



# AGENDA

## FULL COMMISSION MEETING

Tuesday, August 24, 2021, 9:30 a.m.

### In-Person Attendance:

SWMPC Office  
376 W. Main Street, Suite 130  
Benton Harbor, MI

OR

### Join Via Zoom:

<https://zoom.us/j/94413675907?pwd=UDh5LzhwMHVVeTlhVDBUZ1NUY0JhQT09>

Meeting ID: 944 1367 5907

Passcode: 414343

One tap mobile

+13126266799,,94413675907#,,,,\*414343# US (Chicago)

### 1. CALL TO ORDER

Chair Teri Sue Freehling

Pledge Allegiance  
Roll Call

### 2. ACCEPTANCE AND/OR REVISION OF CONSENT AGENDA

- a. Meeting Agenda \*
- b. Minutes of Commission Meeting, June 15, 2021 \*
- c. Chairman's Report
- d. Treasurer's Report\*

### 3. EXECUTIVE DIRECTOR'S REPORT *\*Accept*

Dir. Egelhaaf

### 4. AD HOC COMMITTEE FOR EX. DIRECTOR EVALUATION

Chair Freehling

### 5. SWMPC REGIONAL TRANSPORTATION WORK PLAN\* *Approve*

Dir. Egelhaaf

### 6. PLANNER PRESENTATION

Dir. Egelhaaf

*SW Michigan Food Branding Project*

### 7. SUPPORT OF HB 5037

*Changes Proposed to PA 188 for Broadband Expansion via Township Special Assessment*

### 8. PUBLIC COMMENT

### 9. PRIVILEGE OF THE FLOOR

### 10. ADJOURNMENT

*\*enclosures* (Next meeting will be held October 19, 2021 tentative location: Berrien County Health Dept.)

*SWMPC Mission: Our team uses its passion and expertise to connect people, assist communities, and advance cooperative solutions to regional challenges experienced by the communities that created us.*

# **MINUTES**

Southwest Michigan Planning Commission

Full Commission Meeting

Tuesday, June 15, 2021, 9:30 a.m.

Meeting Held Remotely Via Zoom

## **MEMBERS PRESENT:**

Freehling, Teri Sue, Chair, Berrien County Commissioner  
Marchetti, Roseann, Vice Chair, Cass County Commissioner  
Akinwale, Yemi, Treasurer, Berrien County Representative  
Preston, Linda, Secretary, Cass County Representative  
Gundersen, Kristen, Alternate Secretary, Berrien County Representative  
Remus, Richard, Alternate Treasurer, Berrien County Representative  
Curran, Jim, Berrien County Commissioner  
DeLong, Don, Cass County Representative  
Doroh, Kurt, Van Buren County Commissioner  
Fette, Dan, Berrien County Representative  
Foerster, David, Van Buren County Representative  
Hanson, Don, Van Buren County Commissioner  
Hanson, Sandra, Van Buren County Representative  
Janssen, Judy, Van Buren County Representative  
Meeks, Donnie, Berrien County Commissioner  
Morris, Zach, Van Buren County Economic Development Ex-Officio  
Pantaleo, Paul, Berrien County Representative  
Patterson-Gladney, Gail, Van Buren County Commissioner  
Payne, Gloria, Berrien County Representative  
Stauffer, Dick, Berrien County Representative  
Torzynski, Robert, Pokagon Band Representative

## **MEMBERS ABSENT:**

Laylin, Leon, Cass County Representative  
Newton, Matthew, Van Buren County Representative  
Schueneman, James, Berrien County Representative  
Stover, Jim, Berrien County Representative  
Tyler, Doug, Cass County Representative

## **STAFF PRESENT:**

K. John Egelhaaf, Executive Director  
Patrice Rose, Office Manager  
Kim Gallagher, Senior Planner

**1. CALL TO ORDER**

Chair Teri Sue Freehling called the meeting to order at 9:33 a.m. and led those present in the Pledge of Allegiance. Office Manager, Patrice Rose took roll call and a quorum was present.

**2. ACCEPTANCE AND/OR REVISION OF CONSENT AGENDA**

Chair Freehling presented the Agenda. Kurt Doroh moved to “**ACCEPT THE CONSENT AGENDA AS PRESENTED.**” Roseann Marchetti seconded. A roll call vote was taken, the motion carried.

**3. EXECUTIVE DIRECTOR’S REPORT**

Director Egelhaaf gave a brief overview of the report, highlighting the Three Oaks Asset Management Plan, the SWMPC Goals that are continuing to improve with staff input and the SWMPC Back to Work Plan. Gail Patterson Gladney inquired about the intern and is pleased that we have an intern program. Yemi Akinwale moved to “**ACCEPT THE EXECUTIVE DIRECTOR’S REPORT.**” Don DeLong seconded the motion, which carried.

**4. 2022 NATS & TWINCATS UNIFIED WORK PROGRAMS**

Director Egelhaaf presented the NATS & TWINCATS 2021 Unified work Programs.

- **FY 2022 NATS Unified Work Program**

Roseann Marchetti moved to “**APPROVE THE NATS UNIFIED WORK PROGRAM AS PRESENTED.**” Gail Patterson-Gladney seconded. A roll call vote was taken and the motion was approved.

- **FY 2022 TwinCATS Unified Work Program**

Paul Pantaleo moved to “**APPROVE THE TWINCATS UNIFIED WORK PROGRAM AS PRESENTED.**” Dick Stauffer. A roll call vote was taken the motion was approved.

**5. SWMPC 2020 ANNUAL REPORT**

Director Egelhaaf presented the SWMPC Annual Report, highlighting the new approach taken and the reporting of key projects in the report, as opposed to reporting on all projects. He solicited comments and feedback. Overall, the Annual Report was well received. Dick Stauffer stated that he is impressed with the document. Kurt Doroh asked if the report is going out to the counties. Egelhaaf stated that once it is approved it will be made available on the SWMPC website. Kurt Doroh moved to “**APPROVE THE SWMPC 2020 ANNUAL REPORT.**” Gail Patterson-Gladney seconded the motion. A roll call vote was taken and the motion carried.

**6. PLANNER PPRESENTATION – KIM GALLAGHER**

Senior Planner, Kim Gallagher presented on the topic of *Metropolitan Transportation Planning – What projects and changes has the federal response to COVID brought about in SW Michigan.* Topics covered were COVID Relief Funding related to transit and roads. Discussion followed.

**7. PUBLIC COMMENT**


None

**8. PRIVILEGE OF THE FLOOR**

**9. ADJOURNMENT**

The Chair declared the meeting adjourned at 10:48 a.m.

Respectfully submitted by:



K. John Egelhaaf, AICP

Date: June 15, 2021

*SWMPC Mission Statement*

*Our team uses its passion and expertise to connect people, assist communities and advance cooperative solutions to regional challenges experienced by the communities that created us.*

# Southwest Michigan Planning Commission

## Balance Sheet

July 31, 2021

### ASSETS

#### Current Assets

##### Checking/Savings

1010 - Petty Cash	65.00
1020 - Checking	396,266.20
1060 - CD	81,112.55

Total Checking/Savings 477,443.75

##### Accounts Receivable

1100 - Accounts Receivable	50,670.71
1110 - A/R Grants	4,116.69

Total Accounts Receivable 54,787.40

##### Other Current Assets

1499 - Security Deposit - 376 W. Main	11,220.00
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Total Other Current Assets 11,220.00

Total Current Assets 543,451.15

#### Fixed Assets

1350 - Furniture and Equipment 42,229.00

1360 - Accumulated Depreciation -38,640.00

Total Fixed Assets 3,589.00

**TOTAL ASSETS 547,040.15**

### LIABILITIES & EQUITY

#### Liabilities

##### Current Liabilities

##### Other Current Liabilities

##### 2400 - Payroll Liabilities

2438 - HSA	21.24
2440 - Federal Withholding	1,353.00
2450 - Medicare Payable	512.18
2460 - FICA Payable	2,190.00
2480 - State Withholding	1,275.18
2490 - Michigan UIA Payable	14.79
2495 - Benton Harbor withholding	150.98
2400 - Payroll Liabilities - Other	3,167.78

Total 2400 - Payroll Liabilities 8,685.15

Total Other Current Liabilities 8,685.15

Total Current Liabilities 8,685.15

##### Long Term Liabilities

2260 - Accrue Annual Leave	32,523.42
2290 - SJ Watershed Escrow	1,207.99
2300 - NATS-FHWA-Escrow	2,591.54
2310 - NATS-FTA-Escrow	13,901.33
2320 - TCATS-Escrow	19,397.05
2340 - EDA Escrow	409.09

Total Long Term Liabilities 70,030.42

Total Liabilities 78,715.57

#### Equity

32000 - Unrestricted Net Assets 244,073.29

Net Income 224,251.29

Total Equity 468,324.58

**TOTAL LIABILITIES & EQUITY 547,040.15**

**Southwest Michigan Planning Commission**  
**Profit and Loss Statement**  
**July 2021**

	Jan - Jul 2021	YTD Budget	Annual Budget	Under/Over Budget
<b>Income</b>				
4000 - Federal Grant	218,141.17	411,405.30	705,266.20	31%
4010 - State Grant	31,207.26	12,464.45	21,367.60	146%
4020 - County Contribution	59,925.00	59,925.01	59,925.01	100%
4030 - Local Match	66,559.28	45,153.45	77,405.95	86%
4040 - Local Contract	168,954.20	127,852.04	219,174.89	77%
4050 - Other Fee Income	0.00	0.00	0.00	
4080 - In-Kind	0.00	0.00	0.00	
4090 - Donations	146.00	0.00	0.00	
4100 - Interest Income	40.07			
4900 - Gain/Loss on Sales of Assets	0.00			
<b>Total Income</b>	<b>544,972.98</b>	<b>656,800.25</b>	<b>1,083,139.65</b>	
<b>Gross Profit</b>	<b>544,972.98</b>	<b>656,800.25</b>	<b>1,083,139.65</b>	
<b>Expense</b>				
6000 - Direct Expenses				
6200 - Salaries	181,246.93	238,052.05	408,089.20	44%
6220 - Payroll Taxes	13,866.82	18,210.97	31,218.82	44%
6230 - Pension Expenses	7,075.84	15,473.38	26,525.80	27%
6240 - Employee Insurance	60,660.14	71,415.61	122,426.76	50%
6300 - Mileage & Travel	699.78	11,609.39	19,901.84	4%
6310 - Meals	31.64	1,595.42	2,735.00	1%
6315 - Lodging	0.00	3,208.35	5,500.00	0%
6320 - Telephone	0.00	0.00	0.00	
6330 - Printing	0.00	1,750.00	3,000.00	0%
6340 - Postage	1.40	70.00	120.00	1%
6410 - Dues & Subscriptions	2,188.97	816.65	1,400.00	156%
6420 - Supplies & Materials	1,620.05	10,113.64	17,337.66	9%
6430 - Computer Services	20,576.25	5,886.74	10,091.59	204%
6440 - Advertising	0.00	160.40	275.00	0%
6500 - Conferences & Training	90.00	1,064.60	1,825.00	5%
6520 - Rent & Janitorial	0.00	0.00	0.00	
6530 - Local Cash in-kind	0.00	0.00	0.00	
6540 - Contractual Svcs-OnSite	9,800.00	19,833.35	34,000.00	29%
6550 - Contractual Svcs-OffSite	60,540.00	108,120.85	185,350.00	33%
6610 - Equipment	301.57	303.35	520.00	58%
6620 - Equipment Rental	0.00	0.00	0.00	
6630 - Equipment Maintenance	0.00	0.00	0.00	
6710 - Legal Services	0.00	0.00	0.00	
6715 - Audit Services	8,800.00	4,316.65	7,400.00	119%
6720 - Accounting Services	0.00	2,741.65	4,700.00	0%
6730 - Insurance Corporate	0.00	3,249.15	5,570.00	0%
6740 - Depreciation	0.00	0.00	0.00	
6950 - General Commission Expenses	0.00	875.00	1,500.00	0%
6960 - Commissioner Mileage	0.00	583.35	1,000.00	0%
6970 - Commissioner Per Diem	0.00	1,779.15	3,050.00	0%
6980 - Bank Fees	10.00	32.09	55.00	18%
6985 - Contingency	-2,980.78	0.00	0.00	
6990 - Pass Thru	0.00	0.00	0.00	
6000 - Direct Expenses - Other	0.00			
<b>Total 6000 - Direct Expenses</b>	<b>364,528.61</b>	<b>521,261.79</b>	<b>893,591.67</b>	
7000 - Indirect Expenses				
7200 - Salaries-Indirect	82,556.56	92,145.54	157,963.79	52%
7220 - Payroll Taxes-Indirect	7,071.20	7,049.13	12,084.23	59%
7230 - Pension Expenses-Indirect	1,878.73	5,989.45	10,267.65	18%
7240 - Employee Insurance-Indirect	26,727.86	27,643.67	47,389.14	56%
7300 - Mileage & Travel-Indirect	28.18	74.92	128.42	22%
7310 - Meals-Indirect	0.00	0.00	0.00	
7315 - Lodging-Indirect	0.00	0.00	0.00	
7320 - Telephone-Indirect	1,236.20	1,580.39	2,709.24	46%
7330 - Printing-Indirect	0.00	0.00	0.00	
7340 - Postage-Indirect	830.42	502.37	861.22	96%
7410 - Dues & Subscriptions-Indirect	976.10	927.50	1,590.00	61%
7420 - Supplies & Materials-Indirect	3,417.39	3,071.95	5,266.20	65%
7430 - Computer Services-Indirect	14,819.89	20,876.14	35,787.64	41%
7440 - Advertising-Indirect	0.00	0.00	0.00	
7500 - Conferences & Training-Indirect	0.00	0.00	0.00	
7520 - Rent & Janitorial-Indirect	40,520.00	47,514.20	81,452.92	50%
7530 - Local Cash in-kind-Indirect	0.00	0.00	0.00	
7540 - Contract Svcs-OnSite-Indirect	0.71	0.00	0.00	
7550 - Contract Svcs-OffSite-Indirect	14.29	0.00	0.00	
7610 - Equipment-Indirect	0.00	161.95	277.63	0%
7620 - Equipment Rental-Indirect	0.00	268.51	460.31	0%
7630 - Equipment Maintenance-Indirect	0.00	423.96	728.81	0%
7710 - Legal Services-Indirect	0.00	0.00	0.00	
7715 - Audit Services-Indirect	0.00	0.00	0.00	
7720 - Accounting Services-Indirect	1,586.80	3,466.71	5,942.91	27%
7730 - Insurance Corporate-Indirect	540.50	4,151.44	7,116.74	8%
7740 - Depreciation-Indirect	0.00	0.00	0.00	
7950 - General Commission Exp-Indirect	0.00	0.00	0.00	
7960 - Commissioner Mileage-Indirect	0.00	0.00	0.00	
7970 - Commissioner Per Diem-Indirect	0.00	0.00	0.00	
7980 - Bank Fees-Indirect	87.01	12.72	21.80	399%
7985 - Contingency	2,979.92	3,840.71	6,584.06	45%
7990 - Pass Thru-Indirect	0.00			
7000 - Indirect Expenses - Other	0.00			
<b>Total 7000 - Indirect Expenses</b>	<b>185,271.76</b>	<b>219,701.26</b>	<b>376,630.71</b>	
9000 - Payroll Expenses				
<b>Total 9000 - Payroll Expenses</b>	<b>-5.94</b>			
<b>Total Expense</b>	<b>549,794.43</b>	<b>740,963.05</b>	<b>1,270,222.38</b>	
<b>Net Income</b>	<b>-4,821.45</b>	<b>-84,162.80</b>	<b>-187,082.73</b>	



## **SOUTHWEST MICHIGAN PLANNING COMMISSION**

376 West Main Street, Suite 130, Benton Harbor, MI 49022

Phone: 269-925-1137 • Website: [www.swmpc.org](http://www.swmpc.org)

### **MEMORANDUM**

**TO:** Southwest Michigan Planning Commission

**FROM:** K. John Egelhaaf

**DATE:** August 13, 2021

**RE:** Staff Report for the Southwest Michigan Planning Commission August 24, 2021

#### **A. General Office Updates**

- a. Latest SWMPC COVID 19 Response
  - i. Staff not required to work on-site
  - ii. Masks required for unvaccinated
  - iii. Vaccinated can choose to wear a mask
    - 1. If other staff are in conference with or otherwise sharing relative proximity with a mask-wearer, they are expected to wear a mask too
- b. New SWMPC Website Continues Forward – Launch by October 1
- c. Complete Re-evaluation of SWMPC Bookkeeping & Financial Management
  - i. Kick-Off by October 1 (maybe sooner depending on consultant availability)
  - ii. Yeo & Yeo – Winning Proposal

#### **Project Updates**

##### **B. Palisades Nuclear Economic Recovery Initiative**

- a. \$1,211,577 Total Project Cost
  - i. US DOC EDA \$969,261
  - ii. Consumers Energy Foundation \$140,000
  - iii. Michigan Dept. of Treasury \$53,000
  - iv. Michigan Housing Development Administration \$50,000
- b. Three-Year Project – Began June 21, 2021

##### **C. SW Michigan COVID 19 Economic Recovery Strategy**

- a. \$400,000 Total Project Cost – 100% US DOC EDA Funds
- b. Two-Year Project – Began July 2020 to be Completed June 2022
- c. Two Phase
  - i. Data Phase
  - ii. Economic Ecosystem Mapping Phase
- d. What Impact Did COVID Have on SW MI Economy?
- e. How Can We Build in Better Resiliency in the Future?

## **SWMPC Staff Report – August 24, 2021**

### **D. ARPA Funding Call for Projects**

- a. \$3B Available through US DOC EDA
  - i. Build Back Better Regional Challenge - \$1B
  - ii. Good Jobs Challenge (skills training) - \$500M
  - iii. Economic Adjustment Assistance Challenge - \$500M
    - 1. \$300M for Coal Communities
    - 2. Most flexible program – plan, build, innovate, construction & non-construction
  - iv. Indigenous Communities Challenge - \$100M
    - 1. Planning, workforce dev, entrepreneurship, public works, infrastructure
  - v. Travel, Tourism, and Outdoor Recreation Grants - \$750M
    - 1. Recovery for the sectors associated
    - 2. \$510 M – State tourism grants, non-competitive to states
    - 3. \$240 M – Competitive grants
  - vi. Statewide Planning, Research, and Networks Grants - \$90M
    - 1. \$59 M in statewide planning grants
    - 2. \$31 M research & network grants to understand impacts of EDA grants

### **E. Statewide Mobility Management Work Group**

- a. Kim Gallagher (Senior Transportation Planner) Represents SWMPC
  - i. One of 4 members of a statewide team
  - ii. Produce guidance & requirements for Michigan's Mobility Management Program
    - 1. Create consistency with program goals
    - 2. Greater access to transportation for Michiganders

### **F. US 12 Garage Sale**

- a. SWMPC Manages Michigan's Longest Garage Sale
- b. Part of SWMPC's Management of the US 12 Heritage Trail
- c. August 13-15<sup>th</sup>

### **G. 2021 Road Asset Management Ratings Completed**

- a. 100% Federal Aid Eligible Roads in all Three Counties
- b. Additionally, Communities that Requested Local Road Ratings are also Complete
  - i. Three Oaks
  - ii. Buchanan
  - iii. Bangor
  - iv. St. Joseph

### **H. Pokagon Band Hazard Mitigation Plan**

- a. Project Kick-Off August 2021
- b. Covers Entire Pokagon Band Nation Properties Throughout SW Michigan



**FY 2022**

**Regional Transportation Planning  
Work Program**



**Southwest Michigan  
Planning Commission**

**Serving Berrien, Cass, and Van Buren Counties**

## **Table of Contents**

<b>Introduction.....</b>	<b>3</b>
<b>I. Program Management.....</b>	<b>4</b>
<b>II. Technical Assistance to MDOT.....</b>	<b>6</b>
<b>III. Technical Assistance to Member Agencies.....</b>	<b>8</b>
<b>IV. Management of the Rural Task Force and Small Urban Programs.....</b>	<b>9</b>
<b>V. Public Involvement and Consultation Process for Non-Metropolitan Areas.....</b>	<b>11</b>
<b>VI. Air Quality Conformity Planning.....</b>	<b>12</b>
<b>VII. Access Management.....</b>	<b>13</b>
<b>VIII. Pure Michigan Byway Program.....</b>	<b>14</b>
<b>IX. Non-Motorized Mapping and Investment Plan.....</b>	<b>15</b>
<b>X. Rural Safety Planning.....</b>	<b>16</b>
<b>XI. Asset Management.....</b>	<b>17</b>

# INTRODUCTION

The Michigan Department of Transportation (MDOT) recognizes the importance of the state-local partnership in delivering a safe and efficient transportation system. The Regional Transportation Planning Program (RTPP) was created by the MDOT Bureau of Transportation Planning (BTP) in 1974 in order to contract various planning services to be performed by the State Planning and Development Regions to assist BTP and local units of government.

The RTPP requires each participating regional planning agency to have an annual work program in accordance with a three-year Master Agreement. Since 1984, the State Legislature has set a budget of \$488,800 of Act 51's Michigan Trunk line Fund (MTF) for the RTPP. The scope of work identified in the annual work program includes specific activities identified to assist MDOT and local communities. Over the years, work elements and funding levels of the basic work program tasks have remained stable while certain elements like Byways, the Rural Task Force and Asset Management have received supplemental funding to meet the needs of those programs. In previous years the basic work program contained the following work elements: Administration, Technical Assistance to MDOT, Highway Performance Management System, Public Involvement, and Local Technical Assistance.

For FY 2022, the Regional Planning Agency work program continues to have a budget of \$488,800 for the basic work elements. The supplemental funding for Rural Task Force and Small Urban programs is increased to \$332,400 due to the additional work items that are associated with the 2023-2026 Statewide Transportation Improvement Plan (STIP) development. State funding for the Asset Management Program will be released once approved, after July 7, 2021. The BTP may also allocate additional state funding to provide annual transportation technical assistance in non-metropolitan areas of the state. In FY 2022, each regional planning agency, with the exception of the Southeast Michigan Council of Governments (SEMCOG), may receive supplemental funding, as needed and if available from the FY 2022 SPR program to assist MDOT and the regional planning agencies in:

- Improving public involvement and the consultation process in non-metropolitan areas of the state.
- Providing interagency coordination and public involvement for air quality conformity in non-attainment or maintenance areas for ozone and particulate matter 2.5 (For regional planning agencies with non-attainment or maintenance areas or areas required to do conformity within RPA boundaries).
- Preparing access management plans and ordinances
- Non-motorized planning and mapping
- Byway Corridor Management Plans
- Data Collection to meet federal reporting requirements

# **I. Program Management**

## **Objectives**

- Prepare and adopt annual work program.
- Prepare monthly or quarterly invoices and progress reports.
- Ensure expenditures are well documented and cost-effective.
- Prepare a Final Acceptance Report (FAR) on the status of the work activities and products within 90 days from the end of the fiscal year.
- Assist the auditors in carrying out general and specific audits of programs annually. Send such audit reports to the program coordinator.

## **Products**

1. The following will be submitted to the program coordinator by the agency for reimbursement of costs incurred in conjunction with the work activities identified in the work program.
  - A. Progress reports that summarize accomplishments and attendance at applicable meetings for each work item.
  - B. Invoices for payment, submitted quarterly or monthly, in accordance with MDOT Contracting and Invoicing Standard Operating Procedures.
  - C. Receipts of travel expenses and equipment purchases greater than \$2,500; i.e., traffic counters, computer hardware and software, etc.
  - D. Itemization of program expenses in terms of work items, including salaries, fringe benefits, indirect costs, and other direct costs.
  - E. Tabulation of progress by work item, indicating the amount and percent billed the current billing period and to date.

2. The FAR on the status of activities and products in the work program will be submitted to the program coordinator within 90 days following the contractual period in the work program, as specified within the Master Agreement. The FAR is a performance evaluation, not a financial audit, and must contain the following information for each work item:
  - A. Products completed.
  - B. Products not completed and reason for lack of completion.
  - C. The amount of funds budgeted and expended.
  - D. Work items that are to be continued next year.

**Budget: \$7,303 (MTF)**

## **II. Technical Assistance to MDOT**

### **Objectives**

- Assist in various tasks to update the State Long-Range Transportation Plan (SLRTP) and the State Transportation Improvement Program (STIP).
- Provide support for specific department issues and/or requests for information on transit, special projects and/or program development issues.

### **Activities**

1. Assist in conducting transportation-related workshops and meetings, including but not limited to workshops and seminars for access management, State and National Byways, functional classification, the Adjusted Census Urban Boundary (ACUB), the Highway Performance Monitoring System (HPMS), the Model Inventory of Roadway Elements (MIRE), Fundamental Data Elements (FDE), and the Non Trunk line Federal Aid Program (NTFA) updates, non-motorized transportation, safety and non-metropolitan-area elected officials. Activities may include locating adequate facilities, registering participants, scheduling speakers, and other meeting management related activities.
2. Provide staffing and technical planning assistance in the area of transportation.
3. Conduct transportation studies as needed.
4. Assist in identifying transportation interest, programs and projects as appropriate for the STIP and the SLRTP.
  - A. Participate in the development and implementation of the SLRTP, providing input and review of documents and initiatives performed as part of the SLRTP development.
  - B. Assist in the scheduling and notifying of SLRTP related activities, including but not limited to public meetings within the region.
5. As appropriate, assist the MDOT Office of Passenger Transportation and local transit providers.
6. Statewide Travel Demand Model:
  - A. Review and provide feedback on REMI socio-economic forecasting outputs and assist in reviewing and allocating data to statewide traffic zones.
  - B. Verify statewide model network inventories.
  - C. Provide traffic counts, as available, for model update not covered in acquiring traffic counts for the non-trunkline federal aid program.

## 7. Data for meeting Federal Reporting Requirements:

### A. Highway Performance Monitoring System (HPMS)

Collect and submit data items for HPMS in conjunction with MDOT's HPMS coordinator. Staff will review and update the HPMS database sample segments using MDOT-supplied spreadsheets that contain only the data items needing to be updated for each sample in the format provided.

### B. Traffic Data Collection for Federal Reporting

Provide support to MDOT in the a-cross agency coordination effort (NTFA) to gather and report traffic data on the non-MDOT road network (federal aid and non-federal aid) to meet federal reporting requirements of HPMS, MAP 21, and the FAST Act.

### C. Model Inventory of Roadway Element (MIRE) Fundamental Data Elements (FDE)

Provide support to MDOT in the a-cross agency coordination effort to gather and report traffic and safety on the non-MDOT road network (federal aid and non-federal aid) to meet federal reporting requirements of the safety Transportation Performance measures in MAP 21 and the FAST Act. As data collection elements are known, some MIRE FDE data collection may begin at the RPA's discretion.

The first set of MDOT MIRE FDE data and tools should be available in Roadsoft in the April 2022 release. Agencies should receive MIRE data in Roadsoft in V22 and may export changes to MDOT for V22 and beyond. The five (5) data items that RPA staff will be requested to review will be: Surface type, number of through lanes, access control, median type, and junction traffic control. RPA and MDOT staff will begin the process of meeting to discuss and plan for annual maintenance and validating (5) going forward. The end goal will be to draft a plan to fill 100% of the (5) MIRE data items and submit to MDOT by August of 2025.

Support is defined as (but not limited to):

- Outreach
- Piloting
- Training and Education
- Data coordination with local agencies
- Data compilation
- Data load, transfer, and/or reporting
- Conduit between local agencies and MDOT/FHWA

**Budget: \$11,124 (MTF)**

### **III. Technical Assistance to Member Agencies**

#### **Objective**

- Provide services to local transportation agencies to improve existing and new multi-modal transportation systems, and identify actions to improve the area's transportation system.

#### **Activities**

1. Assist local units of government in obtaining grant funds to improve existing and new multi-modal transportation systems and identify actions to improve the area's transportation system.
2. Assist local agencies seeking to improve and expand the public transportation and to promote improved transportation systems for all modes.
3. Coordinate planning to promote safety, livable communities and environmental sustainability.
4. Work with local agencies to assess impacts of transportation of projected land uses in the region.
5. Review and/or develop proficiency in traffic crash data.
6. Prepare and report to regional boards and local agencies on the status of transportation planning work program activities and tasks.

#### **Products**

- Provide program coordinator with a copy of any reports produced as a result of these activities.

**Budget: \$15,073 (MTF)**



## **IV. Management of the Rural Task Force and Small Urban Program**

### **Objective**

- To assist MDOT in administering the Rural Task Force (RTF) and Small Urban program for MDOT.

### **Activities**

1. Regional Planning Agency staff shall communicate all MDOT correspondence to their respective RTF members.
2. Schedule, set-up room, provide materials, take meeting minutes, collect a list of meeting attendees and facilitate the logistics of the RTF project selection meetings and small urban program meetings. This duty can be coordinated with the Chairperson of the committees based on preference of the individual RTF or small urban committee.
3. Ensure project selection for the 2023-2026 STIP cycle for RTF and small Urban programs. This requires RTF local committee meetings which are required for a STIP Development year.
4. The Regional Planning Agency and RTF Chairperson shall ensure a cooperative, coordinated and comprehensive planning process is followed at the regional level. This process shall be consistent with approved federal planning regulations and provide for the consideration and implementation of projects that address all modes of transportation.
5. Ensure that the fiscal constraint sheets used in the meetings are properly managed with updated allocation balances provided by the MDOT RTF coordinator as well as the decisions made by the RTF committees.
6. Ensure the required public involvement and consultation process is followed by providing citizens, affected public agencies, tribal governments, private transportation providers, and other interested parties with sufficient notice and opportunity to comment on proposed transportation projects, plans and programs.
7. Program eligible projects in JobNet as approved by the RTF committees. Ensure that 1799 and 1797 data sheets received from the local agencies match what was approved by the RTF committees as reflected in the fiscal constraint sheet and attach those data sheets to the appropriate project in JobNet. This includes the programming of selected projects for the new STIP cycle 2023-2026.

8. Submit proof of public involvement, meeting minutes, all Season Road changes, and the fiscal constraint sheet as part of monthly activity report utilizing the most current 1618 form to the MDOT RTF Coordinator. In months where there is no meetings or action taken by the committees the form should still be submitted with the “No Project Change or Meeting” box checked and submitted to the MDOT RTF Coordinator.
9. Attend monthly RTF virtual meetings and educational webinars or watch the posted recordings if unavailable for the meeting times.

**Budget: \$17,751 (SPR)**

## **V. Public Involvement and Consultation Process for Non-Metropolitan Areas**

### **Objectives**

- To provide for non-metropolitan local official participation in the development of the State Long-Range Transportation Plan (LRTP) and the STIP.
- To provide opportunities for the public to review and comment in the development of the LRTP and STIP.
- To manage consultation with local elected officials, local officials with responsibility for transportation, public agencies, general public, tribal governments, businesses, and organizations in accordance with the Statewide Planning Process Public Participation Plan.

### **Activities**

1. Work with MDOT on public involvement issues, including organizing meetings, focus groups and advisory committees.
2. Conduct local program meetings and ongoing communication and technical assistance in non-metropolitan areas to provide information on various state and federal programs.
3. Document the RTF's public involvement and consultation processes.
4. Partner with educating and training local officials with regard to state and federal-funded programs, policy applications and other key information.
5. Respond to requests from both the public and private sectors to provide information on state and federal transportation programs, projects, and funding, and to stay informed on local issues.
6. Participate in statewide conferences, meetings, seminars, forums and training sessions on state and federal programs available to local communities.
7. Assist MDOT in keeping elected public officials, general public, local planning agencies, and tribal governments informed early of the list of projects in the Five-Year Program and of the investment strategies, funding assumptions, economic benefits, and impacts on the various modes.
8. Assist in the creation and maintenance of an e-mail subscription list for managing the electronic distribution of information to local elected officials.

**Budget: \$4,728 (MTF) (SPR)**

## **VI. Air Quality Conformity Planningx**

### **Objectives**

- To comply with federal and state transportation air quality regulations, specifically related to transportation conformity for non-attainment or maintenance areas or areas required to do conformity for ozone and particulate matter 2.5.
- To provide coordination and support of the transportation conformity interagency work group (IAWG).
- To provide communication of air quality conformity analysis results or reports to all interested individuals and organizations.
- To provide inputs into the air quality conformity process and facilitate input from others.

### **Activities**

1. Attend training to become familiar with the conformity regulations, and related air quality issues.
2. Participate in and or conduct transportation conformity IAWG.
3. Participate in discussions to evaluate attainment strategies pertaining to transportation air quality for individual areas or as part of the statewide transportation planning process.
4. Communicate air quality conformity analysis results and initiatives to all interested individuals and organizations.

**Budget: \$0.00 (MTF)**

## **VII. Access Management**

### **Objective**

- To develop and/or conduct access management training for local client communities. Assist MDOT selected consultants in preparing access management plans and ordinances along state roadway corridors.

### **Activities**

1. Educate local public officials, property owners and citizens what access management is and how it can benefit their community.
2. Identify local roadway corridors of significance for the development of access management plans and prepare a formal justification to MDOT for funding such plans. A corridor of significance is defined as a principal and or minor arterial that significantly impacts the state trunk line system.
3. Assist MDOT/consultant to ensure successful adoption of plans and ordinances. Assist road agencies, client communities and property owners, as required, when road and utility projects provide plan implementation opportunities. Provide follow-up consultation to communities with existing access management plans and ordinances.

### **Products**

1. Educational materials provided by MDOT unless specified otherwise. Provide support to consultants conducting training, preparing corridor access management plans and ordinances along state roadway corridors.
2. Upon billing submittal:  
Costs incurred will be reimbursed upon review and approval of documentation submitted to the MDOT Program Manager and/or the appropriate MDOT representative.

**Budget: \$0.00 (MTF)**

## VIII. Pure Michigan Byway Program

### Objective

- Implement the Pure Michigan Byway Program for MDOT. Manage or assist in the management of designated state byways and/or National Scenic Byways within your region's geographical boundaries.

### Activities

1. Prepare and or assist a consultant in the development of corridor management plans (CMP).
2. Provide guidance to local “grassroots” organizations seeking to nominate a state highway as a Pure Michigan Byway or National Scenic Byway.
3. Serve as a Liaison between MDOT and the local Byway Committee on issues relating to future transportation system improvements, or local land use and zoning changes proposed for and adjacent to the Byway.
4. Provide opportunities for public involvement activities related to the Byway.
5. Ensure the Byway corridor management plan is up to date.
6. Conduct studies of the convenience of the Byway transportation and visitor-oriented facilities.
7. Attend conferences, workshops and seminars.

### Products

1. Designation of Pure Michigan Byways and National Scenic Byways in accordance with P.A. 69 of 1993, as amended, and Title 23 U. S. Code.
2. Corridor management plans.
3. Meeting management and facilitation of Byway Committee meetings. Serve as a Liaison between the byway committee and MDOT.
4. Marketing brochures, pamphlets, web site and other promotional/educational material to constituents
5. Provide MDOT digital and hard copies of updated and/or new corridor management plans.

Upon billing submittal:

See MDOT Standard Operating Procedures for invoicing

**Budget: \$4,000 (MTF)**

## **IX. Non-motorized Mapping and Investment Plan**

### **Objective**

- Facilitate the process of completing non-motorized planning efforts for the State of Michigan by region.

### **Activities**

1. Collect information to match the data fields in MDOT's Transportation Intermodal Management System (IMS).
2. Develop and implement aspects of a non-motorized investment plan to identify needed projects and project elements, prioritizing those projects, and determining the optimum funding arrangements for the projects within each region.
3. Promote the consideration of bicycle and pedestrian facilities in the overall transportation planning activities.
4. Coordinate with stakeholders and public input.

### **Products**

1. Non-motorized master plans by region, including up-to-date non-motorized maps.
2. The end map product will be a ready-to-print region-wide bike map and database with the support data to go into the TMS for future planning and maps. Provide MDOT with a copy of any reports (excluding grant applications) as a result of this activity, or a copy of cover letters for products submitted to others.
3. Print a 6 to 7 year supply of Region Road and Trail Guides (bike maps) for MDOT distribution, plus stakeholders within the region.
4. The development of a comprehensive plan and the identification of priority projects within the area will help guide MDOT's investment in the region's non-motorized transportation system.

### **Upon billing submittal:**

- Progress reports that summarize accomplishments for each work item.
- Original invoice, consecutively numbered, stating period covered, dollar amount, and work performed.
- Itemizing of program expenses in terms of work items and cost groups, including charges to direct salaries, fringe benefits, indirect costs, and other direct costs.

**Budget: \$0.00 (MTF)**

## **X. Rural Safety Planning**

### **Objectives**

- Assist in conducting rural safety planning forums to increase or create awareness for safety, and encourage formation of cross-discipline safety partnerships at the local level and assist MDOT in the process of preparing rural safety plans.
- Determine areas of safety risks (i.e., behavioral, structural) and schedule workshops to educate constituents in mitigating these risks, if appropriate.

### **Activities**

1. Conduct rural safety forums on a biannual basis. These forums will include emergency enforcement, education and engineering staff, as well as other interested parties. Schedule specific safety workshops in other years, if appropriate.
2. Update and maintain a list of safety advocates, including mailing labels.
3. Partnerships to promote safety as an integral part of the planning and project development process.
4. Maintain updated mailing lists identifying safety groups and individuals.
5. Assist MDOT in the process of preparing of rural safety plans.

**Budget: \$0.00 (MTF)**



## **XI. ASSET MANAGEMENT**

The resources allocated to the Metropolitan/Regional Planning Organization (MPO/RPO) from the Transportation Asset Management Council (TAMC) annual budget shall be utilized to assist in the completion of the TAMC Work Program. All work shall be consistent with the policies and priorities established by the TAMC. All invoices submitted for reimbursement of Asset Management activities shall utilize Michigan Department of Transportation (MDOT) standard invoice forms and include the required information for processing. The MPO/RPO shall complete the required products and perform tasks according to the timeframes and directives established within TAMC's data collection policies, which are located on the TAMC website (<http://tamc.mcgi.state.mi.us/TAMC/#/aboutus>). The MPO/RPO will emphasize these tasks to support the top 125 Public Act 51 agencies (agencies that certify under Public Act 51 a minimum of 100 centerline miles of road) within the planning area when resources are limited. The activities eligible for TAMC reimbursement include the following:

### **Activities**

#### **1. Training Activities**

- A. Attendance at training seminar(s) on the use of Pavement Surface Evaluation and Rating (PASER) and Inventory-based Rating System for unpaved roadways.
- B. Represent MPO/RPO at TAMC-sponsored conferences and seminars, including attending either the Spring or Fall TAMC Conference.
- C. Attend TAMC-sponsored Investment Reporting Tool (IRT) training seminars.
- D. Attend TAMC-sponsored Asset Management Plan Development training seminars.

#### **2. Data Collection Participation and Coordination**

- A. Federal Aid System:
  - a. Organize schedules with Public Act 51 agencies within MPO/RPO's boundary for participating in Federal Aid data collection efforts; ensure all participants of data collection have access to State of Michigan travel reimbursement rates.
  - b. Coordinate, participate and facilitate road surface data collection on approximately one-half of the Federal Aid System in accordance with the TAMC Policy for the Collection of Roadway Condition Data on Federal Aid Eligible Roads and Streets.
  - c. Collect unpaved roadway condition data on approximately half of any unpaved Federal Aid eligible roadways using the Inventory-based Rating System developed by the Michigan Technological University's Center for Technology and Training.

**B. Non-Federal Aid System:**

- a. The RPO/MPO may allocate reimbursements for Non-Federal Aid data collection to Public Act 51 agencies according to the resources available to them in the manner that best reflects the priorities of their area and supports the TAMC work.
- b. Coordinate Non-Federal Aid data collection cycles with Public Act 51 agencies with an emphasis on the top 125 agencies.
- c. Ensure all participants of data collection understand procedures for data sharing with TAMC as well as TAMC policy and procedures for collecting Non-Federal Aid data.
- d. Participate and perform data collection with Public Act 51 agencies on an as-needed basis for the data collection of Non-Federal Aid roads when requested.

**3. Equipment**

- A. Ensure rating teams have the necessary tools to complete the federal aid data collection activity by maintaining a laptop compatible with the Laptop Data Collector and Roadsoft programs, a functioning Global Positioning System (GPS) unit, and other required hardware in good working order.
- B. Communicate any equipment needs and purchases with the TAMC Coordinator; laptops are eligible for replacement on a three-year cycle.

**4. Data Submission**

- A. Develop and maintain technical capability to manage regional Roadsoft databases and the Laptop Data Collector program; maintain a regional Roadsoft database that is accurate and consistent with local agency data sets.
- B. Coordinate Quality Assurance/Quality Control activities and data submission tasks according to protocols established in TAMC Data Collection Policies for Federal Aid and Non-Federal Aid Roads.
- C. Monitor and report status of data collection efforts to TAMC Asset Management Coordinator through monthly coordinator calls and/or monthly or quarterly program updates that are mailed with invoices.
- D. Provide links on agency websites and reports to the TAMC website, interactive maps and dashboards for the dissemination of roadway data.

**5. Asset Management Planning**

- A. Participate and attend TAMC-sponsored training and workshops in order to provide technical support for Asset Management Plan development activities.

- B. Provide an annual reporting of the status of Public Act 51 agency Asset Management Plans and keep abreast of the status of these plans for updates and revision.
- C. Provide technical assistance and training funds to Public Act 51 agencies during the development of local Asset Management Plans using TAMC templates when applicable; coordinate these tasks with an emphasis on the Top 125 agencies.

#### 6. Technical Assistance

- A. Provide technical assistance to local agencies in using the TAMC reporting tools for planned and completed infrastructure investments or any other TAMC Work Program Activity.
- B. Integrate PASER ratings and asset management into project selection criteria:
  - a. Analyze data and develop road preservation scenarios.
  - b. Analyze performance of implemented projects.

#### 7. Culvert Mapping Pilot

- A. Provide administrative and technical assistance to Public Act 51 agencies and MDOT for reimbursement of TAMC funds for participation in the 2018 TAMC Culvert Mapping Pilot project.
- B. Utilize TAMC reporting forms to communicate progress and expenditures of Public Act 51 agencies to assist TAMC in the Culvert Mapping Pilot Report.

### Products

- 1. PASER data for Federal Aid System submitted to TAMC via the IRT.
- 2. PASER data for Non-Federal Aid System submitted to TAMC via the IRT.
- 3. Quarterly or monthly activities reports submitted with invoices to TAMC Coordinator.
  - A. Create an Annual Report of Asset Management program activities as well as a summary of annual PASER condition data by local agency, functional classification, and Public Act 51 Legal System; provide links to the Regional Annual Report on agency website and submit copies to TAMC Coordinator by April 1 of each year.
  - B. Prepare a draft status report of Public Act 51 agency Asset Management activities and plans within MPO/RPO boundary by September 30 of each year.

*The Michigan Transportation Asset Management Council approved this language on June 6, 2018.*

**Budget: \$41,000 (MTF)**

**SOUTHWEST MICHIGAN PLANNING COMMISSION FISCAL YEAR 2022 BUDGET**  
**REGIONAL TRANSPORTATION PLANNING WORK PROGRAM**  
**October 1, 2021 - September 30, 2022**

WORK ELEMENT	PROJECT	SALARY	FRINGE BENEFIT	INDIRECT	OTHER	TOTAL MTF FUNDS	TOTAL SPR FUNDS	TOTAL
3101 (210)	Program Management	\$ 2,515	\$ 1,555	\$ 2,598	\$ 635	\$ 7,303	\$ -	\$ 7,303
3102 (260)	Technical Assistance to MDOT	\$ 3,995	\$ 2,470	\$ 4,114	\$ 545	\$ 11,124	\$ -	\$ 11,124
3103 (230)	Technical Assistance to Member Agencies	\$ 5,050	\$ 3,122	\$ 5,226	\$ 1,675	\$ 15,073	\$ -	\$ 15,073
3104 (250)	Management of Rural Task Force & Small Urban Program	\$ 6,415	\$ 3,967	\$ 6,609	\$ 760	\$ -	\$ 17,751	\$ 17,751
3105 (235, 240)	Public Involvement and Consultation Process for Non- Metropolitan Areas	\$ 1,716	\$ 1,061	\$ 1,776	\$ 175	\$ 1,200	\$ 3,528	\$ 4,728
3106	Air Quality Conformity Planning	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3107 (220)	Access Management	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3108 (280)	Pure Michigan Byways	\$ 1,505	\$ 930	\$ 1,565		\$ 4,000		\$ 4,000
3110	Non-Motorized Mapping and Investment Plan	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
3111 (270)	Rural Safety Planning					\$ -	\$ -	\$ -
3109	Asset Management *	\$ 13,340	\$ 8,248	\$ 16,227	\$ 3,185	\$ 41,000	\$ -	\$ 41,000
							\$ -	\$ -
<b>TOTALS</b>						<b>\$ 79,700</b>	<b>\$ 21,279</b>	<b>\$ 100,979</b>

\* Because this activity is funded through the Asset Management Council and does not make use of MDOT Act 253 funds, it is not included in the **Total** column.

# HOUSE BILL NO. 5037

June 16, 2021, Introduced by Reps. Lasinski, Coleman, Sabo, Aiyash, Sowerby, Scott, Puri, Weiss, Anthony, Morse, Brabec, Young, Hood, Cavanagh and Whitsett and referred to the Committee on Communications and Technology.

A bill to amend 1954 PA 188, entitled

"An act to provide for the making of certain improvements by townships; to provide for paying for the improvements by the issuance of bonds; to provide for the levying of taxes; to provide for assessing the whole or a part of the cost of improvements against property benefited; and to provide for the issuance of bonds in anticipation of the collection of special assessments and for the obligation of the township on the bonds,"

by amending sections 2 and 3 (MCL 41.722 and 41.723), section 2 as amended by 2002 PA 585 and section 3 as amended by 1995 PA 139.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 2. (1) The following improvements may be made under this  
2 act:

3       (a) The construction, improvement, and maintenance of storm or  
4 sanitary sewers or the improvement and maintenance of, but not the  
5 construction of new or expanded, combined storm and sanitary sewer  
6 systems.

7       (b) The construction, improvement, and maintenance of water  
8 systems.

9       (c) The construction, improvement, and maintenance of public  
10 roads.

11       (d) The acquisition, improvement, and maintenance of public  
12 parks.

13       (e) The construction, improvement, and maintenance of elevated  
14 structures for foot travel over roads in the township.

15       (f) The collection and disposal of garbage and rubbish.

16       (g) The construction, maintenance, and improvement of bicycle  
17 paths.

18       (h) The construction, maintenance, and improvement of erosion  
19 control structures or dikes.

20       (i) The planting, maintenance, and removal of trees.

21       (j) The installation, improvement, and maintenance of lighting  
22 systems.

23       (k) The construction, improvement, and maintenance of  
24 sidewalks.

25       (l) The eradication or control of aquatic weeds and plants.

26       (m) The construction, improvement, and maintenance of private  
27 roads.

28       (n) The construction, improvement, and maintenance of a lake,  
29 pond, river, stream, lagoon, or other body of water or of an

1 improvement to the body of water. This subdivision includes, but is  
2 not limited to, dredging.

3 (o) The construction, improvement, and maintenance of dams and  
4 other structures that retain the waters of this state for  
5 recreational purposes.

6 (p) The construction, improvement, and maintenance of sound  
7 attenuation walls, pavement, or other sound mitigation treatments  
8 unless a written objection is filed in the same manner as provided  
9 under section 3 by the record owners of land constituting more than  
10 20% of the total area in the proposed special assessment district.  
11 If a written objection is filed, then the township board shall not  
12 proceed with the improvement until a petition signed by the record  
13 owners of land constituting more than 50% of the total land area in  
14 the special assessment district as finally established is filed  
15 with the board.

16 **(q) The construction, improvement, and maintenance of**  
17 **communications infrastructure, including broadband and high-speed**  
18 **internet.**

19 (2) A road under the jurisdiction of either the state  
20 transportation department or the board of county road commissioners  
21 ~~shall~~**must** not be improved under this act without the written  
22 approval of the state transportation department or the board of  
23 county road commissioners. As a condition to the granting of  
24 approval, the state transportation department or the board of  
25 county road commissioners may require 1 or more of the following:

26 (a) That all engineering with respect to the improvement be  
27 performed by the state transportation department or the board of  
28 county road commissioners.

29 (b) That all construction, including the awarding of contracts

1 for construction, in connection with the improvement be pursuant to  
2 the specifications of the state transportation department or the  
3 board of county road commissioners.

4 (c) That the cost of the engineering and supervision be paid  
5 to the state transportation department or the board of county road  
6 commissioners from the funds of the special assessment district.

7 (3) A lake, pond, river, stream, lagoon, or other body of  
8 water under the jurisdiction of a county drain commissioner ~~shall~~  
9 **must** not be improved under this act without the written approval of  
10 the county drain commissioner of the county in which the lake,  
11 pond, river, stream, lagoon, or other body of water is located.

12 Sec. 3. (1) The township board may proceed to carry out an  
13 improvement as provided in this act unless written objections to  
14 the improvement are filed with the township board at or before the  
15 hearing provided in section 4 by property owners as follows:

16 (a) For an improvement under section 2(1)(a), (b), (d), (e),  
17 (f), (h), (i), (j), (l), (n), ~~or~~ (o), **or (q)**, by the record owners  
18 of land constituting more than 20% of the total land area in the  
19 proposed special assessment district.

20 (b) For an improvement under section 2(1)(c), (g), (k), or  
21 (m), by the record owners of land constituting more than 20% of the  
22 total frontage upon the road, bicycle path, or sidewalk.

23 (2) A township board may require the filing of a petition  
24 meeting the requirements of subsection (3) before proceeding with  
25 an improvement under this act.

26 (3) If written objections are filed as provided in subsection  
27 (1), or if the township board requires a petition before  
28 proceeding, the township board shall not proceed with the  
29 improvement until there is filed with the board a petition signed



1 as follows:

2 (a) For an improvement under section 2(1)(a), (b), (d), (e),  
3 (f), (h), (i), (j), (l), (n), ~~or (o)~~, **or (q)**, by the record owners  
4 of land constituting more than 50% of the total land area in the  
5 special assessment district as finally established by the township  
6 board.

7 (b) For an improvement under section 2(1)(c), (g), (k), or  
8 (m), by the record owners of land constituting more than 50% of the  
9 total frontage upon the road, bicycle path, or sidewalk.

10 (4) Record owners ~~shall~~**must** be determined by the records in  
11 the register of deeds' office as of the day of the filing of a  
12 petition, or if written objections are filed as provided in  
13 subsection (1), then on the day of the hearing. In determining the  
14 sufficiency of the petition, lands not subject to special  
15 assessment and lands within a public highway or alley ~~shall~~**must**  
16 not be included in computing frontage or an assessment district  
17 area. A filed petition may be supplemented as to signatures by the  
18 filing of an additional signed copy or copies of the petition. The  
19 validity of the signatures on a supplemental petition ~~shall~~**must** be  
20 determined by the records as of the day of filing the supplemental  
21 petition.

22 Enacting section 1. This amendatory act takes effect 90 days  
23 after the date it is enacted into law.

## John Egelhaaf

---

**From:** John Egelhaaf  
**Sent:** Monday, August 16, 2021 12:57 PM  
**To:** SenKLaSata@senate.michigan.gov; 'SenDLauwers@senate.michigan.gov'  
**Subject:** SB 514 Broadband

Distinguished Senators,

Over the last two years the Southwest Michigan Planning Commission has been consistently and deeply engaged in the issue of broadband internet provision in southwest Michigan. We are working closely with local units of government, county government, and our SWMPC board on a range of strategies to help position people to improve their access to broadband. During this journey it has become clear that we need to provide a variety of tools to the local problem-solvers so that they can address their unique needs in the ways that make the most sense for them. One choice that makes a lot of logical sense is for townships to be able to have the same latitude to raise local dollars to solve their broadband needs that they have to solve issues with sanitary sewer, water, public roads, parks and other public assets. SB 514 offers the necessary changes to PA 188 to make that possible.

During our work within southwest Michigan it has become clear that the early drive toward improved broadband provision includes townships that have gauged the need and desire of their constituency to contribute through special assessment toward the solution. For them, the question of the will of the public has been answered. What is missing is the ability to implement the special assessment tool. I want to encourage you to support the passage of SB 514 to make the necessary change to PA 188.

Thank you for your consideration of this important piece of legislation,

John Egelhaaf

K. John Egelhaaf, AICP  
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