

Municipal Law News

Foster Swift Administrative & Municipal Group

GO GREEN! RECEIVE YOUR MUNICIPAL LAW NEWS VIA EMAIL

Visit fosterswift.com/news-signup.html and complete the 'Newsletters Sign-up' form.

LOOKING FOR PAST ISSUES AND ARTICLES?

Go to fosterswift.com/news-publications.html, use the search feature on left side of the page, and choose 'Municipal Law.'

Open Meetings Act Webinar Follow-Up

On November 17, 2011, Foster Swift's Anne Seuryneck presented a webinar on the Open Meetings Act, its common pitfalls, and ways to avoid those common pitfalls. The turnout was fantastic. We appreciate the municipal officials taking the time to participate.

For anyone interested in the webinar, the full audio and video recording and the PowerPoint slides are available on our website at the following link:

- www.fosterswift.com/news-events-Open-Meetings-Act-What-Municipalities-Should-Know.html

OPEN MEETINGS ACT – RECENT COURT DECISIONS

Speaking of the Open Meetings Act, a Michigan court has issued a recent ruling interpreting

what the Act requires and does not require. Below we highlight that ruling:

- The Open Meetings Act does not require a public body to call a meeting to order in any specific way. In fact, the Open Meetings Act does not require a public body to call a meeting to order at all. *Loud v Lee Twp Election Commission*, dec'd 9-15-11.

If you have any questions about the Open Meetings Act, please contact Anne Seuryneck at aseuryneck@fosterswift.com.

DOCUMENT DOWNLOAD:

5 Tips To Avoid an Open Meetings Act Violation

www.fosterswift.com/assets/htmldocuments/OMA-Desk-Guide.pdf

Update on Tax Bills Pending in the State Legislature - SB 34 and SB 618

by: [Ronald D. Richards, Jr.](#)

Our October 2011 newsletter alerted you to SB 34, the one-sentence bill that would exempt personal property from tax collection, and its potential devastating effects on municipalities. There have been recent developments on SB 34 – and it's good news for municipalities.

We have read multiple reports – including one from the Michigan Townships Association – noting that the Governor and Legislature have postponed the push to eliminate personal property taxes.

But watch out for SB 618: it is largely known for uncapping the number of charter schools. Yet if you keep reading you will see that it also

expands tax exemptions in the School and General Property Tax Acts. In essence, SB 618 proposes to expand the existing property tax exemptions as it relates to charter schools. The expanded exemptions would exempt property occupied by a charter school, but owned by a non-exempt owner (such as a private individual or for-profit corporation). So SB 618 would reduce local property tax revenue.

Last month, SB 618 was referred to the Education committee. If you have questions about SB 34 or SB 618, please contact [Ronald Richards](#) at 517-371-8154 or r-richards@fosterswift.com.



michigan municipal league
business alliance program

MUNICIPAL ATTORNEYS

SHAREHOLDERS

Michael R. Blum

248.785.4722
mblum@fosterswift.com

James B. Doezema

616.726.2205
jdoezema@fosterswift.com

Brian G. Goodenough

517.371.8147
bgoodenough@fosterswift.com

Richard L. Hillman

517.371.8129
rhillman@fosterswift.com

Michael D. Homier

616.726.2230
mhomier@fosterswift.com

John M. Kamins

248.785.4727
jkamins@fosterswift.com

Thomas R. Meagher

517.371.8161
tmeagher@fosterswift.com

Brian J. Renaud

248.539.9913
brenaud@fosterswift.com

Ronald D. Richards Jr.*

517.371.8154
rrichards@fosterswift.com

Anne M. Seuryck

616.726.2240
aseuryck@fosterswift.com

ASSOCIATES

Nichole J. Derks

517.371.8245
nderks@fosterswift.com

Laura J. Garlinghouse

616.726.2238
lgarlinghouse@fosterswift.com

Janene McIntyre

517.371.8123
jmcintyre@fosterswift.com

*Practice Group Leader

LOOKING FORWARD 2012 MTA Educational Conference & Expo

"ASK A LAWYER"

Wednesday, January 25, 2012
12:00 to 1:00 p.m.
Renaissance Ballroom (Cabot Wing)
No RSVP required

Lunch will be provided!

Back by popular demand! At the 2012 MTA Conference, Foster Swift will again host an "Ask A Lawyer" **Township Business Solution Session**. It's a chance to connect with Foster Swift attorneys through a convenient and informal roundtable discussion format. Ask

about particular municipal topics that may not be covered in-depth elsewhere in the conference programs.

In short, there will be several roundtables set up during the session – with each roundtable assigned various municipal topics. One or more Foster Swift attorneys will be at each roundtable ready to discuss municipal issues and respond to your questions. Attendees are encouraged to visit multiple tables during the hour-long session.

If you have suggestions for topics, please email them to info@fosterswift.com.

EDUCATIONAL SESSION SPEAKERS

Foster Swift attorneys will be speaking at the following MTA Conference educational sessions:

WIND ENERGY

Thursday, January 26, 2012
10:00 to 11:15 a.m.

Explore the "do's" and "don'ts" of wind energy regulation, and gain insight into issues such as permissible sound levels, ice throw, and shadow flicker.

PANELISTS:

- Michael D. Homier, Foster Swift
- Doug Duimering, Exelon Corporation

PAVING THE WAY TO BETTER ROADS

Thursday, January 26, 2012
3:30 to 4:45 p.m.

Review your legal rights and obligations regarding roads and identify options for achieving your road management goals by honing relationships with others. Dig into other issues such as maintenance, liability, speed limits, and street signage.

PANELISTS:

- Ronald D. Richards, Foster Swift
- A Michigan State Police representative

LANSING | FARMINGTON HILLS | GRAND RAPIDS | DETROIT | MARQUETTE | HOLLAND

Foster Swift Collins & Smith, PC **Municipal Law News** is intended for our clients and friends. This newsletter highlights specific areas of law. This communication is not legal advice. The reader should consult an attorney to determine how the information applies to any specific situation.

IRS Circular 230 Notice: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this communication is not intended to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code, or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed in this communication.