERVICE CORP. RAFFLE, WHICH PRESENTS CASH PRIZES AT EVERY MAC CONFERENCE. (BROOKE PETERS PHOTOGRAPHY)

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