

ALTERNATIVE APPROACHES TO SOLVING
METROPOLITAN SERVICE PROBLEMS,
THE PROBLEM OF WASTE WATER
DISPOSAL IN THE TRI-COUNTY REGION

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ABSTRACT

ALTERNATIVE APPROACHES TO SOLVING METROPOLITAN SERVICE PROBLEMS: THE PROBLEM OF WASTE WATER DISPOSAL IN THE TRI-COUNTY REGION

by Robert N. Cummings

The dynamic growth taking place in urban areas of the United States has resulted in many problems concerning the performance of urban functions. The present structural forms of local units of government often do not allow the effective performance of certain areawide and local governmental functions. This means that important urban needs are not being effectively dealt with in our rapidly expanding urban areas.

To emphasize the extent and complexity of the problems of public services in urban areas, this thesis appraises the existing disparities in providing sanitary sewer service within the urbanized portion of the Tri-County Region of Central Michigan; this area includes the Cities of Lansing and East Lansing and the surrounding Ten Township Area. It also analyzes alternative methods for solving metropolitan waste water disposal and other service problems of the area by explaining the various methods available under Michigan law for reorganizing local government to allow them to more adequately meet the problems of expansion.

The thesis points out the need for greater intergovernmental cooperation in order that solutions may be found to the difficult problems of providing services to an urbanized population. It outlines the role that region-wide planning can play in bringing about greater intergovernmental cooperation by discussing the efforts of the Tri-County Regional Planning Commission to do this, particularly for water and sewer service. The thesis also discusses the methods other communities are using to bring about greater intergovernmental cooperation and region-wide planning, including efforts in the City of Detroit, Michigan to create a council of governments.

It is becoming apparent that we must begin to look much closer at metropolitan problems to find new approaches for their solution. This thesis affirms that there is no one solution to the problem of reorganizing local government in order to solve metropolitan service problems; sweeping programs of governmental integration can not be achieved immediately under any one approach, but such reorganization must be achieved in a series of steps. This thesis concludes that the logical first step in this process for the Ten Township Area is the council of governments approach.

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INTRODUCTION

PURPOSE AND SCOPE OF THE THESIS

In recent years there has been a growing awareness in the United States of the need to reorganize government in order to solve metropolitan service problems. The need for this change has been brought about by a greatly expanding population growth, intense urbanization of the population, and the public demand for a greater range of public services at higher standards.

It is being increasingly recognized that certain governmental functions such as air pollution control, water supply and sewage disposal, land use planning and control, and transportation, require areawide planning and implementation. Yet, the present structural forms of local units of government do not allow the effective performance of area-wide urban governmental functions.¹ This means that important urban needs are not being effectively dealt with in our rapidly expanding urban areas.

¹Advisory Commission on Intergovernmental Relations, Alternative Approaches to Governmental Reorganization in Metropolitan Areas (Washington: Government Printing Office, June 1962), p. 5. Hereafter this report is cited as Alternative Approaches.

It is becoming apparent that we must begin to look much closer at the problems and opportunities of the city and find new approaches to solve the problems of metropolitan areas. The first step is to recognize the "systems" character of a city, to realize that cities are continuous urban systems which often overlap existing political and geographic boundaries.²

This new attitude toward urban problems is perhaps best summarized in recent remarks by Vice-President Hubert Humphrey:

The changes in local government which lie ahead amount to a small revolution. We are moving toward a whole new concept of federalism in our rapidly changing nation.

At the heart of this concept is the conviction that our new programs must be tailored to fit the particular problems we are attacking. We are approaching water pollution control and stream management for example more and more within whole river basins.

Now the striking thing about this new approach is that in almost every case, it sweeps across the historic boundaries of our existing governments . . . state, county, and municipal. It is oriented to problems.

What we are trying to find, as a result, are entirely new forms of organization, and new

²John P. Eberhard, "Technology for the City," Science and Technology, September 1966, p. 16.

patterns of cooperation, among our general-purpose municipal and county governments.³

This thesis attempts to illustrate the immense problems of providing public services in rapidly growing metropolitan areas. The objective is to suggest alternative approaches that local governments might use to solve certain metropolitan service problems. The thesis emphasizes the need for reorganization of local units of government, and suggests the need for greater intergovernmental cooperation and region-wide planning among these units of government in order that solutions may be found to the difficult problems of providing services to an urbanizing population.

While this thesis emphasizes the need to reorganize government to more effectively provide all types of urban services, the particular problem of waste water disposal within the urbanized portion of the Tri-County Region of Central Michigan is analyzed and discussed in detail.

The Tri-County Region is composed of Clinton, Eaton, and Ingham Counties. Most of the population of the Region is located in the central Ten Township Area.⁴ Lansing is

³Vice-President of the United States Hubert Humphrey, "A Small Revolution," address made to the National Association of County Officials, July 18, 1966, American County Government, September 1966.

⁴The Ten Township Area encompasses the central cities of Lansing and East Lansing, and the ten surrounding townships of Watertown, DeWitt, Bath, Delta, Lansing, Meridian, Windsor, Delhi, Alaiedon, and Oneida.

the Capital of Michigan and an industrial center. The campus of Michigan State University is located in East Lansing.

This thesis is organized into six chapters. Chapter I discusses the reasons why local government must be reorganized to solve metropolitan service problems. Chapter II points out the extent and complexity of the problems involved in providing metropolitan services by appraising the existing methods of waste water disposal in the Ten Township Area. Chapter III discusses the factors influencing intergovernmental cooperation, i.e., recent state and federal legislation requiring greater intergovernmental cooperation. Chapter IV analyzes the alternative methods for solving certain metropolitan service problems by explaining the various methods available under Michigan law to reorganize local government to allow them to more adequately solve metropolitan waste water disposal and other service problems. Chapter V discusses the role of the regional planning commission as an agency of intergovernmental cooperation. In summary, the thesis suggests some specific courses of action local units of government in the Tri-County Region might take to solve metropolitan service problems such as waste water disposal.

Because of the growing awareness in recent years that the best way to bring about the effective performance of areawide governmental functions is to change the structural forms of local units of government and to work toward greater intergovernmental cooperation, there has been a great deal written about the subject.⁵ The unique contribution of this thesis is that it discusses this vast amount of literature in the context of a particular problem (waste water disposal) for a particular area. More important, the alternative solutions to this problem are discussed in the context of their feasibility under Michigan law.

This thesis is viewing an immense and complicated field. It does not attempt to cover the entire field. Its purpose is to create a greater awareness of the need, particularly in the Tri-County Region, to find solutions to service problems, particularly waste water disposal. It is hoped that this thesis will be used by the public officials of the Tri-County Region, and others, to better understand their particular problems, and to recognize that solutions to these problems are available under Michigan law.

⁵For a summary of the important steps in the development of intergovernmental relations and an excellent bibliography of the literature see: Graves V. Brooke, Intergovernmental Relations in the United States: An Annotated Chronology of Significant Events, Developments, and Publications with Particular Reference to the Period of the Last Fifty Years (Washington: The Council of State Government, 1958).

CHAPTER I

THE NEED FOR GOVERNMENTAL REORGANIZATION IN METROPOLITAN AREAS

As background for the discussion on methods of reorganizing local government to solve metropolitan service needs, it is necessary to understand the problems facing metropolitan areas today. In this chapter the growing importance of metropolitan areas, reflected by the greatly increased population growth in these areas, and the major problems created by the emergence of these centers is discussed. In order to better understand the resulting need for reorganizing local government, an examination of the optimum methods of providing urban services is included.

Growth of Metropolitan Centers

The growth of metropolitan problems has been largely a result of the tremendous population increase in urban areas. This growth has been a natural product of over a century of industrialization accompanied by increased agricultural productivity.¹

¹General Report (East Lansing: National Conference on Metropolitan Problems, 1956), p. 9.

In 1960 nearly two-thirds, 112.9 million persons of the nationwide total of 179.3 million, lived within metropolitan areas. The 212 areas designated as "metropolitan"² in 1960 accounted for 84 per cent of all the increase in the nation's population between 1950 and 1960. Population in these areas increased by 23.6 million persons, or 26 per cent; while the population in the remainder of the country only increased by 4.4 million, or 7 per cent. During the previous decade, 1940-1950, these same 212 areas accounted for nearly 80 per cent of the total population growth of the United States.³

It is interesting to note that in 1960 only about half of the inhabitants of metropolitan areas in the United States, 58.0 million out of 112.9 million persons, lived within the central cities of these areas. Most of the population growth of metropolitan areas between 1950 and 1960 took place in suburban areas around central cities.⁴

²This term refers to Standard Metropolitan Statistical Areas. The U. S. Bureau of the Budget has established certain criteria for these areas. In general an SMSA is a county or group of counties which contains at least one city of 50,000 inhabitants or more, or twin cities with a combined population of at least 50,000. In addition, the county or counties containing such a city or cities are included in an SMSA if, according to certain criteria, they are essentially metropolitan in character and are socially and economically integrated with the central city. For a complete definition see: U. S. Bureau of the Census, 1960 Census of Population, Report P.C.(S-1)-1 (Washington: Government Printing Office, 1960).

³Ibid.

⁴Ibid.

Growth in the Tri-County Region

The Tri-County Region is one of the 212 areas in the United States designated as a metropolitan region. Population growth in this region has closely followed the national trends. Between 1950 and 1960 the population of the Tri-County Region grew from 244,195 to 298,949 persons, an increase of 22.4 per cent. During this same time period the population of the Cities of Lansing and East Lansing increased by 25,551 persons, or 22.7 per cent, while the Ten Township suburban area surrounding Lansing and East Lansing increased by 17,845 persons, or 29.5 per cent. A major reason for the large growth in the Cities of Lansing and East Lansing is the rapidly increasing student enrollment at Michigan State University.⁵ The population growth of Lansing, East Lansing, and the surrounding Ten Township Area between 1950 and 1960 is illustrated in Appendix A.

Rapid growth is expected to continue in the Tri-County Region. The population is expected to reach 600,400 by 1990, more than double the 1960 population. It is estimated that the population of Lansing and East Lansing will reach 292,900 by 1990, a 112.2 per cent increase over the 1960 population, while the population of the surrounding Ten Township Area will reach 169,400, a 116.5 per cent increase

⁵Tri-County Regional Planning Commission.

over the 1960 count.⁶ Future population estimates for Lansing, East Lansing, and the Ten Township Area are illustrated in Appendix A.

Metropolitan Growth Problems

Metropolitan growth presents problems associated with changing technology, the lack of room in the central city, the economies of mass housing, government housing policies, and the suburban desire to have single family homes surrounded by large open spaces.

Local government is encountering the problem of urban sprawl and is finding itself unable to provide meaningful solutions.⁷ It is evident that we must reassess the relative authority and responsibility of local government to solve such metropolitan problems as urban sprawl. It appears logical that certain governmental functions, especially those pertaining to urbanism, must be dealt with on a larger-than-local basis.

One of the major problems in metropolitan areas is waste water disposal. The suburbs present the most critical sewer problems. The tremendous growth in suburban areas has far outrun the ability of most local governments to provide

⁶ Ibid.

⁷ Allen Tempko, "Looking Backward with Hope," Cry California, Fall, 1966.

sewers. Many of these areas have relied on seemingly adequate individual systems. Reliance on these systems has allowed development to spread out, to leapfrog, across once open areas. Development has taken place anywhere where septic tanks could be inexpensively installed. As this process continues it will become increasingly difficult to provide these new areas with sewer systems and other types of urban services. The large lots required for individual systems make it extremely expensive to provide utilities and other urban facilities, especially sewers.⁸

There are three major reasons why local governments as now constituted are unable to provide optimum handling of urban services: (1) fragmentation and overlapping of governmental units, (2) disparities between tax and service boundaries, (3) state constitutional and statutory restrictions.⁹

Fragmentation and Overlapping of Governmental Units

The local government pattern in metropolitan areas is unbelievably complex. This is due not only to the large

⁸ Advisory Commission on Intergovernmental Relations, Intergovernmental Responsibilities for Water Supply and Sewage Disposal in Metropolitan Areas (Washington: Government Printing Office, October 1962), p. 24. Hereafter this report is cited as Water Supply and Sewage Disposal.

⁹ Advisory Commission on Intergovernmental Relations, Governmental Structure, Organization, and Planning in Metropolitan Areas: Suggested Action by Local, State, and National Governments (Washington: Government Printing Office, July 1961), pp. 12-17. Hereafter this report is cited as Governmental Structure.

number of governmental units, but also to their frequent territorial overlapping.

One of the major reasons local government has not been able to keep pace with the growing demands for sewer service in metropolitan areas is because the responsibility for providing sewage disposal facilities has been fragmented. Fragmentation is primarily evident in suburban areas. Most suburban sewage service areas are quite small, but rather than to expand these existing systems there has been a tendency to create more new smaller systems. This trend has resulted in a number of problems, not the least of which concerns public health. Many small municipalities often fail to process wastes at all, or treat them inadequately. Fragmentation has resulted in a great variation in the type of sewage service provided, and great disparities in the price levels of sanitary sewer service within a single metropolitan area. Too often this has resulted in water supplies and recreational areas in downstream regions of the watershed being dispoiled by the raw or inadequately treated sewage.

Inadequate region-wide planning for sewer service has often led to duplication of facilities in metropolitan areas, and to increased developmental and operational costs. Many limited sewer systems have been constructed which have a rapid rate of obsolescence because they were only constructed to meet existing problems, not maximum or future

demands. Under these circumstances, coordination of sewer systems with adjacent communities to create region-wide solutions becomes very difficult.¹⁰

The Tri-County Region is an excellent example of what has occurred in many metropolitan areas. The Tri-County Region includes a total of seventy-eight local governmental units, forty-eight townships, seventeen villages, ten cities, and three counties. There are presently thirteen existing sewer systems serving this area, and twelve more systems are proposed.¹¹

Disparities Between Tax and Service Boundaries

The larger the number of independent governmental jurisdictions within a metropolitan area, the more inequitable and difficult it becomes to finance those governmental services which are areawide in character. This is especially the case with respect to such services as water supply, sewage disposal, and transportation, which by their nature require large and integrated facilities with service boundaries economically dictated by population density and topography. Even services which do not demand areawide handling, such as education, law enforcement, and health,

¹⁰Water Supply and Sewage Disposal, op. cit., pp. 21-23.

¹¹Tri-County Regional Planning Commission.

also involve serious problems of equity with respect to financing, and awkwardness in administration where numerous local governments are involved.

The greatest difficulties lie with governmental units that rely on the local property tax to finance their services. Small taxing areas, uneven distribution of industrial property, and the low correlation between the location of housing and the consumption of public services make the taxing situation quite complicated. This situation has been somewhat alleviated by increased reliance on state and federal aid.¹²

An excellent example of tax disparities among local units of government is given by information on local government receipts in the Tri-County Region. In fiscal 1958 the combined total income for all local units of government exceeded 15.2 million. Of this, the most important single source was the property tax which accounted for 6 million, or 39.3 per cent, of total income. There are, however, striking variations existing between individual counties, municipalities, and townships. In Ingham County the property tax accounted for approximately 42 per cent of total receipts, while in Clinton and Eaton Counties the property tax provided only about 25 per cent and 28 per cent of total income, respectively. In Clinton and Eaton Counties state

¹²Governmental Structure, op. cit., p. 16.

aid is the most important source of income, providing about 44 per cent of total income in Clinton County and 36 per cent in Eaton County.

For municipalities in the Tri-County Region the property tax was the most important single source of revenue, providing almost 41 per cent of the total receipts. In contrast, this source provided only 21 per cent of total income for the townships, whereas state aid provided almost 70 per cent. It is also interesting to note that 72 per cent of all receipts by local government in the Tri-County Region came from the Cities of Lansing and East Lansing.¹³

State Constitutional and Statutory Restrictions

In many states constitutional and statutory restrictions limit the modernizing of the structure and functions of local government.¹⁴ In Michigan the new State Constitution and recent statutory provisions have provided the means for a variety of changes in the structure of local government which would enable them to meet areawide problems. These methods are discussed extensively in Chapter IV of this thesis. The main problems in Michigan, as in most

¹³Tri-County Regional Planning Commission, Economic and Population Base Study of the Lansing Tri-County Area, A report by the Bureau of Business and Public Service, College of Business and Public Service, Michigan State University (East Lansing: 1960), pp. 83-93.

¹⁴Governmental Structure, op. cit., p. 16.

other states, exist in finding ways to finance needed services and to overcome local apathy and disinterest in solving areawide problems.

Identification of Urban Functions Which Are
Best Carried Out on an Areawide Basis

The previous section has outlined the major reasons why local government as presently organized has difficulty meeting the service needs of modern metropolitan areas. The question arises: What are the optimum methods of providing urban services? To better understand the need for the reorganization of local government it seems appropriate to discuss this pertinent question.

It is necessary to identify those urban functions which could be most appropriately performed on an areawide basis and those which could better be performed by individual local governments. The Advisory Commission on Intergovernmental Relations has researched this problem and summarized its findings in the report, Performance of Urban Functions: Local and Areawide.¹⁵ The following is a brief review of the findings of the Commission.

¹⁵ Advisory Commission on Intergovernmental Relations, Performance of Urban Functions: Local and Areawide (Washington: Government Printing Office, September 1963). Hereafter this report is cited as Performance of Urban Functions.

Criteria for Allocation of Urban Functions

The Commission has developed a number of economic and political criteria to aid in determining whether functions should be performed on a local or areawide basis.

Economic criteria

1. The governmental jurisdiction responsible for providing any service should be large enough to enable the benefits from that service to be consumed primarily within the jurisdiction.¹⁶

The benefits from the service or the social and other costs of failing to provide the service should not spill over into other jurisdictions. A problem arises in defining an area of benefit consumption for services such as parks, highways, and streets. Spillovers of benefits and costs can never be eliminated entirely.¹⁷

2. The unit of government should be large enough to permit realization of the economies of scale.¹⁸

For many types of services, unit costs decline with increased output. For example, it costs about \$58.00 per million gallons to provide primary sewage treatment in a million gallon capacity facility, but less than half this amount in a ten million gallon capacity facility.¹⁹ A

¹⁶Ibid., p. 42.

¹⁷Ibid., pp. 42-44.

¹⁸Ibid., p. 45.

¹⁹Water Supply and Sewage Disposal, op. cit., p. 39.

problem does exist in that there have not been enough studies of what the optimum size is for various types of urban services.²⁰

Political criteria

1. The unit of government carrying on a function should have a geographic area of jurisdiction adequate for effective performance.²¹

The implementation of sewage disposal systems should be a good example of this criteria. They should conform to natural drainage basins rather than to boundaries of municipal jurisdictions that often intersect watershed and drainage basins.

2. The unit of government performing a function should have the legal and administrative ability to perform the services assigned to it.²²

Government must have the legal authority to undertake a service, and have a governmental structure with the administrative ability and financial base to perform needed services.

3. Every unit of government should be responsible for a sufficient number of functions so that it provides a forum for resolution of conflicting interests, with significant responsibility for balancing governmental needs and resources.²³

²⁰ Performance of Urban Functions, op. cit., p. 45.

²¹ Ibid., p. 50.

²² Ibid., p. 52.

²³ Ibid., p. 54.

This criteria points out the danger in the jurisdictional allocation of individual functions, of creating so many separate service districts or other governmental units that they operate at cross purposes with each other. Government should have enough functions within its jurisdiction to balance one another and assign priorities.

4. The performance of functions by a unit of government should remain controllable by and accessible to its residents.²⁴
5. Functions should be assigned to that level of government which maximizes the conditions and opportunities for active citizen participation and still permits adequate performance.²⁵

Allocation of Urban Functions

Using the above criteria, the Commission analyzed a number of urban functions and made conclusions as to whether they should be performed on a local, areawide, or intermediate area basis. The results of the Commission's study are summarized below for some of the more important urban services. The "most local" functions are discussed first and the "least local" last.²⁶

Fire protection. This function is well suited to administration at the local level because costs and benefits arising from the service provided do not spill over very

²⁴Ibid., p. 56.

²⁵Ibid., p. 58.

²⁶Information for this section from Performance of Urban Functions, op. cit., pp. 61-265.

much into other localities. Economies of scale by centralizing functions cannot be realized because fire companies need to be close the area of potential fire, but even this service could greatly benefit from areawide coordination of total fire fighting resources, personnel recruitment, and training.

Public education. The quality of education has far reaching effects on the community, metropolitan area, and the region. Quality of education is related to the specialization of teaching and curriculum, which, in turn, is directly related to the size of the school system. School systems must be of sufficient size to offer the educational program desired and needed by the community, but such systems must not be so large that they do not provide for the maximum amount of citizen accessibility, control, and participation. Michigan is currently in the process of consolidating school districts with the purpose of achieving greater economies of scale, offering more specialized training, and attracting better qualified teachers through more competitive wage scales.

Refuse collection and disposal. There is little spillover of costs and benefits of collecting refuse, but economies can accrue from the joint operation of disposal sites by municipalities. These economies are limited by the cost of hauling refuse.

Libraries. The people who benefit from libraries are the people who use the service. For the most part these are the residents of the community in which the library exists, with some spillover from residents of surrounding areas. The more specialized the library, the greater the use spillover. The great variation in the type of facilities suggests the desirability of forming areawide library systems that provide both small community libraries and more specialized research facilities serving much larger areas.

Police. It seems desirable to have some aspects of law enforcement closely controlled by the local communities, but many aspects of police work are becoming so specialized and so scientific that economies of scale can be achieved by areawide service. The operation of many aspects of police work including laboratories, communication systems, record systems, specialized squads, and jails, can best be provided on an areawide basis.

Health. The specialized nature of this service makes it almost mandatory that it be provided on a county or areawide basis.

Parks and recreation. Most of the benefits from playlots, playgrounds, and neighborhood parks are largely confined to local residents, but the public is increasingly demanding larger, more diversified park systems. Natural

and large-area type parks can only be provided on an area-wide basis. Some types of facilities such as swimming pools, golf courses, and tennis courts, can be self-supporting, but the cost of building these facilities is prohibitive to small communities.

Hospitals and medical care facilities. Although internal administration of hospitals by local government is desirable, overall planning on a metropolitan basis can eliminate a great deal of wasteful duplication of facilities. Areawide planning for hospitals is being promoted by the federal government through the Hill-Burton Program.²⁷

Air pollution control. Air pollution control is one of the best examples of a service that must be provided on an "air basin" basis. Such basins usually include the entire urban region, and may frequently include the entire state or even groups of states. State or interstate action seems to be the best way to effectively control air pollution.

Water supply and sewage disposal. Rapid urban growth in suburban areas has greatly complicated the task of providing urban areas with adequate water supplies and

²⁷For information on this program consult: U. S. Department of Health, Education, and Welfare, Public Health Service Regulations, Part 53 (Washington: Government Printing Office, 1962).

removing and treating its wastes. The availability of water and sewage systems can affect the direction and intensity of economic development of an entire metropolitan area. How this service is provided can create complex problems for urban areas; one community's method of sewage disposal can seriously affect another community's water supply.

Solutions to these problems can only be found on the basis of entire watershed or drainage basins. Small communities within urban areas are finding it increasingly difficult to find sufficient water resources and safely dispose of their sewage within their boundaries. When water supply and sewer collection are handled on an areawide basis, duplication of costly facilities is avoided, costly pumping is eliminated by following natural contours, and other savings are accrued that can greatly lower the unit cost on fixed charges.

Planning. The problems of metropolitan areas reach beyond metropolitan boundaries. A metropolitan planning agency, by studying and planning for orderly urban development, can increase the efficiency of most other public services.

Summary

This chapter has attempted to illustrate some of the problems presently facing metropolitan areas today, and has examined the optimum methods of providing urban services. Of all the public functions most appropriately performed on an areawide basis, water and sewer services are among the most important in terms of health and welfare. In the following chapter the waste water disposal problems in one urban area, Lansing, will be investigated to illustrate the need for the reorganization of local government so that it can more adequately provide this and other public services.

CHAPTER II

AN EXAMPLE OF METROPOLITAN SERVICE DISPARITIES

In attempting to find better ways to provide services to metropolitan areas it is important that we understand the types of problems that currently exist in providing these services.

Waste water disposal problems exist in all communities throughout the Tri-County Region, but they are most severe in the Ten Township Area, where most of the growth in the Region is taking place. Within this area there are six existing sewer systems: Lansing - Lansing Township, East Lansing - Meridian Township - Michigan State University, Delhi Township, Delta Township, City of Grand Ledge, and the City of DeWitt. Other areas, such as the Village of Dimondale, DeWitt Township, and Bath Township, are planning systems.

The purpose of this review is to illustrate the complex problem of sewage disposal in this Area, and to show how, under existing circumstances any attempts to coordinate the plans of the various systems into a region-wide approach will be very difficult. Here greater areawide planning and

cooperation of governmental units will be necessary in order to provide the vital public services so widely needed.

The patterns and problems of providing sewage disposal in the Ten Township Area are outlined. In addition, the development, present service policy, and financing of the systems, and the history of intergovernmental cooperation and planning within the various units providing sewer systems, are discussed. The existing and proposed sewer systems in the entire Tri-County Region are illustrated in Appendix B.

Waste Water Disposal in the Ten Township Area

City of Lansing and Lansing Township

Lansing, the largest and the central city of the Tri-County Region, was the first to develop a sanitary sewer system. The first municipal sewer lines, laid in 1875, discharged raw sewage directly into the Grand River. In 1920 the first general plan for sewage disposal was developed.¹ Construction of portions of the sewers recommended in the sewage plan began in the early 1920's, and by 1938 the first municipal sewage treatment plant was in operation.

The existing sewer system consists of a complex of separate sanitary and storm sewers and a system of older

¹McNamee, Porter and Seeley, Consulting Engineers, General Plan of Sewage and Sewage Disposal (Ann Arbor: 1921).

combined sewers which carry both sanitary and storm water run-off. The City's treatment plant, located on the Grand River, on the west side of the City, provides both primary and secondary treatment.² The City is now completing the third expansion of its treatment plant, increasing its capacity from 22 million gallons to 34 million gallons per day. The present service area includes the City of Lansing plus most of Lansing Township. Service is presently provided to approximately 85 per cent of the population of the service area of the system.

The present service policy of the City is very liberal and has been a great impetus to annexation. Currently any group of residents or a subdivider may petition the City for service. The residents or subdivider are assessed for the entire costs of sewers up to twelve inches in diameter. The City pays for all sewers larger than twelve inches in diameter, and also negotiates all contracts and supervises the construction of all sewers. The City's sewer service policy has changed many times over the years. At one time the City paid up to 75 per cent of all development costs.

²Primary treatment involves the physical removal of a portion of the suspended solids from the sewage and further treatment of solids. Secondary treatment involves further removal of organic matter from the liquids by one of several different biological processes, and chemical treatment of the water. Secondary treatment may remove as much as 90 to 95 per cent of the organic matter and suspended solids.

Most major improvements to the City's sanitary sewer system have been financed with revenue bonds. The City has received three federal grants totaling 388,000 dollars which has been used to modernize the sewer plant and to help construct the interceptor system.

Since Lansing is the largest city in the Region and has the largest sanitary sewer system, it would seem that the City would take the lead in seeking a metropolitan solution to sewer problems. In general, the opposite has been true. The present policy of the City is to provide sewer service only to areas within the City of Lansing. The City has made only one cooperative agreement with another unit of government to provide sewer service, i.e., in 1955 the City took over the financially troubled Landel System which serves part of Lansing Township. In the 1920's Lansing's consulting engineers suggested that sewage be accepted for treatment from East Lansing, but at that time East Lansing was not interested in cooperating with Lansing. Since that time other units of government including Delhi, Delta, and DeWitt Townships and the City of Dimondale have tried to make agreements with Lansing to accept sewage for treatment without success.³

³George Wyelie, Director of Public Services, City of Lansing, in a personal interview, April 17, 1967.

During 1958 and 1959 the Lansing Chamber of Commerce sponsored several conferences on the growing sewage disposal problems of the metropolitan area. The major purpose was to bring together the local units of government in the Ten Township Area to discuss solutions to the problem on a metropolitan basis. The local units of government that participated agreed that the best way to solve the problem was to join forces and form a metropolitan sewer district or initiate some other areawide approach. However, no general agreement could be reached on the method to be used or how the costs were to be shared. Lansing agreed to accept sewage from other units of government, but felt that City taxpayers should not have to pay any additional costs. East Lansing, Meridian Township, and the other local governmental units in the Ten Township Area felt that they should not have to pay the entire costs of building interceptor sewers to the Lansing treatment plant. Because of this impasse the conferences did not provide any tangible results.⁴

A number of planning studies on sewage disposal have been made for the City including the General Sewage Disposal Plan of 1924⁵ and Sewage for Lansing and Metropolitan

⁴Albert Boyde, Vice Chairman, Greater Lansing Chamber of Commerce, in a personal interview, April 20, 1967.

⁵McNamee, Porter and Seeley, Consulting Engineers, Lansing General Sewage Disposal Plan (Ann Arbor, April 1924).

Area.⁶ In the latter study estimates were made for transporting and treating sewage from East Lansing and environs. This is the only study made by the City that has considered the sewage problems of other local units of government in the surrounding area. Lansing is presently making a Master Drainage Plan that will outline the 1990 sewage requirements of the City. Phase I - presenting general information on the Lansing sewer system and establishing service area boundaries has been completed.⁷ Phase II - a study of the existing sewer system, and Phase III - The Master Drainage Plan, have been delayed because of lack of funds.⁸

City of East Lansing, Meridian Township, and Michigan State University

The most important cooperative agreement for sewer service now in existence in the Ten Township Area is between the City of East Lansing, Meridian Township, and Michigan State University. East Lansing owns and operates the sewer treatment plant and has made agreements with Meridian

⁶McNamee, Porter and Seely, Consulting Engineers, Sewage for Lansing and Metropolitan Area (Ann Arbor: February 1957).

⁷McNamee, Porter and Seely, Consulting Engineers, Phase I, Master Drainage Plan (Ann Arbor: April 1965).

⁸George Wyelie, op. cit.

Township and Michigan State University to treat their sewage.

East Lansing and Michigan State University made their first agreement in 1927. These units of government cooperated in building East Lansing's first treatment plant in 1929. Expansions were made to the plant in 1939 and 1949. Meridian Township made its first agreement with East Lansing in 1963. The present plant, an activated sludge primary and secondary treatment plant, was completed in 1965.

All three participating units of government share in the operation costs, costs of construction for the treatment plant, and costs of interceptor sewers according to use. Operational costs are divided according to the amount of sewage treated for each participant. The cost of construction bonds for the treatment plant and the interceptor sewers are paid for on the basis of allotted use. The capacity of the present sewer plant is eight million gallons. The City of East Lansing has been allotted three and one-half million gallons, the University three million gallons, and Meridian Township one and one-half million gallons. Each participant pays for costs of bonds in direct proportion to these allotted ratios. No funds have been set aside for further expansion and any future expansion will be paid for by the using community. The plant could be expanded to double its present capacity.

One of the most obvious problems of the system is the lack of long range planning. The treatment plant has only been in operation for one and one-half years, and already Michigan State University and Meridian Township are nearing their allotted capacities. Little consideration has been given to whether the Red Cedar River can assimilate the additional effluent of future expansion. The Michigan State Health Department has indicated that they will not allow additional pollution of the Red Cedar River.

No long range studies for meeting future needs have been undertaken by any of the participating communities.⁹ Although East Lansing, Meridian Township, and Michigan State University have joined together to solve a common problem, it is obvious that they have not undertaken the necessary planning needed to make the system completely successful.

East Lansing sewage collection system. The present sewage collection system in East Lansing consists of a network of separate sanitary and storm sewers in the newer section of the City, and combined sewers in the older areas. About 90 per cent of the residents of East Lansing are presently served with sanitary sewers. All areas of the City are served except a small area in the northern part of the

⁹ Robert M. Bruce, City Engineer, City of East Lansing, in a personal interview, April 18, 1967.

City. One reason East Lansing has not been concerned with the long range sewer problems of Meridian Township and Michigan State University is that the future growth of East Lansing is limited. The City believes that its present allotted capacity of the sewer plant is adequate to meet any anticipated future needs.¹⁰

Meridian Township sewage collection system. Meridian Township began building its present sewage collection system in 1961. The present assessment district includes most of the developed areas in the Township. It is estimated that approximately 80 per cent of the present population of the Township is now connected to sanitary sewers. The present system was financed by forming special assessment districts, selling general revenue bonds, and with federal funds.

The present service policy is to provide service to all areas where there is any concentration of population. If residents in a given area desire service they must vote to establish a special sewer assessment district. Subdividers are required to install sewers and must pay all the costs of installation.

No long range planning studies to meet future sewer service needs have been completed by Meridian Township. The

¹⁰Ibid.

present system is designed to meet the existing sewer problems of the Township. The interceptor sewers have not been designed to handle the anticipated future needs of the Township and no plans have been made for expanding the present capacity of the East Lansing treatment plant.¹¹

Michigan State University sewage collection system.

As discussed above, Michigan State University is rapidly reaching its allotted capacity of the East Lansing sewer plant only one and one-half years after construction of the plant. This situation is a good example of the lack of any long range planning by the University.

Delhi Township

In 1961, recognition of the need for an adequate system of sewage disposal in Delhi Township brought about the passage of bond issues and the subsequent letting of bids for a one and one-half million dollar sanitary sewer project. This sanitary sewer district serves only the more intensively developed unincorporated Holt area of the Township. It presently serves approximately 1,500 users, or about 50 per cent of the Township residents. The sewage treatment plant consists only of primary treatment to remove suspended solids and chlorination to disinfect the effluent before it is released into the Grand River.

¹¹Robert Griffith, Township Engineer, Meridian Township, in a personal interview, April 19, 1967.

The present service policy is similar to that of Meridian Township. If residents outside the present sewer district desire service, they must form a new sewer assessment district to obtain funds to construct the necessary lines. Subdividers are required to install sewers and must pay the entire costs of installation. The present system was financed by special assessments and revenue bonds. No federal aid was obtained. There are presently some reserve funds for repairs or minor expansion.

In 1958 when Delhi Township was in the preliminary planning stage of developing its sewer system it discussed with Lansing the possibility of using the Lansing treatment plant, but no agreement could be reached. Preliminary studies have been made for serving the entire Township with sewers. An expansion of the sewer system in the northeast portion of the Township was proposed in 1965. This proposal was vetoed by the residents of the proposed assessment district in April of 1965.¹²

Delta Township

Delta Township has just completed a three million dollar sewer system in the heavily urbanized eastern portion of the Township. The new treatment plant, providing primary

¹²Joseph Keirse, Township Supervisor, Delhi Township, in a personal interview, April 18, 1967.

and secondary treatment of sewage, was placed into operation in October 1966. The new plant has the capacity to process one million gallons of sewage per day, but at the present time it is only processing 400,000 gallons per day. The plant is designed to allow for additional expansion. The present system serves approximately 4,500 persons, or about 50 per cent of the population of the Township.

The present service policy is similar to those of Meridian and Delhi Townships. If residents outside the present sewer district desire service they must form a new assessment district, and subdividers must install and pay the entire cost of sewers. The present system was financed by special assessments and with revenue bonds. A 250,000 dollar federal grant was also obtained.

Delta Township's sewer system is constructed parallel to the Lansing system. The two treatment plants are only a few miles apart. It seems obvious that these systems should have cooperated in providing service. Delta Township was very interested in the conferences sponsored by the Lansing Chamber of Commerce in 1958 and 1959 because these were held when the Township was just beginning to realize the need for a sanitary sewer system. When it was obvious that no type of cooperative agreement was going to be reached Delta Township began to plan for the construction of its own sewer system. More recently there has been some discussion with the Village of Dimondale concerning the

acceptance of their sewage. At the present time it appears that Dimondale will proceed on its own in developing a system.

Delta Township has not yet developed a plan for serving the entire Township with sewers. Only the eastern half of the Township has been studied. Negotiations are now underway and preliminary plans being drawn up for accepting sewage from the proposed new state complex to be located in Windsor Township just south of Delta. Delta Township has already made an application for federal aid to build the necessary interceptor sewers needed.¹³

City of Grand Ledge and Oneida Township

The City of Grand Ledge has long been served by a public sewer system, but the surrounding area in Oneida Township does not have a sewer system. No one can remember when the first sewer lines were laid in Grand Ledge, but until the present treatment plant was built in 1935 the raw sewage was simply released directly into the Grand River. The City's treatment plant now provides only primary treatment.

The service policies of the City are similar to those of other local government units in the Ten Township

¹³A. Marquart, Township Supervisor, Delta Township, in a personal interview, April 19, 1967.

Area. Eventually service will be provided to all areas of the City, but areas outside the city will not receive service unless they annex. Grand Ledge does provide sewer service to the Seventh Day Adventist Camp located adjacent to the City and within Oneida Township. Subdividers must install and pay the entire costs of sewers. Recent additions to the system have been financed by special assessments and with revenue bonds. The sewer treatment plant was built with federal aid during the depression.

The only cooperative agreement to provide sewer service that the City has made is with the Seventh Day Adventist Camp. The City has never discussed extending its system into Oneida Township, and the Township has never considered the need for sanitary sewers.

Presently an engineering firm is developing a long range sewer and water plan for the City. The plan will outline a program for providing sewers to those areas of the City not already served, eliminating existing combination sewers, and adding secondary treatment to the present sewer plant. The plan will be the first comprehensive study ever made of the City's sewer and water facilities.¹⁴

¹⁴Fred White, Consulting Engineer, City of Grand Ledge, in a personal interview, April 18, 1967.

City of DeWitt and DeWitt Township

The City of DeWitt is presently served by a municipal sewer system. At the present time DeWitt Township does not have a sewer system, but one is being planned. Plans for the City of DeWitt system were begun in 1960. The first proposal, which included a water system, was voted down in 1961. A second proposal, which included only a sewer system, was approved in 1963. Construction started in late 1963, and was completed in 1964. At the present time the City's treatment plant provides only primary treatment, and the effluent is released into the Looking Glass River. The system serves the entire population of the City. It is anticipated that in the future the system will continue to serve only the City. The system is designed to serve about twice the existing population of 1,500. Engineering plans to convert the present plant to primary and secondary treatment are now being prepared.

Any new areas annexed to the City will be assessed for sewers. Subdividers must install and pay the entire costs of sewers. The existing system was financed by special assessments, general obligation bonds, and revenue bonds. The City did not apply for federal aid.

The lack of cooperation between the City of DeWitt and DeWitt Township is probably the best example of the lack of cooperation between local units of government in the Ten Township Area. The highly developed southern portion of

DeWitt Township between Lansing and the City of DeWitt is presently facing serious waste water drainage problems. The area drains into two watersheds, the Grand and the Looking Glass Rivers. It is obvious that the Grand River drainage area should be served by the City of Lansing, and the area in the Looking Glass watershed should be served by the City of DeWitt. However, the Township will not cooperate with DeWitt in building a common sewer system, nor will it annex to Lansing. Instead, the Township has decided to build its own system. In the plans being developed, sewage from the Grand River drainage will be pumped into the Looking Glass drainage and treated at a plant that will be located only a few miles from the City of DeWitt's treatment plant.¹⁵

Village of Dimondale and Windsor Township

At the present time Windsor Township and the Village of Dimondale are not served by public sewers. The Michigan State Department of Water Resources is requiring that Dimondale start construction of a public sewage disposal system before August 1967. Preliminary engineering plans are now being developed. It is anticipated that the system will provide primary and secondary treatment of sewage with

¹⁵ Lloyd Berkimer, City Councilman, City of DeWitt, in a personal interview, April 20, 1967.

a capacity of 150,000 gallons per day. Initially the system will serve only the Village of Dimondale, however, provisions are being made so that the system can be extended into the developed portions of Windsor Township in the future.

Dimondale has applied to the Michigan State Water Resources Commission and the Farmers Home Administration for loans to construct the sewer and water system. When these loans are approved, construction will begin.

When the system was first considered it was anticipated that Windsor Township would cooperate in its development. No agreement could be reached however, so Dimondale has proceeded in developing its own system. As mentioned above, some provisions have been made to extend the system into the Township, but the future needs of the entire Township have not been analyzed.¹⁶

Bath Township

The urbanized areas of Bath Township are presently not served by a sanitary sewer system, but plans are being developed for the construction of two separate systems. The first system, to be constructed in 1968, will be built to serve an urbanized area of the Township known as Bath. The system will initially serve only about 620 people, but it is anticipated that it will serve 5,000 people by 1990. The

¹⁶Tri-County Regional Planning Commission, Background for Planning, Windsor Township (Lansing: March 1967), p. 70.

second system, to be constructed in 1969, will serve an area in the Township around Park Lake. Initially this system will serve 1,800 people, and perhaps 8,500 people by 1990.

Both systems will have only primary treatment plants; the sewage will be further treated in sewage lagoons. The systems will be financed with general obligation bonds and revenue bonds. The Township has also applied for a grant from the federal government.¹⁷

Watertown Township

Watertown Township does not have a sanitary sewer system at the present time and the development of a system is not anticipated in the near future. The present thinking is that when a system is developed an agreement should be made with Delta Township to treat the sewage.¹⁸

Alaiedon Township

Alaiedon Township, located in the extreme southeast portion of the Ten Township Area, has not experienced as rapid a growth as the other townships in the Area. At the present time there is no sanitary sewer system in the Township, and none is anticipated in the near future.¹⁹

¹⁷James Shepard, Supervisor, Bath Township, in a personal interview, April 20, 1967.

¹⁸Ernie Carter, Supervisor, Watertown Township, in a personal interview, April 20, 1967.

¹⁹Lewis Wilson, Supervisor, Alaiedon Township, in a personal interview, April 20, 1967.

Summary

The discussion of existing and proposed sanitary sewer systems in the Ten Township Area has attempted to outline the many disparities that exist in providing one type of metropolitan service. The fragmented approach to providing this service in the Ten Township Area has resulted in the construction of six separate sewer systems. In addition, four other systems are in the final planning stages.

Fragmentation has resulted in great disparities in the type of treatment, which in turn has resulted in a serious water pollution problem. Differences in service policy have resulted in disparities in the costs of development within the Area, and in many hard feelings between local units of government. It has also resulted in different financial arrangements for providing service among local governmental units, and the uneven distribution of state and federal aid in the Area.

The discussion also begins to uncover the many conflicts involved in trying to achieve greater intergovernmental cooperation among local governmental units. Most of the local governmental units have made some attempts to achieve greater intergovernmental cooperation. Everybody tends to hold Lansing responsible for the existing situation, but in reality none of the local units of government have been willing to go very far toward greater coordination of

public services. The problem is very complex, largely involving political and financial considerations.

A major problem has been the lack of leadership necessary to bring about greater intergovernmental cooperation. There is no one agency that has the power, or is willing to make the continuing effort, to bring about greater cooperation. The Lansing Chamber of Commerce tried to bring the various units of government together, but obviously their influence was somewhat special-interest oriented.

Another major deficiency is in the complete lack of areawide long range planning for sanitary sewers. Each local unit of government has been trying to solve its own particular problem with no knowledge or interest in looking at the problem from an areawide viewpoint. Moreover, even within their own system each governmental unit has concentrated on solving the immediate problem with little consideration given to long range needs. Waste water disposal is considered as a local problem. The local units of government have not fully realized the effects of their decisions on the regional water pollution problems or even considered how their systems affect future growth in their communities.

Regional planning to determine the long range needs for waste water disposal in the Ten Township Area does not necessarily mean the creation of a metropolitan sewer district or some other areawide solution to the problem. It would mean that each local governmental unit would better

understand the problems involved in providing sewer service for its jurisdiction and how the local system would fit into the overall metropolitan system.

What is needed are stronger incentives to bring about greater intergovernmental planning and cooperation. The following chapter discusses some of the recent federal and state actions that will eventually lead to increased region-wide planning and greater intergovernmental cooperation in solving metropolitan service problems.

CHAPTER III

THE ROLE OF STATE AND FEDERAL GOVERNMENT IN SOLVING METROPOLITAN SERVICE PROBLEMS

In recent years there have been increased efforts by state and federal government to find solutions to metropolitan service problems. One of the most significant steps toward solution of these problems is the requirement for comprehensive regional planning and greater intergovernmental cooperation which is now a part of many state and federal grant-in-aid programs. In this chapter the two leading federal programs incorporating these requirements, the Demonstration Cities and Metropolitan Development Act and the Water Pollution Control Act, will be examined. As an example of state activities, the Michigan Pollution Control Program will be discussed.

Federal Programs

Demonstration Cities and Metropolitan Development Act of 1966

The federal government has taken the initiative in developing imaginative programs leading toward more comprehensive regional planning and greater intergovernmental cooperation.

One of the best examples of federal grant-in-aid programs that require comprehensive regional planning is the Demonstration Cities and Metropolitan Development Act of 1966.¹ Section 204 of the Act states that after June 20, 1967, all applications for federal grants or loans for projects in the following categories: (1) open-space land projects, (2) hospitals and health facilities, (3) airports, (4) water supply and distribution facilities, (5) sewage and waste treatment works, (6) highways--local and state, (7) transportation facilities, and (8) water development and land conservation projects, must be submitted for review and comments to a metropolitan planning agency which is "to the greatest practicable extent, to be composed of, or responsible to, the elected officials of the area."² In addition to a metropolitan review, applications from special purpose units of government, such as sewer districts, must also be reviewed by the governing body within the area in which the project is located.³

The Act provides an incentive of up to 20 per cent of the total cost of the project to state and local agencies which effectively assist in, and conform to, comprehensive

¹Demonstration Cities and Metropolitan Development Act of 1966, Public Law 89-754, S.3708, November 3, 1966.

²Ibid., Sec. 204(a)(1).

³Loc. cit.

metropolitan planning and programming. The Secretary of Housing and Urban Development, before making the 20 per cent bonus grant must be satisfied that:

1. metropolitan-wide comprehensive planning and programming provide an adequate basis for evaluating:
 - a. the location, financing, and scheduling of individual public facility projects whether or not federally assisted; and
 - b. other proposed land developments or uses, which because of their size, density, types, or location, have public metropolitan-wide or interjurisdictional significance.
2. adequate metropolitan-wide institutional or other arrangements exist for coordinating, on the basis of such metropolitan-wide comprehensive planning and programming, local public policies and activities affecting the development of the area.⁴

As of this date, the federal program agencies are still considering guidelines and other rules and regulations for the conduct of the metropolitan planning review.

Water Pollution Control Act

The federal government has been directly involved in finding solutions to urban waste disposal problems for a number of years. During the 1930's the federal public works programs played a key role in providing adequate sewage treatment facilities for urban communities.⁵

⁴Ibid., Sec. 205(a).

⁵Water Supply and Sewage Disposal, op. cit., p. 87.

In 1948 the Federal Water Pollution Control Act⁶ was passed. This has been the most important piece of federal legislation passed providing federal assistance for sewage and water projects. The Act provided for a federal program of research, technical assistance, and program grants to the states for industrial waste control, and low interest construction loans. This Act however, in common with most state and federal grant-in-aid programs of the period, did not effectively attack the problem of fragmented approaches to the waste water disposal problem in metropolitan areas. This deficiency, and the failure of the 1948 legislation to induce major changes in the pollution control programs of a majority of the states, led to a major revision of the Act in 1956. Since 1956, the Act has been further expanded and strengthened by a number of amendments including the Water Pollution Control Act Amendments of 1961 (P.L. 87-88), the Water Quality Act of 1965 (P.L. 89-234), and most important, the Clean Water Restoration Act of 1966 (P.L. 89-753). This last amendment greatly strengthened the provisions requiring comprehensive regional planning and greater intergovernmental cooperation.⁷

⁶Water Pollution Control Act (P.L. 84-660), as amended by the Federal Water Pollution Control Act Amendments of 1961 (P.L. 87-88), the Water Quality Act of 1965 (P.L. 89-234), and the Clean Water Restoration Act of 1966 (P.L. 89-753).

⁷Water Supply and Sewage Disposal, op. cit., pp. 87-90.

The Water Pollution Control Act as amended provides another excellent example of federal legislation requiring comprehensive regional planning and greater intergovernmental cooperation. This Act is expected to be the major impetus for the development of state programs for the control of water pollution.⁸ Such a program is now being developed in Michigan and will be discussed later in this chapter. The Act will also provide funds to support technical research relating to the prevention and control of water pollution. The major programs of this Act are discussed below.

Comprehensive program for water pollution control.

Under the Water Pollution Control Act local communities cannot receive federal aid unless a basin-wide comprehensive program for eliminating the pollution of interstate waters and their tributaries is completed. These studies may be made in cooperation with state planning agencies. The Secretary of the Interior is authorized to make a grant of up to 50 per cent of the administrative costs encountered by state agencies in the development of a comprehensive water quality control and abatement plan for river basins within the state if, "the agency provides for adequate representation of appropriate state, interstate, and local interests

⁸Ibid., p. 89.

involved."⁹ Comprehensive plans developed by these agencies must:

1. recommend such treatment works and sewer systems as will provide the most effective and economical means of collection, storage, treatment, and purification of wastes, and recommend means to encourage both municipal and industrial use of such works and systems; and
2. recommend maintenance and improvement of water quality standards within the basin or portion thereof, and recommend methods of adequately financing those facilities as may be necessary to implement the plan.¹⁰

When a state completes its comprehensive pollution control and abatement plan for a particular river basin, it may apply for additional grants to assist in carrying out the plan.¹¹

Grants for construction. The Water Pollution Control Act also allows for grants to any state, municipal, or intermunicipal agency for the planning, engineering, and construction of treatment works to prevent the discharge of untreated sewage into any waters. Under this provision there are two requirements that relate to comprehensive regional planning and greater intergovernmental cooperation. First, as discussed above, no grant can be made unless the

⁹Water Pollution Control Act, op. cit., Sec. 3.c(1).

¹⁰Ibid., Sec. 3(c)(2).

¹¹Ibid., Sec. 7(a)(1).

project is in conformity with the state water pollution control plan. Second, individual communities are encouraged with financial inducements to join together and find a total metropolitan area solution to their problems. Each participating community can receive the same amount of federal aid as for a single community project, thus reducing their share of the total cost of the cooperative project considerably.¹²

Grants for research and development. Another interesting aspect of the above Act is that grants can be made to any state, municipality, or person, for research and demonstration projects for the prevention of water pollution. The main objective here is to find more effective ways of treating sewage and industrial wastes.¹³

Interstate cooperation and uniform laws. Finally, the Act encourages greater cooperation among the states for the prevention and control of water pollution, and the establishment of uniform state laws relating to the prevention and control of water pollution. States are authorized to enter into joint agreements or compacts to prevent water pollution, and establish joint agencies to carry out any compacts or agreements.¹⁴

¹²Ibid., Sec. 8.

¹³Ibid., Sec. 6.

¹⁴Ibid., Sec. 4.

State Programs

An increasing number of state grant-in-aid programs are also beginning to require comprehensive regional planning and greater intergovernmental cooperation in the solving of metropolitan service problems. For the most part these programs have been a result of federal requirements such as the Water Pollution Control Act described above. Many states, including Michigan, are now undertaking the required studies and are strengthening their water regulation programs as a result of these federal laws. The purpose of this section is to examine the present Michigan Pollution Abatement Program, and the proposed Program for Comprehensive Water and Related Land Resources Planning in Michigan, to determine their effects on regional planning and intergovernmental cooperation within the State.¹⁵

The Effect of Federal Legislation on Michigan's Water Resource Program

The water resource programs of Michigan are administered by the Water Resource Commission which is a part of the State Department of Conservation. Prior to the passage of the Water Pollution Control Act and other federal legislation dealing with water resources, the programs of the

¹⁵Information for this section from William Marks, Resource Planner, Water Resources Commission, Department of Conservation, in a personal interview, April 9, 1967.

Commission were greatly hampered due to lack of funds. Availability of federal funds has provided a great impetus for the Commission's programs. The requirements of the federal laws have also brought about organizational changes within the Commission. In May 1965 the Commission established a Water Resource Planning Unit within the agency. The purpose of the Unit is to conduct water planning activities and to coordinate with other agencies in water planning functions.

It must be pointed out however, that federal legislation alone has not brought about the increased interest in state pollution control programs. The same forces that have brought about federal acts have also been active in state legislation. Public attention on water resource problems in the various states, including Michigan, is increasing.

Present Pollution Abatement Program

The state authority for pollution control and water resource planning in Michigan is Act 245 of the Public Acts of 1929, as amended.¹⁶ This Act gives the Commission power to prohibit the pollution of the waters of the State by prohibiting the discharge of any "raw sewage of human origin" into any waters of the State.¹⁷ The Commission is now

¹⁶Michigan Statutes Annotated, Secs. 3.521-3.532.

¹⁷Ibid., Sec. 6(B).

involved in an expanded enforcement program of this and other regulations. About 250 Michigan communities have been informed of violations of the law. The Commission hopes to secure abatement of presently identified discharges of raw sewage of human origin by 1972.

As required under the Water Pollution Control Act, the Commission is presently developing a comprehensive program for pollution control. Studies are being made of each river basin in the State to determine existing water use, future water use, existing problems, and solutions to existing problems. The studies will recommend the type of treatment works and sewer systems that will provide the most effective purification of wastes and establish water quality standards for each basin. When the river basin plans are completed, local communities will be eligible to receive federal construction grants for treatment works as provided in the Water Pollution Control Act.

Program for Comprehensive Water and Related Land Resource Planning

Michigan is also developing a program for long range comprehensive water and related land resource planning. The program is designed to be a continuing effort to plan for the long range use of the water supplies of the State and to determine the policies essential for maintaining the quality and quantity of Michigan waters. The plan will consider all

potential water uses including urban, industrial, agricultural, electrical generation, navigation, fishing, and recreation.

Funds for this program are being provided under another federal program, the Water Resources Planning Act of 1965.¹⁸ State programs under this Act must:

provide for comprehensive planning with respect to intrastate or interstate water resources, or both, in such state to meet the needs for water and water related activities taking into account prospective demands for all purposes served through or affected by water and related land resource development, with adequate provision for coordination with all federal, state, and local agencies, and non-governmental entities having responsibilities in affected fields.¹⁹

The program for establishing state water quality standards now underway is the first step in this long range plan.

State Grants for Sewage Treatment Facilities

Another Michigan water pollution abatement program that may have far reaching effects on regional planning and intergovernmental cooperation is Act 329 of the Public Acts of 1966.²⁰ State grants for sewage treatment are authorized

¹⁸Water Resources Planning Act of 1965, Public Law 89-80.

¹⁹Ibid., Sec. 303(1). Emphasis by this author.

²⁰Michigan Statutes Annotated, Secs. 3.533(51-54).

under this Act. These State grants are designed to supplement federal grants received under the provisions of the Water Pollution Control Act.

At the present time the State Legislature is considering a bill to amend this legislation.²¹ The proposed amendments include a provision that would require local agencies to "submit to the Water Resources Commission a comprehensive long range plan for the control of pollution in the area within its jurisdiction."²² The long range plan shall: (1) include population and economic projections, (2) delineate probable future service areas for ten and twenty year periods, (3) describe time schedules, proposed methods of financing, construction, and operation of proposed pollution control system, and (4) be reviewed by planning agencies having jurisdiction, including the regional planning agency.²³ The proposed amendment also specifies that the Water Resource Commission may make grants to local agencies to assist them in preparing the long range plan.²⁴

²¹A Bill to Amend Sections 1, 2, and 3 of Act 329 of the Public Acts of 1966, Michigan House Bill 2370, February 23, 1967.

²²Ibid., Sec. 6.

²³Ibid., Sec. 7 (A) (B) (D) (E) .

²⁴Ibid., Sec. 8.

Summary

Federal legislation seeking to encourage comprehensive regional planning and greater intergovernmental cooperation in solving metropolitan service problems is so new that its full effects will not be felt for some time. This new legislation is bound to bring about increased interest in regional planning and greater intergovernmental cooperation within our metropolitan areas. The legislation will force local communities in the Tri-County Region and other areas to re-evaluate their thinking on methods to solve metropolitan service problems such as waste disposal. However, these requirements must not be viewed as just additional federal grant provisions, but as a chance for local communities to re-evaluate their policies for providing public services.

State governments are beginning to realize that they too have a responsibility for solving metropolitan problems and that, in fact, they represent an important single force that can solve metropolitan problems. They are beginning to offer increased technical and financial aid for solving the problems of urbanization. It is significant to note that in Michigan, programs are being developed on an areawide, integrated basis, stressing regional planning and greater intergovernmental cooperation.

It is becoming increasingly apparent that metropolitan problems can best be solved through a balanced set of relationships between federal, state, and local government. Yet, the present structure of local government is not well suited for developing the new types of processes and attitudes needed to solve metropolitan problems. In the next chapter various methods available under Michigan law for providing the governmental reorganization needed by local government to solve metropolitan waste water disposal and other service problems is discussed.

CHAPTER IV

ALTERNATIVE METHODS UNDER MICHIGAN LAW FOR SOLVING METROPOLITAN SERVICE PROBLEMS

Previous chapters have outlined the complexity of the urban service problem, and stated the need for governmental reorganization to solve these problems. We have also seen how recent federal and state legislation will force increased regional planning and greater intergovernmental cooperation. There is no one method for solving the problems of all urban areas. All communities are different, and what may seem to be the most logical solution in one community may be completely inappropriate in another.

The purpose of this chapter is to explain six types of governmental organization available under Michigan law for providing the reorganization needed by local government to allow them to more adequately provide needed urban services. The strengths and weaknesses of each method are discussed, the specific legal provisions for each method under Michigan law are outlined, and examples of the use of each method are cited. By analyzing the alternative methods available for adapting local governmental units to better solve metropolitan service problems, the optimum solution

to the problems of the Tri-County Region can be better discerned.

Capabilities of Urban Cities to Provide Services

Incorporation is one of the oldest and most frequently used methods of solving urban fringe problems. The leading reason for incorporation is to establish a level of government that is capable of providing adequate municipal services.

Strengths and Weaknesses of Incorporation

Perhaps the greatest advantage of incorporation is the greater degree of local control for solving problems. Michigan and other states, through home rule provisions in their constitutions, grant a great deal of freedom from state interference in solving local matters. Local city government tends to increase unity and pride in the community. It is also the form of government most responsive to the individual needs and desires of its residents.

Incorporation provides a means for increasing the financial ability of an area to meet urban service needs. Cities generally have a greater ability to raise revenue and receive more state and federal aid than other units of local government.

The primary disadvantage of incorporation is that if the city is primarily residential, it may not have an adequate tax base to provide needed services. Substantial revenue is needed from commercial and industrial property if residential property taxes are to remain at a reasonable level.

Incorporation may help to solve the problem of a part of the metropolitan area, but may hinder the overall development of the area. Each added unit of government makes the task of coordination and consolidation more difficult. The high cost of providing services to new areas is another disadvantage of incorporation. In most cities economies of scale cannot be achieved for many types of services.¹

Incorporation in Michigan

Classes of Michigan cities. There are four classes of cities in Michigan: home rule cities, fifth class cities, fourth class cities, and cities created by special acts of the legislature. The home rule city and the fifth class city have essentially the same powers and functions. The classifications apply mainly to the size and population of the city at the time of incorporation. Any territory having

¹Ralph Jans, The Urban Fringe Problem: Solutions Under Michigan Law, Bureau of Government, Institute of Public Administration, University of Michigan (Ann Arbor: 1957), pp. 10-11.

a population of at least 2,000 with an average of at least 500 persons per square mile may incorporate as a home rule city.²

Of the two other methods of incorporation, only the fourth class city is in use today, and that to a very limited extent. Because of the obsolescence and limited use of the fourth class city, only the legal powers and functions of cities under the Home Rule Act will be discussed here.

Powers of home rule cities. The Home Rule City Act, Act 215 of the Michigan Public Acts of 1909,³ defines the powers of home rule cities. The Act gives a broad grant of authority to cities to develop a charter that best suits their needs. A great deal of variation in the form of city government is possible. The Act gives a city wide flexibility in the types of urban services that it can perform, and allows the city to enter into cooperative agreements to perform services for other units of local government. With adequate provisions in its charter, cities in Michigan could provide many of the urban services needed in surrounding unincorporated areas.⁴

²Ibid., p. 10.

³Michigan Statutes Annotated, Secs. 5.2071-5.2118.

⁴Ralph Jans, op. cit., pp. 7-10.

Home rule villages and charter townships. Under Michigan law home rule villages and charter townships may also be formed. The purpose of these types of government is much the same as for the home rule city, i.e., to be better able to perform urban services.

There are several major disadvantages to these forms of government over incorporation as a home rule city. These units of government are given about the same responsibilities as a home rule city, but they have much greater limitations on the type of administrative organization that may be formed. In townships, the members of the township board have both legislative and administrative functions. More important, the taxing ability of these units of government is more limited.⁵

Conclusion

One possible solution to meeting urban service needs in fringe areas surrounding major cities is to incorporate. In Michigan this is best accomplished by incorporation as a home rule city, but many of the same objectives can be met by forming home rule villages or home rule townships. The greatest advantage of the latter is the simpler procedures involved. The advantages of incorporating as a home rule

⁵Ibid., pp. 2-4 and 14-16.

city include greater control over administrative organization and greater taxing ability.

The main question concerning the use of incorporation is its desirability over other solutions to the urban service problem. City government is very responsive to citizen desires and wishes, but residents must be willing to pay the heavy tax burden usually involved. Another question is whether the creation of many independent satellite cities around a central city creates a barrier to the solution of overall metropolitan needs.

Annexation

Annexation is one of the most common methods by which municipal boundaries are adjusted to meet urban service needs. Annexation is the absorption of either incorporated or unincorporated territory by a city. It usually involves unincorporated territory that is smaller than the annexing city.

Strengths and Weaknesses of Annexation

The major strength of annexation is that it forestalls incorporations or creation of limited purpose special districts, thereby helping to keep the governmental pattern from becoming more complex. Annexation helps to strengthen rather than weaken city government.

Annexation is a means by which cities with highly developed urban services can extend these services into areas surrounding the city. It is a method by which areas at the fringes of municipalities can be brought under controlled growth and development.

The major weakness of this approach is the legal obstacles to annexation in most states. Some states limit annexations to unincorporated areas which reduces the effectiveness of this as a method of governmental reorganization in metropolitan areas. Although Michigan does not limit annexation to unincorporated areas, the political facts of the matter generally produce the same results. The fact that annexation is generally limited to use in unincorporated areas makes it imperative that it be used as a supplement to other reorganization approaches.

Another weakness of annexation is that it may precipitate defensive incorporation by fringe communities that do not want to be absorbed by the adjacent city. In many states new incorporations are easier to achieve than annexation. In many areas a great psychological and political bitterness has developed between the central city and surrounding areas. In many annexation elections voters have frequently disregarded the service considerations of efficiency and economy, and have sought only to protect their communities from the intrusion of a larger community and government.

This problem is very widespread and it is a result of the many abuses of the annexation power by cities. Many cities encourage incorporation by refusing to extend or continue city services to fringe areas that turn down annexation. The City of Lansing is an example of a city with such a policy. Cities often try to annex those areas that have high taxable value and minimum problem conditions, and avoid problem areas.

These problems are gradually being solved by changes in state annexation laws. There is a general trend toward making it easier for municipalities to annex surrounding areas and at the same time curtailing excessive veto power by areas to be annexed. There is also a trend toward establishing judicial or quasi-judicial bodies that would have control over annexations. These legal bodies would weigh the merits of annexation against a set of standards designed to expedite annexations while protecting the rights of areas being annexed. The Michigan legislature is now considering such a law, the Boundary Commission Plan, which is discussed later in this chapter.⁶

The Present Michigan Annexation Law

The present legal procedures for annexation in Michigan are similar to those in most other states. In general, a home rule city must initiate the annexation

⁶Alternative Approaches, op. cit., pp. 26-27.

procedure by a petition to the county board signed by 1 per cent of the electors residing in both the city and the area to be annexed. The annexation must then be approved by two separate majority votes; one by the residents of the area proposed to be annexed, and the other a combined majority of the voters in the annexing city and in the remainder of the township which includes the proposed area. If the annexation proposal is defeated, no further annexation attempt can be made within two years unless signed by 35 per cent of the property owners in the area to be annexed.

The Michigan law illustrates the problems of using annexation as a method of solving metropolitan problems. In many ways the law stimulates hostility between communities and encourages increased fragmentation of governmental units in metropolitan areas.⁷

The Boundary Commission Proposal

A major revision of the existing annexation and incorporation statutes was initiated by the Michigan legislature in 1964. The bill has been considered in the 1964, 1965, and 1966 legislature, but has not been enacted. The proposal is popularly known as the Boundary Commission Plan.⁸

⁷Dean L. Berry, The Powers of Local Government in Michigan (Detroit: Southeastern Metropolitan Community Research Corporation, 1961), pp. 74-75.

⁸Introduced as Senate Bill 1074 in the 1964 Legislature.

Under the plan, a commission is established with three state members appointed by the governor, and two members appointed from the county in which a boundary change is pending. The commission can grant or deny petitions for annexation or incorporation following public hearings. The merit of the boundary changes must be based on a number of economic and social criteria. These include the assessed valuations, land use patterns, populations, governmental costs, and service needs of all units involved in the proposed change. Orders by the commission denying petitions would be final. Orders approving boundary changes would have to be approved by the majority of voters in the proposed area to be annexed or incorporated.

The Boundary Commission Plan would eliminate much of the control that local voters have over annexations and incorporations. Approval of annexations would be based on economic and social criteria rather than political criteria. It is clear that the proposed law would encourage annexation and discourage incorporation. If adopted, the Boundary Commission Plan would help to bring about increased cooperation among metropolitan communities by eliminating antagonisms caused by present annexation laws.⁹

⁹Citizens Research Council of Michigan, Staff Papers on Governmental Organization for Metropolitan Southeast Michigan (Detroit: 1965), Section II, Chapter 3, pp. 9-12.

Cooperative Agreements

Cooperative agreements of various types between existing units of local government have often been a satisfactory method of solving metropolitan service problems. These are, "agreements under which a governmental unit conducts an activity jointly or cooperatively with one or more other governmental units, or by contracting for its performance by another governmental unit."¹⁰ There are a great many types of such agreements. They may be permanent or temporary or may be formal or informal in character.

Strengths and Weaknesses of Cooperative Agreements

The greatest advantage of cooperative agreements is that this is one of the easiest methods by which economies of scale may be obtained in providing urban services. Such contracts are very flexible and additional governmental units can usually become parties to an agreement without a great deal of difficulty.

Cooperative agreements are often easy to initiate because they require only a minimum of official and voter approvals and involve little modification of the existing political structure. Moreover, they do not threaten to destroy existing units of governments or interfere with the

¹⁰ Alternative Approaches, op. cit., p. 26.

citizen control associated with small units of government. They are a step toward greater intergovernmental cooperation and thus they help to develop the awareness and need for more comprehensive approaches to handling of areawide problems.

The basic weakness of joint agreements is that they function best only when the immediate local interests of each participating unit of government is not in conflict with the broader areawide interests. These agreements are not suited to issues which transcend the interest of any one part of the metropolitan area. Thus, cooperative agreements are most effective for urban functions which can be performed on a local or intermediate basis as discussed under Allocation of Urban Functions in Chapter I. Many functions that must be carried out on an areawide basis such as health, parks and recreation, hospitals and medical care facilities, transportation, planning, and air pollution control, are not well suited to be performed under cooperative agreements. For example, if it was decided on the basis of a regional plan that a major regional hospital should be located in Community A rather than Community B, it is doubtful that Community B would support its development under a cooperative agreement when most of the benefits would accrue to Community A. Such areawide functions that transcend the interest of any one community must depend on an areawide majority approval rather than areawide agreement by all the governmental jurisdictions.

Another weakness of cooperative agreements is that they may encourage incorporation by local units of governments. When areas realize that they can contract for most of their services there is little reason for not incorporating. This has been the effect of the Lakewood Plan in Los Angeles County California.¹¹ Such trends will have the long range effect of discouraging more comprehensive reorganization which may be needed in the future.¹²

Provisions for Cooperative Agreements
Under Michigan Law

The new Michigan Constitution of 1963 gives a broad grant of power for various types of intergovernmental cooperation. The provision on intergovernmental cooperation (Article VII, Section 28) states that the legislature shall by general law authorize two or more counties, townships, cities, villages, or districts or any combination thereof to:

1. Contract with one another or with the state for the joint administration of their respective functions or powers;
2. share the costs and responsibilities of functions and services with one another or with the state;
3. transfer functions or responsibilities to one another with the consent of each unit involved;
4. cooperate with one another and with state government; and,
5. lend their credit to one another in connection with any authorized publicly-owned undertaking.¹³

¹¹Ibid., p. 30.

¹²Ibid., pp. 29-32.

¹³Citizens Research Council of Michigan, op. cit., Section III, Chapter 4, p. 1.

The Michigan Legislature, by general law, must enact legislation to implement these provisions of the Constitution. As of this time, no laws have been passed to provide for such agreements. Any legislation passed could place limitations on the use of these provisions.

Prior to the adoption of the 1963 Constitution, Michigan had a number of statutes authorizing intergovernmental cooperation and these statutes remain in force. The most important of these is Act 35 of 1951.¹⁴ This Act provides a broad authorization for all units of government in Michigan to enter into cooperative agreements with each other. Under the terms of the Act any two units of government can do jointly anything which each could do individually. Since counties, townships, villages, school districts and special districts have only those powers specifically provided by law, it has still been necessary to enact legislation to allow a particular unit to perform a particular function before it can be performed on a cooperative basis. The only exception to this is home rule cities, villages, and townships which have broad home rule powers to perform urban services. Some of the specific acts authorizing the performance of certain functions are discussed in the remaining sections of this chapter.

¹⁴Michigan Statutes Annotated, Secs. 5.4081-5.4084.

The Use of Cooperative Agreements in Michigan

Cooperative agreements are widely used in Michigan. Although no detailed study of the exact number and types of cooperative agreements in effect in the Tri-County Region is available, a great many do exist. The service contract for waste water disposal between East Lansing, Meridian Township, and Michigan State University, already discussed in this report is a good example. There are many other contracts for fire protection, police protection, and for other governmental services in the Tri-County Region.

In the Southeast Michigan Area, the six-county metropolitan region around Detroit, all but five of the two hundred and twenty-one units of local government have entered into one or more cooperative agreements. Altogether they have made over 1,700 such agreements to provide various types of service, the most common being sewage disposal, water supply, street maintenance and construction, police communications, assessing, jails, mutual aid, fire services, and licensing of building trades.¹⁵

Types of Cooperative Agreements

There are several types of cooperative agreements commonly used by local government in Michigan. They are

¹⁵Citizens Research Council of Michigan, op. cit., Section III, Chapter 4, p. 31.

service contracts, joint agreements, informal cooperation, and functional transfers.

Service contracts. "A service contract is a formal agreement on the part of one unit of government to provide, and on the part of another unit of government to receive and normally to pay for, a service or services specified in the agreement."¹⁶ There has been wide use of the service contract in Michigan. It would be impossible to discuss all the types of service contracts that may be made under Michigan law, but some of the more important are discussed below.

Act 342 of 1939¹⁷ enables counties to provide a number of services to cities, villages, and townships. These services are water supply, sewage disposal, and garbage and rubbish collection. The county board of supervisors may designate the county road commission or the drain commission to plan, construct, and administer the necessary facilities.

Some of the more urbanized counties in the State have attempted to provide these services to cities and highly developed areas within their jurisdiction. One example is the Wayne County Metropolitan Sewerage and Sewage

¹⁶Ibid., Section III, Chapter 4, p. 5.

¹⁷Michigan Statutes Annotated, Secs. 5.2767(1)-5.2767(15).

Disposal System which collects and disposes of sewage on a contractual basis with five public institutions and twenty-nine municipalities, including five in the southern part of Macomb County.¹⁸

Under Michigan law cities, villages, and townships are also authorized to provide or receive certain services. One of the best examples is the City of Detroit which contracts with the Wayne County Metropolitan Sewerage and Sewage Disposal System, the Southeastern Oakland County Sewage Disposal System, and with several cities, to treat and dispose of sewage from these systems.¹⁹

Joint agreements. A joint agreement is a formal agreement under which two or more units of government undertake jointly to perform a particular governmental activity, function, or service. As in service contracts, cities, villages, and townships generally have the authority to form joint agreements.

There are a number of State acts that allow specific services to be performed on a joint basis or by creating a special authority. One example of such a statute is Act 179 of 1947.²⁰ Under this Act two or more cities, villages, or

¹⁸Ralph Jans, op. cit., pp. 39-42.

¹⁹Ibid., pp. 43-45.

²⁰Michigan Statutes Annotated, Secs. 5.2725(1) - 5.2725(10).

townships may incorporate an authority for the collection and disposal of garbage and rubbish. One such authority which has been incorporated under this Act is the Southeastern Oakland County Garbage and Rubbish Authority which is composed of nine cities and three townships in the Southeastern Oakland County area.²¹

Another example of State legislation to form joint agreements is Act 233 of 1955.²² Under this Act counties, townships, cities, and villages may establish an authority for sewage disposal or water supply or both.

Informal agreements. This method of cooperation can best be described as "gentlemen's agreements" which are not legally binding. Many communities informally cooperate in police communications, criminal investigation activities, civil defense, library service, and fire protection. Although not as important as other forms of cooperation, they do provide a means for solving many types of metropolitan service problems.²³

Functional transfers. There are very many instances in Michigan of local units of government voluntarily

²¹Ralph Jans, op. cit., pp. 47-48.

²²Michigan Statutes Annotated, Secs. 5.2769(51)-5.2769(64).

²³Citizens Research Council of Michigan, op. cit., Section III, Chapter 4, pp. 28-29.

transferring responsibility for performance of certain functions to another unit of government. One of the most common examples of this is the county library which voluntarily provides library service to cities and villages.²⁴

County Home Rule

The purpose of county home rule legislation is to enable urban counties to provide urban services by permitting broad administrative reorganization and increasing taxing power.²⁵

Strengths and Weaknesses of County Home Rule

The principal advantage of county home rule is that it allows urban type services to be provided on an areawide basis without having to form a new unit of government. This solution to urban problems works particularly well when the boundaries of the county approximate the boundaries of the metropolitan area. By providing many services on a county-wide basis, economies of scale can be achieved and much duplication of services can be eliminated. Furthermore, the political feasibility of increasing the power of an existing unit of government is much greater than trying to create some new form of government.

²⁴Ibid., pp. 29-30.

²⁵Ibid., Section III, Chapter 1, p. 5.

The principal weakness of county home rule is that it has limited value in metropolitan areas that include more than one county, as in the Tri-County Region. In such areas county home rule could not provide the final solution to region wide problems. Another weakness is that in counties where the majority of citizens live in cities that already provide adequate services, it would be very difficult to obtain the majority vote needed to adopt a county home rule government that would shift the responsibilities for providing these services to the county.²⁶

County Home Rule in Michigan

Like many other states, the present structure of county governments in Michigan is not satisfactory for providing urban services. As discussed in the previous sections, there have been a number of legislative acts in Michigan that have empowered counties to perform certain urban services, allowed counties to contract to perform or jointly perform certain services in cooperation with other local units of government, or have allowed local units of government to transfer functions to the county. These agreements have been limited in Michigan because of the inability of county government to administer or finance these services.

²⁶Alternative Approaches, op. cit., pp. 44-45.

The main problem is that under Michigan law the county board of supervisors is a very large body composed of ex-officio and appointed members from cities and townships and who are not directly responsible to the electorate for their actions. Responsibility for county functions is divided among many elected administrative officials, the board of supervisors, and many semi-autonomous departments that are not directly responsible to the board of supervisors. The result has been that county government in Michigan is not able to adequately perform urban service functions.²⁷

Legislation. Article VII, Section 2, of the Michigan Constitution of 1963 authorizes the people of any county to adopt a home rule charter form of government. This constitutional provision has been implemented by the County Home Rule Act, Act 293 of the Public Acts of 1966,²⁸ which states the powers and limitations of home rule counties and outlines the necessary procedures for framing, adopting, amending, and repealing a charter.

Procedure for adoption of charter. Act 293 allows any county to adopt a home rule charter. The first step in

²⁷Citizens Research Council of Michigan, op. cit., Section III, Chapter 1, pp. 1-2.

²⁸Michigan Statutes Annotated, Secs. 5.302(1)-5.302(21).

adopting a charter is to initiate a petition and elect a charter commission. The commission has one hundred and eighty days to draft a charter. Before submitting the proposed charter to the electorate it must be submitted to the governor for his approval. If the voters turn down the charter the commission must reconvene and revise the charter. If the voters reject the charter a second time the commission is dissolved.

Structure of charter counties. The major difference between the present structure of county government and the government under charter counties is that a charter must provide for a salaried county executive who is to be elected at large on a partisan basis. The sheriff, prosecuting attorney, county clerk, treasurer, and the registrar of deeds continue to be elected on a partisan ballot. The drain commissioner and road commissioners may be either elected or appointed. The county commissioners continue to be elected on a partisan ballot from single-member districts established by the county apportionment commission. The number of commissioners may be from five to twenty-one in counties of less than 600,000 and from five to thirty-five in counties of 600,000 or more. The Act gives wide discretion to the county in reorganizing boards, commissions, and departments, and provides for other officials and departments.

Powers of charter counties. Section 15 of Act 293 states that the charter may authorize the performance at the county level of any function or service not prohibited by law, but that the county is not authorized to perform functions in a local community which is already supplying these functions without the consent of the local unit of government. The charter may also provide for the establishment and maintenance of water supply, sewage disposal systems, and other types of public works.

Section 14 of Act 293 states that a charter shall provide for the power and authority to enter into any governmental contract which is not prohibited by law, or to form in cooperation with other governmental units, districts or authorities for the purpose of performing a public function or service.²⁹

The Act also provides that the charter may provide for the power and authority to levy and collect any taxes, fees, etc., including an income tax which is authorized by law. The Act does set a property tax limit and a debt limit.³⁰

Summary of Act 293 of 1966. The major points of Act 293 are that it requires charter counties to elect an

²⁹Michigan Legislative Service Bureau, Summary of Act 293 of 1966 (Lansing: 1966). (Mimeographed.)

³⁰Loc. cit.

administrative officer and gives counties the power and authority to provide all necessary governmental services. It appears that the Act allows counties to overcome most of the administrative and fiscal problems which now confront them, and allows them to meet the demands for urban services.

Authorities and Special Districts

The Advisory Commission on Intergovernmental Relations defines the "metropolitan special district" as a "limited . . . independent unit of government organized to perform one or a few urban functions throughout part or all of a metropolitan area, including the central city."³¹

The use of special districts has been increasing rapidly throughout most of the United States in recent years. The Bureau of the Census reports 18,323 special districts in the United States in 1962 compared to 14,405 in 1957.³² Michigan has never made extensive use of special districts however. In contrast to the national figures, the number of special districts in Michigan has actually declined from 102 in 1957 to 99 in 1962.³³

³¹Alternative Approaches, op. cit., p. 49.

³²U. S. Bureau of the Census, 1962 Census of Governments: Local Government in Standard Metropolitan Areas (Washington: Government Printing Office, 1963),

³³Ibid.

Strengths and Weaknesses of Special Districts

The great advantage of limited purpose special districts is their high degree of political feasibility. They offer little threat to existing political organizations, while seeming to offer the best solution to a particular urban service problem. Special districts are an effective means of by-passing a multitude of local government jurisdictions and dealing with problems of an areawide basis. Their use allows quick and effective solution for particular urban problems.

There are also many disadvantages to the use of special districts. They often complicate rather than simplify the problem of governmental coordination on a region-wide basis. Such districts do not replace any unit of local government, but instead add to the already complex pattern of government, making further coordination more difficult. Special districts are difficult to abolish or consolidate once they are established. Another major disadvantage is that the electorate has little control over the operations of such districts because of the composition and method of selecting the governing body and the methods of financing.³⁴

³⁴Alternative Approaches, op. cit., pp. 51-53.

Special District Legislation
in Michigan

The Metropolitan District Act, Act 312 of the Public Acts of 1929,³⁵ outlines how special districts can be formed. A metropolitan district may be initiated by the legislative body of any unit of local government (city, village, or township). The first step in forming the district is to define the boundaries. A charter commission composed of one representative of each unit of local government within the proposed district is then formed to draft a charter for the district. The proposed charter must be approved by a majority of voters in each unit of local government included in the district. If defeated, the charter commission may revise the charter a second or a third time. Finally the charter must be approved by the governor.³⁶

It is interesting to note that under the provisions of Act 312, counties may not join to form special districts.³⁷ This limitation has been overcome in several instances by special enabling legislation such as Act 147 of 1939³⁸ which created the Huron-Clinton Metropolitan Authority encompassing

³⁵Michigan Statutes Annotated, Secs. 5.2131-5.2145.

³⁶Ralph Jans, op. cit., pp. 32-33.

³⁷Michigan Statutes Annotated, Secs. 5.2131-5.2145.

³⁸Michigan Statutes Annotated, Secs. 5.2148(1)-5.2148(11).

five southeastern counties. As discussed earlier, the County Home Rule Act also allows home rule counties to form special districts or authorities with any other governmental unit to provide any service not specifically prohibited by law.

In the provisions for metropolitan authorities in the Michigan Constitution of 1963 special emphasis is put on forming multi-purpose authorities rather than single-purpose authorities. The specific provision states:

Notwithstanding any other provisions of this Constitution the legislature may establish in metropolitan areas additional forms of government or authorities with powers, duties, and jurisdictions as the legislature shall provide. Wherever possible, such additional forms of government or authorities shall be designed to perform multi-purpose functions rather than a single function.³⁹

Huron-Clinton Metropolitan Authority

One of the best examples of authorities and special districts in Michigan is the Huron-Clinton Metropolitan Authority. This district includes the counties of Wayne, Oakland, Macomb, Washtenaw, and Livingston. Its main purpose is to develop regional recreational facilities in the Huron and Clinton River valleys.

The Authority is governed by a seven-member board of commissioners composed of two members appointed by the

³⁹Michigan Constitution of 1963, Article VII, Section 27.

Governor of Michigan and one member from each of the participating counties. The Authority is financed by a tax of not more than one-quarter mill for each dollar of the assessed value of the property of the district. Self-liquidating bonds may also be issued by the commissioners.

The Huron-Clinton Metropolitan Authority has developed a fine series of parks that are extensively used by the public. The only major criticism of the Authority has been that its work is entirely independent of the local units of government and has not responded to suggestions or criticisms from governing bodies of participating counties.⁴⁰

Metropolitan Government

Another approach to solving metropolitan service problems is to form a single unit of government with jurisdiction over region-wide problems. A number of methods can be used to carry out this approach.

The federation or borough plan approach is now being used successfully by the Municipality of Metropolitan Toronto. Under this plan all local government functions in the metropolitan area are divided between two levels of government. Areawide functions are assigned to the metropolitan government while local-type functions are left to the

⁴⁰Citizens Research Council of Michigan, op. cit., Section III, Chapter 3, pp. 2-3.

existing municipalities. The Municipality of Metropolitan Toronto has responsibility for water supply, sewage disposal, housing, education, arterial highways, metropolitan parks, certain welfare services, and area planning.

Use of the county as the unit of metropolitan government has been implemented in Dade County, Florida, and Davidson County, Tennessee. In both of these areas the county encompasses the entire metropolitan area.⁴¹

Strengths and Weaknesses of Metropolitan Government

A metropolitan government provides a region-wide approach to region-wide problems. By separating governmental functions between municipalities and a metropolitan government, effective planning and optimum scale of operation can be achieved.

The major weakness of metropolitan government is that it has much less political feasibility than other forms of intergovernmental cooperation. This is principally due to its radical change from existing forms of government, the weakening of the powers of municipalities, and its extreme complexity. A second criticism is that it is difficult to work out the details of the exact distribution of powers between the municipal governments and the metropolitan

⁴¹Alternative Approaches, op. cit., pp. 75-78.

government, and the composition and method of selection of the governing body.⁴²

Legislation for Creating Metropolitan Government in Michigan

Under the new Michigan Constitution a metropolitan form of government could be achieved in three different ways: merger of counties, establishment of a new form of government, or creation of a multipurpose metropolitan authority.

Merger of counties. The Michigan Constitution of 1963 provides that "two or more contiguous counties may combine into a single county if approved in each affected county by a majority of the electors voting on the question."⁴³

This seems the most logical and feasible approach to use in Michigan. The problem of reorganizing the metropolitan county to enable it to perform region-wide functions as well as traditional functions could be met through the charter county provisions of the new Constitution. Such an approach would be particularly applicable to both the Detroit Metropolitan Region and the Tri-County Region because both regions include more than one county. Although the merger

⁴²Ibid., p. 79.

⁴³Michigan Constitution of 1963, Article VII, Section 13.

of counties has never been seriously considered in Michigan, the fact that the new Constitution specifically provides for the use of this approach may mean that it might ultimately be considered.⁴⁴

New form of government. Another means for establishment of metropolitan government is found in the provisions of Article VII, Section 27 of the 1963 Constitution, quoted above in the section on Authorities and Special Districts. This provision permits the legislature to establish a "new form of government" in metropolitan areas. The objection to this approach is that it would add another layer of government over existing governments. This drawback could be rectified by transferring most of the functions of existing county government to the new metropolitan government. In this manner a two-level system of local government patterned along the same lines as the Municipality of Metropolitan Toronto could be formed.⁴⁵

Metropolitan authorities. The provisions for the establishment of authorities in Article VII, Section 27, of the Constitution of 1963 could also be used to form metropolitan governments. The legislature could design a multi-purpose authority that could provide a number of region-wide

⁴⁴Citizens Research Council of Michigan, op. cit., Section III, Chapter 2, pp. 1-2.

⁴⁵Ibid., pp. 2-3.

functions. Such a government could take much the same form as the approach described above.⁴⁶

Summary

This chapter has discussed the alternative methods local government in Michigan might use to solve metropolitan service problems. Incorporation and annexation are two methods most frequently used to enable provision of better public services to urban areas, but Michigan's new constitution has provided the means for more comprehensive solutions. The first of these constitutional provisions to be implemented was county home rule legislation, which provides the means for counties to increase their service potential. Other measures provided in the Constitution, but still subject to legislative implementation, allow for the creation of local governmental units with greater area jurisdiction. These provisions include the merger of existing counties, the establishment of metropolitan governments, and the development of authorities or special districts to provide one or more services over a given area.

A number of methods are available in Michigan by which two or more local governmental units may cooperate for the purpose of providing services. The trend toward cooperative activity in the absence of any local unit with

⁴⁶Ibid., p. 3.

sufficient jurisdiction to handle regional problems has led to the need for increased regional planning and development of voluntary confederations of local governments designed to approach area problems on an areawide basis. The next chapter discusses the role regional planning might play in bringing about greater intergovernmental cooperation, and traces the development of a new approach to solving metropolitan problems, i.e., councils of governments.

CHAPTER V

THE REGIONAL PLANNING COMMISSION AS AN AGENCY OF INTERGOVERNMENTAL COOPERATION

Theoretically it would appear logical that an initial step in increased intergovernmental cooperation would involve the formation of a regional planning organization. The establishment of region-wide goals, policies, and plans, should aid in highlighting the need for governmental cooperation to solve region-wide problems including waste water disposal. A question arises as to how effective regional planning agencies have been in solving urban problems and bringing about increased intergovernmental cooperation. It is generally conceded that regional planning commissions have not been as successful as they might be in bringing about the cooperation necessary to develop and implement a regional plan.¹

This chapter will discuss, in order, the Tri-County Regional Planning Commission and its effectiveness in bringing about increased intergovernmental cooperation in the region it serves; a new approach being used to achieve

¹Harold F. Wise, "Current Development in Regional Planning in the United States," Planning 1965 (Chicago: American Society of Planning Officials, 1965), p. 50.

increased governmental coordination for planning and other urban problems; the Supervisors Inter-County Committee and its relationship to the Detroit Area Regional Planning Commission; and the efforts to reorganize the Detroit Metropolitan Area Regional Planning Commission and the Tri-County Regional Planning Commission to make them more effective agencies for bringing about increased intergovernmental cooperation.

The Tri-County Regional Planning Commission--
Its Limitations as an Agency of
Intergovernmental Cooperation

The Tri-County Regional Planning Commission was formed in 1956 by resolution of the boards of supervisors of Ingham, Eaton, and Clinton Counties. Up to the present time the work of the Commission has concentrated on the creation of a physical development plan for the Region. But as the development plan nears completion, the role of the Commission has been gradually changing. It is becoming more involved in finding solutions to the immediate and pressing problems of the Region such as waste water disposal.² The present philosophy of the Tri-County Regional Planning Commission can be summarized by the following statements:

1. A long-range intergovernmental view of the Region; its total human, natural, and economic resources.

²Tri-County Regional Planning Commission, A Review of Planning Operations (Lansing: February 1967), p. i.

2. A recognition of the need for skilled technical services to meet and solve immediate problems.³

Since its inception, the Tri-County Regional Planning Commission has been seeking to bring about greater comprehensive regional planning and greater intergovernmental cooperation in solving the waste water disposal and other metropolitan service problems. The need to create greater intergovernmental cooperation to solve regional problems was stated in the Commission's first work program in 1958. Proposed were Recommendations for Implementing Plans which included:

required coordinative and administrative procedures, governmental policies, zoning, health, building and subdivision regulations, official map, urban renewal and other procedures available to local government.⁴

In another early effort to create greater intergovernmental cooperation a series of meetings was held with various representatives from the Tri-County Region to review the problems and needs of the area. One of the results of these meetings was the establishment of a policy by the Commission to "unite the area in working on common problems

³Ibid., p. i.

⁴Tri-County Regional Planning Commission, Preliminary Outline, Long Range Planning Program (Lansing: March 1958) .

by working out suggested answers to the problems . . . and providing advisory recommendations to local units."⁵

The Commission's realization of the waste water disposal problem of the Region is perhaps most clearly stated in a report entitled Regional Development Goals and Policy Statements.⁶ The report states that:

the lack of sufficient surface water flow, combined with continuing and increasing industrial and sanitary waste demands, can be an important limiting factor in future Regional growth. Comprehensive watershed planning, cooperative stream management, and extensive stream improvements may therefore be necessary before the Tri-County area can realize its growth potential.⁷

As a specific policy the report suggested that:

1. The ground and surface water needs of the Region should be identified, evaluated, and projected for several decades into the future so that wise and optimum use can be made of water and related land resources.
2. The future land use proposals of the regional plan should include a water use plan which will coordinate, relate, and "fit" land settlement patterns to the Region's limited ground and surface water facilities. . . .
3. The commission should encourage the formation of a study group which would investigate the legal and administrative framework necessary to create a regional or metropolitan water authority. Such an authority

⁵Tri-County Regional Planning Commission Minutes, December 2, 1959.

⁶Tri-County Regional Planning Commission, Regional Development Goals and Policy Statements (Lansing: October 1963).

⁷Ibid., p. 32.

should have the responsibility of managing the Region's water resource and for supplying water and sanitary sewer facilities to encourage urban development in conformance with the land use proposals of the regional plan.⁸

In attempting to carry out its goal and policies, the Commission has published a number of reports dealing with the sewer and water problem. The first was a staff report on the surface water problems and programs in the Greater Lansing Area.⁹ This report discussed the limitations of the water resources of the area and stated the lack of governmental coordination to solve the problem and the need for a "long range, general sewage disposal and river use plan."¹⁰ This initial study led to a much more comprehensive review of existing ground and surface water resources of the Region by the Battelle Memorial Institute in 1961.¹¹

The Battelle study found that pollution was most critical during periods of low river flow, and suggested that man-made reservoirs be built to store water until it is needed for low-flow augmentation. Several alternative plans

⁸ Ibid., pp. 63-65.

⁹ Sanford S. Farness, Some Comments on Present Sewage Disposal and River Use Problems and Programs in the Greater Lansing Area, A staff report of the Tri-County Regional Planning Commission (Lansing: April 1960). (Mimeographed.)

¹⁰ Ibid., p. 2.

¹¹ Tri-County Regional Planning Commission, Alternate Long Range Water Use Plans for the Tri-County Region, Michigan, A report by the Battelle Memorial Institute (Lansing: 1963).

for solving this problem were suggested based on studies of possible growth patterns.¹² Some of the major recommendations made in the study were:

1. A comprehensive ground water survey should be made as soon as practical.
2. A flood plain analysis should be completed.
3. Preliminary engineering plans and cost estimates should be developed related to the critical stretch of the Red Cedar River from the East Lansing sewage treatment plant to its confluence with the Grand River.
4. Consider the establishment of a metropolitan or regional water authority within the Region.¹³

Another important aspect of this study was its attempt to bring greater citizen participation into the planning process. The Lansing Area Water Advisory Council was organized to include over one hundred lay and technical people from the Lansing area. The Committee was divided into working committees which reviewed water and water-related problems for agriculture, industry, commercial uses, etc.¹⁴ In addition to these reports, the Commission has also made an inventory of public utilities including sewer systems.¹⁵

¹²Ibid., pp. 2-8.

¹³Ibid., pp. 10-11.

¹⁴Tri-County Regional Planning Commission.

¹⁵Tri-County Regional Planning Commission, Public Utilities - An Inventory (Lansing: January 1962).

The Commission has encouraged greater intergovernmental cooperation by the formation of the Technical Coordinating Committee and a Governmental Coordinating Committee. These committees were established during the initial stages of the Region's transportation study as part of the federal requirements. The Technical Coordinating Committee is composed of professional people who are not only aiding the staff in the development of the transportation study, but are contributing a great deal to other major studies. The Governmental Coordinating Committee is composed of elected and appointed officials who have approved major policies of the Commission, but have not been as active as the Technical Coordinating Committee. The Commission has also attempted without marked success to establish a Citizens Committee of lay citizens. Although a citizens committee to review the overall program of the Commission has never been organized, several short-term citizen committees have been organized to focus on specific projects.¹⁶

At the present time the Commission is continuing to carry out its stated goals and policies. When the Regional development plan is completed it is anticipated that the Commission will undertake a detailed study of the water and sewer needs in the Ten Township Area in order to conform

¹⁶Tri-County Regional Planning Commission, A Review of Planning Operations (Lansing: February 1967), p. 1.

with recent state and federal legislation as described in Chapter III.

A four-year ground water study begun in April 1965 is now under preparation for the Tri-County Regional Planning Commission.¹⁷ This study is primarily concerned with the availability and quality of ground water, but will include investigation of the surface water resources to determine their effect in recharging the ground water reservoirs. An interesting aspect of this study is the cooperation among the various local units of government for sharing of the financing for the project. A formula was developed by which each community was assessed according to its present water usage. In this manner the Tri-County Regional Planning Commission obtained the necessary local contributions.¹⁸

The Commission is also applying for a grant from the Farmers Home Administration of the United States Department of Agriculture to develop a comprehensive area plan for water and sewer systems for the rural areas¹⁹ in each of the

¹⁷The proposed study is being prepared at the request of the Tri-County Regional Planning Commission by the United States Department of the Interior, Geological Survey.

¹⁸Tri-County Regional Planning Commission, A Review of Planning Operations (Lansing: February 1967), p. 8.

¹⁹The term "rural area" includes open country and any unincorporated town, or incorporated village or city that does not have a population of more than 5,500 people. U.S. Department of Agriculture, Farmers Home Administration, Grants for Preparation of Comprehensive Area Plans for Water and Sewer Systems, F.H.A. Instruction Bulletin 442.7 (Washington: Government Printing Office, December 1965), p. 1.

counties of the Tri-County Region. The studies will describe existing water and sewer systems and outline future needs for public utility systems. General plans of proposed sewer and water systems including reservoirs and treatment plants will be developed.²⁰ Such plans are required by the Farmers Home Administration before water and sewer loans and grants will be made to local communities. These requirements are another example of recent federal legislation requiring comprehensive regional planning and greater intergovernmental cooperation as pre-requisites for federal aid.

The effort of the Tri-County Regional Planning Commission to achieve greater intergovernmental coordination has been a long and painful process which has not yet fully reached its goal. In the field of waste water disposal the Commission has realized the natural limitations of the basin and has made or cooperated in a number of studies to seek solutions to the problems. One major problem has been the lack of interest or participation by local governmental officials. The Commission has tried to overcome this difficulty by forming a Technical Advisory Committee and a Governmental Coordinating Committee. These efforts, although helpful, have not been completely successful. Another problem of the Tri-County Regional Planning Commission, and of most other regional planning commissions, is that it is governed

²⁰Ibid., p. 2.

by an independent planning board. Without access to the political forces and the public opinion which ultimately form public policy, little can be expected in the effectuation of plans once they are developed.

The remainder of this chapter discusses a new concept, The Council of Governments Approach, as a means for making regional planning more effective; and recent efforts to reorganize the Detroit Metropolitan Area Regional Planning Commission and the Tri-County Regional Planning Commission to make them more effective agencies for bringing about increased intergovernmental cooperation.

The Metropolitan Council Approach

The Advisory Commission on Intergovernmental Relations has concluded the "growing use of voluntary metropolitan councils is one of the more significant recent developments in the metropolitan areas."²¹ The metropolitan council may be defined as:

a device for bringing together, at regular intervals, representatives (including--and often limited to--the chief elected officials) of the local governments within a given metropolitan area for the discussion of common problems, the exchange of information, and the development of agreement on policy questions of mutual interest. Since there is no sanction by which to compel either participation in the beginning or acquiescence in policy decisions in the end, the

²¹Alternative Approaches, op. cit., p. 34.

metropolitan council rests explicitly on the voluntary cooperation of the member governments.²²

Although the organization and functions among the existing metropolitan councils vary greatly, it can generally be stated that these organizations concern themselves with a number of areawide problems. Their programs are largely concerned with (1) legislation, (2) cooperative local government administrative action, (3) research, and (4) citizen support.²³

Scope and Trend of Use

The first metropolitan council, the Supervisors Inter-County Committee, was organized in Detroit in 1954. Other councils now in existence include: the Association of Bay Area Governments (San Francisco area); New York Metropolitan Regional Council (New York, New Jersey, Connecticut); Metropolitan Atlanta Council of Local Governments; Mid-Willamette Council of Governments (Salem, Oregon area); Puget Sound Governmental Conference (Seattle-Tacoma area); Regional Conference of Elected Officials (Philadelphia area); and the Southern California Association of Governments (Los Angeles area). The above organizations are the major

²²Rosco C. Martin, Metropolis in Transition, Local Government Adaptation to Changing Urban Needs (Washington: Housing and Home Finance Agency, 1963), p. 6.

²³Alternative Approaches, op. cit., p. 34.

councils in the country. Many other councils exist, and many other communities have shown interest in forming councils.²⁴

Strengths and Weaknesses

The major advantage of the metropolitan council approach is that it is the one form of intergovernmental cooperation that is being accepted and achieved. The major reason for this is that the councils are a completely voluntary relationship. They do not disturb existing units of government, and they direct their attention to many governmental functions, thereby helping local government officials to become better aware of the metropolitan implications of their problems. They provide a forum in which the issues can be determined, the alternative methods for solving them defined, and goals and policies for their solution established.²⁵

There are also a number of disadvantages to the metropolitan council approach. The councils do not have the power to make effective decisions concerning metropolitan service needs; such councils may actually delay the formation of a true metropolitan government; and the councils seem to foster the formation of special districts and

²⁴Ibid., pp. 34-35.

²⁵Ibid., p. 36.

authorities which, once formed, are very hard to integrate into a metropolitan government.²⁶

How effective the council actually can be depends largely on whether it is able to bring out the full expression of conflicting viewpoints and fully represents all the interests of the area. If the council serves only as the sponsoring agency required for various state and federal programs, it may actually obscure or neutralize the real conflicts.²⁷

Use of the Metropolitan Council
Approach as a Means to
Strengthen Regional Planning

One of the most successful functions of some of the existing metropolitan councils has been to develop and strengthen regional planning. The Association of Bay Area Governments and the Puget Sound Governmental Conference are the best examples of councils with complete responsibility for regional planning. Most other councils, however, do have some type of planning function or are closely integrated with regional planning staffs.

Regional planning is a logical function for these councils. As discussed in the beginning of this chapter, planning may be the necessary first step toward increased

²⁶Ibid., p. 37.

²⁷Ibid., pp. 37-38.

intergovernmental cooperation. Under the council approach, regional planning is greatly strengthened by being directly related to elected local government policy and decision makers. Planning under a council of governments has not only been useful in developing region-wide comprehensive development plans, but also in establishing data banks to provide a reservoir of information on the region, and in conducting special planning studies for the council.

Although the Detroit Metropolitan Area Regional Planning Commission is not a function of the Supervisors Inter-County Committee, the Commission has conducted a number of special planning studies for the Committee such as the Refuse Disposal Plan for the Detroit Region which has been very helpful in solving a major regional problem.

It would seem desirable, therefore, that regional planning be a basic function of metropolitan councils. The relationship seems to strengthen mutual functions; regional planning becomes more effective as it provides the council with a research and planning arm.

The Supervisors Inter-County Committee

Detroit, Michigan has the distinction of organizing the first metropolitan council in the United States. At its inception the Supervisors Inter-County Committee had no legal authority under state law, however, in 1957 a special

act, Act 217 of 1957,²⁸ was passed by the legislature to give the committee legal status. It is presently the only metropolitan council in Michigan.

The present membership of the Committee includes Macomb, Monroe, Oakland, St. Clair, Washtenaw, and Wayne Counties. Each county is represented on the Committee by the chairman of its board of supervisors and a six-member delegation. There is an executive committee consisting of the chairman of the board of supervisors and one other representative from each county.

Currently the program of the Supervisors Inter-County Committee is concentrated in three areas: legislative affairs, physical planning, and governmental research. The committee has been very successful in instigating and influencing legislation in Michigan to strengthen county government, especially its ability to provide urban services. It has also sponsored a number of special planning studies that have been helpful in solving regional problems. The committee has been quite successful in creating a public awareness of the need for intergovernmental cooperation.²⁹

The major criticism of the Supervisors Inter-County Committee has been that the municipality and township

²⁸ Michigan Statutes Annotated, Sec. 5.400(1)-5.400(5).

²⁹ Governmental Organization, op. cit., Section IV, Chapter 6, pp. 7-19.

governments are not represented. This deficiency has led to much discussion on how the Committee might be strengthened. In the fall of 1965 a committee was appointed in cooperation with several organizations to study the possibilities of reorganizing the Supervisors Inter-County Committee. The recommendations of this committee are summarized below.

A Proposal for a Voluntary Council of
Governments in Southeast Michigan

In cooperation with the Detroit Supervisors Inter-County Committee, the Committee of One Hundred, made up of representatives of local government in southeast Michigan, was formed in 1965 to draft proposals for a greatly expanded Council of Governments for the Southeast Michigan Region.

Organization of Proposed Council

The Committee proposes that all units of local government be represented on the Council. This would be accomplished by forming two policy bodies, the General Assembly and the Executive Committee. The General Assembly would be composed of a representative from each unit of local government: cities and villages, townships, counties, and school districts. Its main functions would be to (1) adopt the Council budget, (2) adopt or amend bylaws, (3) review actions of the Executive Committee, (4) propose, initiate, or approve and study: policy discussions, plans, or other

Council matters. Each member of the General Assembly would have one vote.³⁰

The Executive Committee of thirty-five members would be selected from the General Assembly by a complex formula based on population. Eleven members would be chosen from cities and villages, six from townships, eleven from county government, and seven from school districts. The major functions of the Executive Committee would be to (1) propose the annual budget, (2) appoint special committees, (3) appoint staff members, (4) approve all regional policies, studies, and plans.³¹

Program of the Council

The most interesting aspect of the recommendations of the Committee of One Hundred is the proposed program for the Council. The Committee suggests that a number of cooperative projects be developed on a regional basis. The Committee proposes that the Council assume the functions of the existing Detroit Metropolitan Area Regional Planning Commission, for it feels that it is "imperative for the regional planning process to be directly related to the elected local government decision and policy makers."³² It is proposed

³⁰Committee of One Hundred, A Proposal for a Voluntary Council of Governments in Southeast Michigan (Detroit: June 1966), p. 9.

³¹Ibid., p. 9.

³²Ibid., p. 10.

that the Executive Committee of the Council of Governments serve as the Regional Planning Commission. It is hoped that in this manner the regional planning commission can become much more effective. It would be controlled and directed by the actual persons responsible for developing the region.

The major functions of the commission would be to:

1. Initiate a process to formulate policies and goals among local governments for regional growth and development.
2. Develop a comprehensive plan for regional growth and development.
3. Review and coordinate the regional aspects of various local plans.
4. Assemble and analyze all plans for capital improvements and their financing.
5. Establish a central data bank to collect pertinent information for use of local governments.³³

To further strengthen the regional planning process it is proposed that the Council of Governments appoint an advisory committee on planning. This committee would be responsible for reviewing policy guidelines adopted by the Council, promoting coordination between public and private planning and development activities, and insuring citizen involvement in the planning process. This committee would be composed of about forty non-governmental leaders representing industry, business, labor, utilities, civic groups, and interested citizens.

³³Ibid., p. 27.

Aside from planning, it is proposed that the Council of Governments seek to achieve greater cooperative action in four other general areas of government: general services; health, education, and welfare; public safety; and public works. Within these five areas, then, special emphasis would be put on developing programs to seek greater regional cooperation in a number of fields including air pollution, child and youth guidance, education, environmental health and social services, housing and urban development, parks and recreation planning, police cooperation, refuse disposal, sewage disposal, transportation, water pollution, water supply and transmission, and general administrative matters. A permanent staff would be hired to foster and develop programs in the above fields. Most important, the Council of Governments would meet the regional planning requirements of many federal programs. This would enable the Council to receive federal funds for the planning and operation of many of its proposed programs.³⁴

Proposed Reorganization of the Tri-County
Regional Planning Commission

The Tri-County Regional Planning Commission is also seeking to change its organizational structure to enable it

³⁴Ibid., pp. 3-16.

to have a greater role in regional planning and implementation. Like the Detroit Metropolitan Area Regional Planning Commission, it is seeking more active participation of elected officials in the Commission's activities. As a necessary first step toward a council of governments or other similar reorganizational method, the following approach has been suggested:

The Commission is presently composed of twelve members, nine voting and three ex-officio: two members from each county represent the public; one member from each county is an elected county supervisor; the chairman of each of the county boards of supervisors are non-voting ex-officio members.

The Sub-Committee on Commission Structure of the Commission has proposed that the structure of the Commission should be modified in the following manner:

1. The two members from each county representing the public would be retained.
2. The one member from each county who is an elected county supervisor would be retained.
3. The chairman of each of the county boards of supervisors would become full voting members of the Commission, but could appoint the chairman pro-tem of the board of supervisors to act in his place.

4. The Mayor of the City of Lansing would be appointed as a full member, but could appoint a member of the Lansing City Council to act in his place.
5. The Mayor of the City of East Lansing would become a full member, but could appoint a member of the East Lansing City Council to act in his place.
6. The officers of the Commission would be elected from the appointed representatives of the public.

The Committee believes that if these changes were enacted the plans of the Commission would have a greater chance of being implemented through the participation of the elected officials on the Commission.³⁵

Summary

In summary it can be concluded from the experiences of the Tri-County Regional Planning Commission and most other regional planning agencies, that these planning groups have not been highly effective in bringing about increased intergovernmental cooperation to solve metropolitan service problems, including waste water disposal. Many methods have been devised to make regional planning more effective, but

³⁵ Tri-County Regional Planning Commission, Back-ground Papers for Plan Implementation Recommendations of the Tri-County Regional Planning Commission (Lansing: July 1966), (unpublished).

one of the most promising is the Metropolitan Council Approach. This approach is being used in several areas of the country and has proven to be very effective. It has been recommended that this approach be used to strengthen regional planning in the Detroit Metropolitan Area, and a modified version of the same approach be used to strengthen planning in the Tri-County Region.

It has been pointed out that metropolitan councils do not have the power to make effective decisions concerning metropolitan service problems, but they do provide the forum for the discussion of these problems. Such councils are composed of the decision makers, the elected public officials of the region who are politically indebted to find solutions to the problems of the region. A metropolitan council working in close cooperation with a regional planning agency can provide the necessary first step in bringing about greater intergovernmental cooperation.

CONCLUSION

This thesis has illustrated some of the immense problems of providing public services in fast growing metropolitan areas, and has described several alternative approaches local governments might use to solve these problems. To illustrate the extent and complexity of metropolitan service problems this thesis has centered on existing disparities in providing sanitary sewer service in the Ten Township Area surrounding Lansing. It has been shown that local government as presently organized does not have the authority and responsibility to solve the problems presented by the rapid population increase of urban areas because of the fragmentation and overlapping of governmental units, disparities between tax and service boundaries, and state constitutional and statutory restrictions. Realizing the problems, we must also recognize their cause, and reappraise methods of providing urban services.

By illustrating the existing disparities in providing sanitary sewer service in the Ten Township Area, it has been shown how complex the problem of fragmentation really is, and how involved are political and financial considerations. Efforts to achieve an areawide solution to the problem have been thwarted because of lack of leadership and by

the lack of areawide long-range planning. We have seen each local unit of government trying to solve its own particular problems with no knowledge or interest in looking at the problems from an areawide viewpoint. Certain governmental functions such as air pollution control, water supply and sewage disposal, and land use planning, require areawide planning and implementation, while other governmental functions such as fire and police protection require local planning and implementation. However, even within their own local systems each governmental unit has concentrated on solving the immediate problem, with little consideration to long range needs.

There are many factors influencing the attempts to solve metropolitan service problems. The most important, however, are the requirements for comprehensive regional planning and greater intergovernmental cooperation which are now a part of many state and federal grant-in-aid programs. This thesis has discussed several of the most recent federal laws by which federal government has taken the initiative in bringing about increased regional planning and greater intergovernmental cooperation.

With federal prodding, state governments are also beginning to realize that they too have a responsibility for solving metropolitan problems. Michigan laws concerning water resources reflect how this state has taken advantage of federal financial assistance and is developing a

comprehensive program of water resource planning. Through existing and proposed legislation the State is attempting to control water pollution, and is also requiring increased region-wide planning and greater intergovernmental cooperation in solving waste water disposal problems. It is now hoped that these new requirements will be viewed by local units of government as positive goals for the welfare of the region, not negatively as requirements imposed by higher levels of government.

It is obvious that reorganization of local government is needed to solve metropolitan service problems; and state and federal legislation is requiring such action. This thesis has discussed several methods which are available under Michigan law to local units of government for meeting these requirements.

Michigan, through its new constitution and by recent legislation, has asserted leadership in removing legal impediments to effective governmental functioning. The Michigan Constitution of 1963 gives a broad grant of power for various types of local governmental reorganization. The Constitution authorizes county home rule enabling legislation which has been implemented by the County Home Rule Act. It also provides for the creation of local governmental units with even greater area jurisdiction through the merger of existing counties, the establishment of metropolitan governments, or the development of authorities or special

districts to provide one or more services over a given area. In addition, two or more local governmental units may also cooperate in several different ways for the purpose of providing services. Under Michigan law a number of methods are available for solving metropolitan service problems. The question is: How do we obtain the effective leadership necessary to implement this legislation and bring about the governmental reorganization and greater intergovernmental cooperation needed to solve metropolitan problems?

Theoretically it would appear logical that an initial step would involve the formation of a region-wide planning operation. The establishment of region-wide goals, policies, and plans, through the planning function, should aid in highlighting the need for governmental reorganization and governmental cooperation to solve region-wide problems. This thesis has outlined the efforts of the Tri-County Regional Planning Commission to create greater intergovernmental cooperation to solve areawide problems, particularly for water and sewer service. Problems have arisen due to the lack of interest or participation by local governmental units, and the fact that the Commission is governed by an independent planning board without access to the political forces and public opinion which ultimately form public policy. The Tri-County Regional Planning Commission has made some progress towards region-wide governmental cooperation, but has not yet fully reached its goal.

This thesis has discussed the metropolitan council as a new approach for solving metropolitan problems. The metropolitan council is the one form of intergovernmental cooperation that is being accepted and achieved. This approach does not substitute for the planning and decision-making prerogatives of individual member governments, but it does help to develop a regional prospective that no single local government can expect to develop independently. It is a means by which those concerned with the problems of metropolitan areas can join together to meet the challenges of their areas with the assistance, the coordination, and the cooperation of all levels of government. Most important, the council of governments is a means for strengthening regional planning. When regional planning becomes a function of a council for governments it becomes a more integral part of the decision making process. While a council of elected officials is not a political entity, it at least provides an opportunity for relating planning directly to elected officials at the metropolitan level. A metropolitan council working in close cooperation with a regional planning agency can provide the necessary first step in bringing about the governmental reorganization and greater intergovernmental cooperation needed to solve metropolitan service problems. This thesis discusses the proposed council of governments in the Detroit Metropolitan Area, and a

modification of the same approach suggested for strengthening planning in the Tri-County Region.

In suggesting a specific course of action the Tri-County Region might use in solving their metropolitan service problems, the metropolitan council approach seems immanent.

It is obvious that the only solution that the waste water disposal problems in the Ten Township Area is a broader areawide approach. The first step must be a comprehensive areawide study of existing metropolitan problems, including a study of the feasibility of developing a single metropolitan waste water disposal system. Such a study should be undertaken by a regional planning agency with strong support from local units of government.

The Tri-County Regional Planning Commission has made several studies of the existing problems, but it has not been effective in bringing about the necessary cooperation needed to find solutions to these problems. The Commission has formed a Technical Advisory Committee and a Governmental Coordinating Committee, but these efforts, although helpful, have not been completely successful. The Commission has suggested a reorganization of its own structure to include greater representation of government officials. Although this reorganization might meet regional planning requirements of the federal government, it will not bring about the intergovernmental cooperation needed to solve the waste

water disposal and other service problems of the Region. If these problems are to be solved, the next step is to form a council of decision-makers such as a metropolitan council of governments which can provide a forum in which the issues can be determined, and the alternative methods for solving metropolitan problems defined. Within this framework the particular problems of the Tri-County Region, such as waste water disposal, can be more carefully studied, existing and potential means for solving these problems investigated, and methods chosen which are most appropriate to the particular area. The council of governments can also provide a forum for implementing any proposed methods of governmental reorganization. A council of governments must be the next step in what must ultimately lead to complete reorganization of local government.

In conclusion, then, the problem of solving metropolitan service needs is very complicated. This thesis has suggested a variety of approaches available under Michigan law for solving these problems, but there is no one solution that can be applied everywhere. Sweeping programs of governmental integration cannot be achieved immediately under any approach; such reorganization must be achieved in a series of steps. In this process the council of governments approach seems to be the logical first step.

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APPENDIX A

Table 1. Population change--total population, numerical change, per cent change in population for Lansing, East Lansing, Ten Township Area, 1950 and 1960

	Population 1950	Population 1960	Numerical Change	Per Cent Change
City of Lansing	92,129	107,807	15,678	17.0
City of East Lansing	<u>20,325</u>	<u>30,198</u>	<u>9,873</u>	<u>48.6</u>
Subtotal	112,454	138,005	25,551	22.7
Alaiedon Township	1,486	2,074	584	39.3
Bath Township	2,804	3,732	928	33.2
Delhi Township	10,077	16,590	6,513	64.6
Delta Township	4,131	7,627	3,496	84.6
DeWitt Township	4,072	6,411	2,339	57.4
City of DeWitt	824	1,238	414	50.3
Lansing Township	17,627	14,387	-3,240	-18.4
Meridian Township	9,108	13,884	4,776	52.4
Oneida Township	1,552	1,909	357	23.0
City of Grand Ledge	4,506	5,165	659	14.6
Watertown Township	1,585	2,008	423	26.7
Windsor Township	1,854	2,334	480	25.9
Village of Dimondale	<u>774</u>	<u>886</u>	<u>92</u>	<u>11.9</u>
Subtotal	60,400	78,245	17,845	29.5
Total	172,854	216,250	43,396	25.1

Source: Tri-County Regional Planning Commission.

Table 2. Future population growth estimates--Lansing, East Lansing, Ten Township Area, 1970, 1980, and 1990

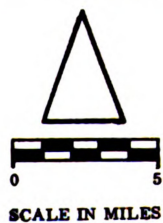
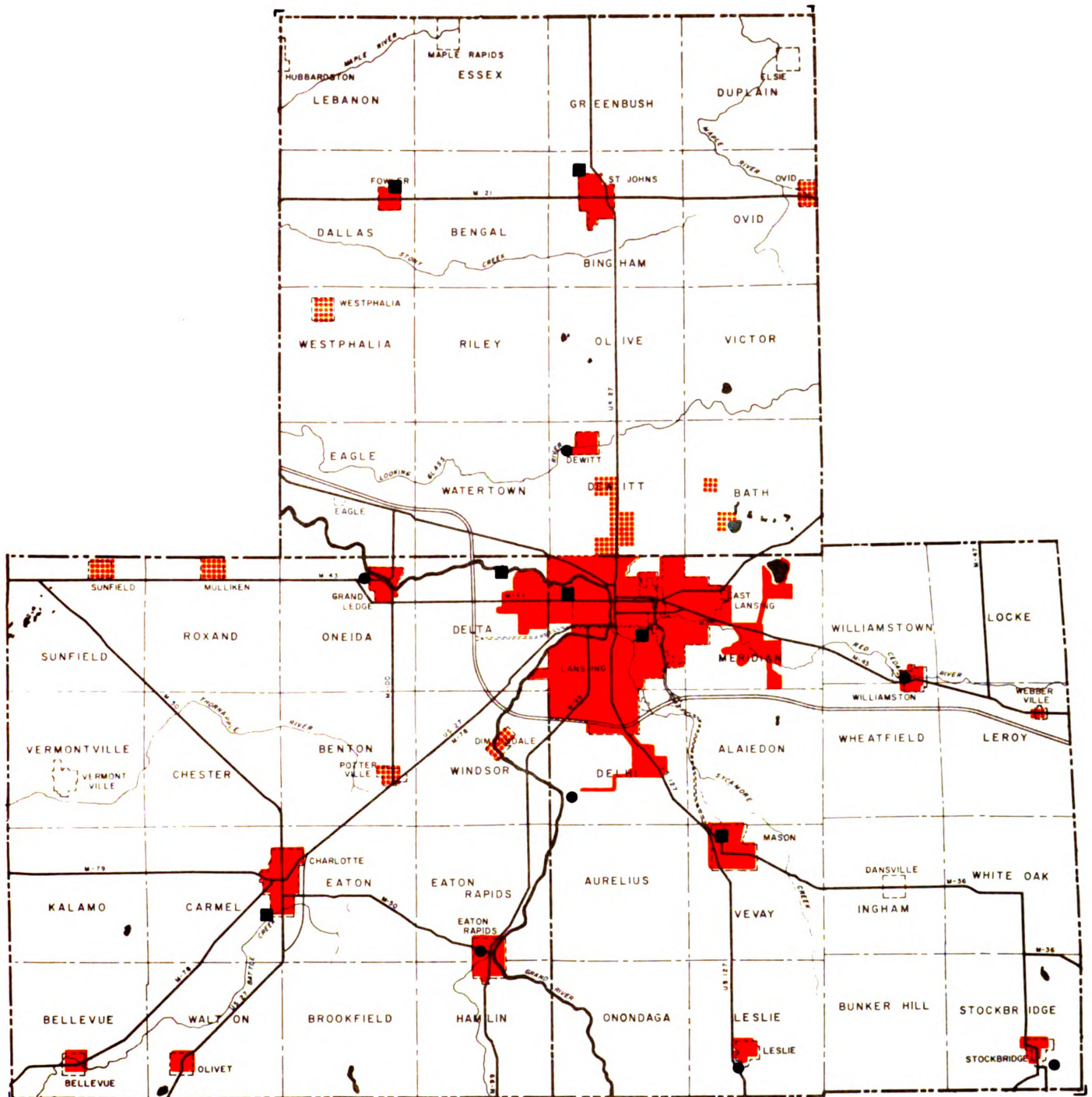
	1970	1980	1990
City of Lansing	139,000	163,200	183,000
City of East Lansing	<u>65,500</u>	<u>84,800</u>	<u>109,900</u>
Subtotal	204,500	248,000	292,900
Alaiedon Township	2,700	3,400	4,300
Bath Township	4,500	5,400	6,500
Delhi Township	13,500	19,200	31,000
Delta Township	14,000	20,500	29,100
DeWitt Township	9,500	12,100	16,000
City of DeWitt	1,650	2,400	3,100
Lansing Township	14,400	16,000	17,000
Meridian Township	20,000	31,000	39,000
Oneida Township	2,300	2,900	3,600
City of Grand Ledge	5,700	7,200	9,300
Watertown Township	2,650	3,400	4,300
Windsor Township	2,900	3,700	4,700
Village of Dimondale	<u>950</u>	<u>1,200</u>	<u>1,500</u>
Subtotal	93,800	128,400	169,400
Total	298,300	376,400	462,300

Source: Tri-County Regional Planning Commission.

APPENDIX B

FIGURE 1

EXISTING AND PROPOSED SANITARY SEWER SYSTEMS TRI-COUNTY REGION 1967



LEGEND



Areas Served by Sanitary Sewers



Proposed Sanitary Sewer Systems

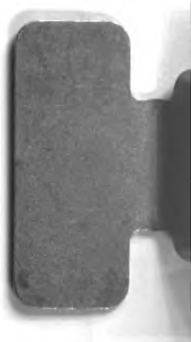


Primary Sewage Treatment Plants



Secondary Sewage Treatment Plants

Source: Tri-County Regional
Planning Commission.



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