



THE PAR-PLAN NEWS

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Michigan Township Participating Plan Receives Recognition for Platinum Sponsorship

The 49th Michigan Townships Association Annual Education Conference turned out to be another terrific conference for both the MTA and the Michigan Township Participating Plan. As in past years the Par Plan made a concerted effort again this year to support the conference. The Par Plan was a contributor and active in the MTA workshops, sponsored the MTA fun night, sponsored the country/western theme dinner, participated in the vendors showcase and contributed various door prizes.

As recognition for the Par Plan’s sponsorship of the conference, Larry Merrill, Executive Director of the MTA presented Chairman John Jones, and Vice Chairman Pat Mead with a special engraved desk clock. This clock will be proudly displayed at the Par Plan office in Clarkston.

DIRECTORS
Term: July 1, 2001
Through June 30, 2002

ZONE 1
Paul Lehto
 Calumet Township
 (906) 337-2410

ZONE 2
Marvin Besteman, Jr.
 Kinross Charter Township
 (906) 495-5381

ZONE 3
Pat Mead, Vice Chairman
 Benzonia Township
 (231) 882-4411

ZONE 4
Terry Wright
 Grayling Township
 (989) 348-4361

ZONE 5
Jim Beelen
 Allendale Charter Township
 (616) 895-6295

ZONE 6
Jon Sherwood
 Beaverton Township
 (989) 465-9176

ZONE 7
John Jones, Chairman
 Ira Township
 (586) 725-0263

ZONE 8
John Buckhout
 Charter Township of Kalamazoo
 (616) 381-8080

ZONE 9
Bob Skrobola, Secretary
 Pittsfield Township
 (734) 944-3140



**TERRY WRIGHT APPOINTED TO
 MTPP BOARD OF DIRECTORS**

Terry Wright, Supervisor of Grayling Township, Crawford County was appointed as interim Zone 4 Director of the Michigan Township Participating Plan Board on Friday, March 8, 2002.

Serving as Supervisor of Grayling Township since 1996, Terry has been the key component in accomplishing the township's recycling and composting program, implementing dedicated police protection, and updating municipal ordinances. Terry continues to be involved in municipal government in many facets by serving on the board of directors of the Michigan Association of Township Supervisors and Crawford County Historical Society.

Terry will be seeking re-election to the board of directors in the Par-Plan's up coming election (see schedule below).



UPCOMING BOARD OF DIRECTORS ELECTION

During the next several months, member representatives will be electing Zone Representatives to serve on the Par-Plan Board of Directors. This year Zones 1, 4, & 7 are up for regular election with representatives serving three year terms. Zones consist of the following counties:

Zone 1: Gogebic, Ontonagon, Houghton, Keweenaw, Baraga, Iron, Marquette, Dickinson, Menominee

Zone 4: Cheboygan, Presque Isle, Otsego, Montgomery, Alpena, Crawford, Oscoda, Alcona, Roscommon, Ogemaw, Iosco

Zone 7: Huron, Tuscola, Sanilac, Genesee, Lapeer, St. Clair, Oakland, Macomb

Each member of the Par-Plan should designate a person to serve as the Member Representative. The designated person serves as the Member Representative to the Par-Plan and only Member Representatives are eligible to serve on the Par-Plan Board of Directors.

If you are uncertain of your eligibility to run for the Zone Representative or the procedure to vote, please contact the Chairman of the Election Committee, Joe Kreusel at (810) 765-5523, or the Par-Plan office at (800) 783-1370. The election committee has set the following election timetable:

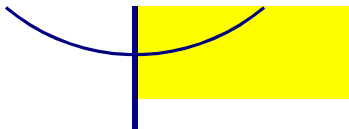
- April 15th Nomination forms mailed to zone members
- May 6th Nomination forms must be postmarked to receive consideration
- June 3rd Election ballots mailed to all zone members
- June 21st Election ballots must be postmarked to receive consideration
- June 28th Election ballots counted
- July 11th Par-Plan Annual Business Meeting
 Petoskey, Michigan



BRAKES FAIL WHILE RESPONDING TO SCENE, ONE FATALITY

RISK WATCH:

CHILDREN DISENGAGE BRAKE OF PARKED VEHICLE, BY-STANDER SUSTAINS INJURIES



Every day emergency service personnel face the possibility of being placed in a situation that may save lives or take their own.....

Unfortunately, the best time to capture the attention of the public with information about a tragedy is when we are emotionally ready to hear the message. When is that? When the accident has just taken place.

It's no secret that emergency personnel are placed in dangerous situations to provide aid for others. For this reason, anything a department can do to prevent accidents is a step in the right direction.

As stated in the NFPA 1500 Standard, Chapter 4 Vehicles and Equipment; 4-4-.1 All fire department vehicles shall be inspected at least weekly, within 24 hours after any use or repair, and prior to being placed in service or used for emergency purposes to identify and correct unsafe conditions.

- Any vehicles deemed unsafe should be taken out of service and be inspected and repaired before any further use.

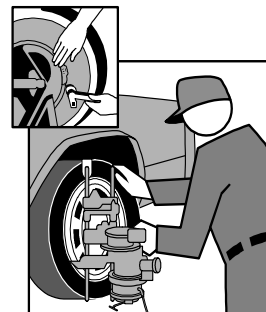
4-4.2 A preventive maintenance program shall be established, and records maintained as specified in 2-7.5 of the standard. Maintenance, inspections, and repairs shall be performed by qualified persons in accordance with manufacturer's instructions. Manufacturer's instructions shall be considered as a minimum criteria for the maintenance, inspection, and repair of equipment.

Does your department have a preventive maintenance policy and procedure in place?

The purpose of the policy is to ensure the department's vehicles are in proper safe working condition and to assist you in reducing the potential liability / physical injury hazard.

Take the time to access your departmental operations; develop and implement policies and procedures, protect your department, personnel and entity.

Don't be a risk taker. For sample policy information visit our website www.theparplan.com and select Committees—Fire/EMS Policies—Request Copy of Policy and request Policy #032. Please provide name and mailing address and the sample policy will be forwarded to you. Or you may contact Leslie Powell in the Risk Control Department at 800-536-7425.



Discrimination In The Workplace

The Michigan Township Participating Plan's Risk Control Services along with Midwest Claims Service and Par-Plan legal counsel presented two educational workshops at the January 2002 MTA Conference. The workshops highlighted and explored the employment pitfalls regarding discrimination of age, race, religion, national origin, the Americans with Disabilities Act and Whistleblower Protection statutes.

The workshop was designed to help public officials recognize key elements and avoid situations and behaviors that are most likely to cause townships trouble when hiring and terminating employees.

NOTICE OF BOARD OF DIRECTORS MEETING

The next MTPP quarterly board of directors meeting is scheduled for Friday, May 17th, at 9:00 a.m.

The meeting will be held at the Par-Plan Administrative Offices,
1700 Opdyke Court
Auburn Hills, Michigan 48326

NEW SEWER BACKUP LEGISLATION

By James Youngblood
Midwest Claims Service

Effective January 2, 2002 the 91st. Legislature enacted Senate Bill No. 109 into law. The new provision of the Governmental Immunity Act (MCL691.1416 to 691.1419) is Public Act 222 and was signed by Governor Engler on December 31, 2001.

Prior to Public Act 222 the law was from a decision by The Michigan Supreme Court that ruled that the reverse flow of sewage into a resident was strict liability, which meant it made no difference how the reverse flow of sewage occurred the governmental agency was liable for damages sustained by the resident.

The new term for sewer back up or reverse flow of sewage used in this legislation is Sewage Disposal Event.

The Act provides for the following:

1. The governmental agency must provide all residents and businesses a notice requirement in writing. There is no time frame to do this, however it should be done within a reasonable time period. Some suggestions are as follows:
 - a. Posting on public buildings
 - b. Water and sewer billings
 - c. Municipal newsletters
 - d. Community newspapers
 - e. Board or Council meetings
 - f. Tax and assessment notices
2. The claimant must provide written notice to the Municipality within 45 days of a sewage disposal event. (See sample on www.theparplan.com/forms.htm).
3. If the governmental agency has agreements with other sewer disposal entities involved in the disposal process the governmental agency has 15 days to notify them of the claim.
4. Notice must be given to:
 - a. The Clerk
 - b. An individual who may be served with civil process
 - c. Any other individual authorized by the governmental agency to receive notice
5. The governmental agency has the right to inspect the damage and investigate after notice is received.
6. The claimant must prove a defect to the sewer system. This includes a defect in:
 - a. Construction
 - b. Design
 - c. Maintenance
 - d. Operation
 - e. Repair defect
7. Sewage Disposal System means all interceptors sewers, storm sewers, sanitary sewers, combined sanitary and storm sewers, sewage treatment plants, and all other plants, works, instrumentalities, and properties used or useful in connection with the collection, treatment and disposal of sewage and industrial wastes, under the control of the governmental agency.
8. Economic damages are the only compensation for a claim except in cases of:
 - a. Death
 - b. Serious impairment of body function
 - c. Permanent serious disfigurement
9. The governmental agency must be more than 50% negligent for liability to be assessed.
10. The governmental agency and the claimant have an opportunity to reach an agreement on the liability and amount of compensation, within the 45-day period. If no agreement is reached the claimant can file a lawsuit.

Please refer to our web page www.theparplan.com menu for a sample of forms to assist you in handling these claims.

This information provided is intended for general information only for our clients and friends. The information highlights Public Act 222 and is not legal advice. The reader of this material should consult with your Municipal attorney to determine how the information applies to any specific situation.