

## Refund: Drivers

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Under the 2019 law, the state insurance director must hire an independent actuary starting next July and every third year after to audit the MCCA, a state-created non-profit that reimburses car insurers for personal injury protection medical claims surpassing \$600,000. If the review — due by September — shows the MCCA's assets exceed 120% of its liabilities, the difference must be refunded.

Under the Democratic governor's proposal, the entire \$5 billion surplus would be returned — \$675 per car. MCCA Executive Director Kevin Clinton said this week that having no surplus would be too risky, saying the law could require an estimated \$100 per-vehicle refund.

Whitmer called the pending refunds "great news."

Many motorists currently are paying \$86 a vehicle annually to the MCCA. The fee was \$220 in 2019-20 but has been dropping due to the law.

"It's important for the MCCA board to do its due diligence and land on a refund amount that balances giving insured drivers back the money they deserve while

protecting the longevity of a fund that pays for the cost of medical care for Michigan drivers seriously injured in car accidents," said Insurance Alliance of Michigan Executive Director Erin McDonough.

Critics of the law said people absolutely are owed a refund because insurance companies have been "gouging" them for years. But they also renewed a push for stalled legislation to help catastrophically injured motorists who they said are losing care because of slashed reimbursements to rehabilitation facilities and other providers.

Michigan Brain Injury Provider Council President Tom Judd urged Whitmer to show "bold leadership." Republican legislative leaders have not embraced the policy bills. In July, the governor and Legislature did approve \$25 million in aid for providers that can show financial losses, though some lawmakers have said it is inadequate.

"We wrote this law to include an automatic refund next year, and I'm glad our reforms have produced large enough savings for the MCCA to act immediately and return that money to the people even sooner," House Speaker Jason Wentworth said.

## Departing council members give advice for future

By Ilsa Minor  
iminor@dailypress.net

ESCANABA — Three exiting city council members took time Thursday to give parting words to the rest of the council, the newly-elected council members that have not yet been sworn in, and to the community as a whole.

"I have a few pieces of advice, as I go out the door, never to return," said Council Member Ralph Blasier, before making his way through a multi-point list of things he felt were important for the city to consider moving forward.

First on Blasier's list was to retain City Manager Patrick Jordan.

"Don't let this manager get away. He's much more intelligent than we ever expected or hoped for. He knows his job well and he does it well. He's not perfect, but I'm not perfect either," Blasier said.

A number of Blasier's recommendations revolved around infrastructure. He championed continuing with the replacements of lead water-service lines, finding and fixing groundwater intrusions in the sanitary

sewers that lead to overloads at the wastewater plant and discharges of partially treated water into the bay, expanding the wastewater treatment plant, and expanding the capacity of the water treatment plant's clarifying tanks to create redundancy in case of equipment failure.

Blasier also expressed repaving streets and adding sidewalks was a priority.

"I think it would be a bad error to assess the current residents. You could have a little old widow lady owning a place and suddenly you hit her with a \$12,000 bill to ... place the sidewalk. Why not put that onto the next owner at the time of sale? You could roll that into the cost of the sale," he said.

Also important for Blasier was to get the site of the former Delta County Jail developed, but not to accept the county's portion of the site (see related story). He also noted there were seven potential developers for the property.

Blasier then passed the floor to Mayor Marc Tall, who said he agreed with all of Blasier's points.

"I would only reorder (Blasier's points) and of

course I always feel that our need to repair streets should be our first priority right after seeking more jobs for our community," he said. "But I wish the new council well and if there are questions I will be available by phone."

The last exiting council member to speak was Peggy O'Connell, who did not seek reelection Tuesday. O'Connell's farewell focused more on accomplishments than hopes for the future.

"One of the proudest things I am of this council is our professionalism in meetings and making decisions based on good information, mostly provided by our excellent staff. And we did this regardless of the social media circus that's out there in our community and really in the country right now," she said.

O'Connell also said she was proud of the council's actions to get utility rates "in line," which she said took guts, and the city's COVID-19 response. However, most of her comments revolved around the city's staff.

As a goal for the next council, O'Connell recommended they continue her tradition of highlighting positive things department heads and

city staff do every year during the annual budget process.

"It's just something that I like to do, and I received so much feedback from the staff about being appreciated. They really enjoyed hearing those things, and there's so many great things that they do," she said.

O'Connell also took a moment to call out the work of Zoning Administrator Roxanne Spencer and City Clerk Phil DeMay.

"That's one of my proudest hires," said O'Connell of DeMay.

After the comments from the exiting council members, Council Member Karen Moore read a statement thanking the council members and presented each of them with a plaque commemorating their time on the council.

"It has been an honor and a pleasure to serve with the three of you. You brought calmness, wisdom, humor, and intelligent, constructive discussion to this council," said Moore, who said she enjoyed getting to know all of them and considered each of the members her life-long friends.

## Vaccines: Workers

Continued from page 1A

comply with the regulations could face penalties of nearly \$14,000 per violation.

It was unclear how OSHA planned to enforce the rules: Even counting allied regulators at the state level, the agency has only 1,850 inspectors to oversee 130 million workers at 8 million workplaces. A senior administration official said OSHA will target companies if it gets complaints.

The release of the rules followed weeks of regulatory review and meetings with business groups, labor unions and others. The regulations form the cornerstone of Biden's most aggressive effort yet to combat the spread of COVID-19, which has killed more than 740,000 people in the U.S.

OSHA drafted the rules under emergency authority meant to protect workers from an imminent health hazard. The agency estimated that the vaccine mandate will save more than 6,500 worker lives and prevent more than 250,000 hospitalizations over the next six months.

Senior administration officials said the rules preempt conflicting state laws or orders, including those that ban employers from requiring vaccinations, testing or the wearing of face masks.

The administration will face an immediate challenge from Republican state officials who are eager to fight Biden in court and in Congress. Senate Republicans immediately launched a petition to force a vote to overturn the vaccine mandate, but with Democrats controlling the chamber, the effort is nearly certain to fail.

More than two dozen

Republicans serving as state attorneys general have indicated they plan to sue, arguing that only Congress can enact such sweeping requirements under emergency authority.

Last week, 19 states sued to stop Biden's narrower mandate that employees of federal contractors be vaccinated. That requirement was scheduled to take effect Dec. 8, but the administration said Thursday it will be delayed until Jan. 4 to match the requirements on other large employers and health care providers.

The rules will require workers to receive either two doses of the Pfizer or Moderna vaccines or one dose of the Johnson & Johnson vaccine by Jan. 4 or be tested weekly. Employees who test positive must be removed from the workplace.

The requirements will not apply to people who work at home or outdoors.

## Michigan city on edge as lead water crisis persists

BENTON HARBOR, Mich. (AP) — Shortly after sunrise on a recent Saturday in Benton Harbor, Michigan, residents began lining up for free bottled water so they could drink and cook without fear of the high levels of lead in the city's tap water.

Free water distribution sites are a fixture of life in the majority Black city in the southwestern corner of Michigan, where almost half of the nearly 10,000 residents live below the poverty line.

For three years, tests of its public water system revealed elevated levels of lead.

Waiting for free bottled water is time consuming and some residents wonder why, in a state that recently dealt with the Flint water crisis, the problem wasn't fixed sooner.

"It's tiresome," said Rhonda Nelson, waiting in line at a site run by the Boys & Girls Clubs of Benton Harbor.

"I understand what Flint was going through, I really do," she said.

Michigan Gov. Gretchen Whitmer has promised to spend millions of dollars to replace the city's lead service lines within 18 months — a blistering pace for a process that often takes decades. For now, residents have been warned not to cook, drink or make baby formula with tap water.

Residents worry what the elevated lead levels mean for their families' health. The problem is also inconvenient and stressful.

## Esky: Warning about old jail site

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ue to work with the county on the property's development.

"When a developer is identified and a plan described, if then, and they require a single ... owner of the properties, both ours and the county's, at that time, the council should decide whether they want to gift that that land, our land, for that purpose or the other

way around. But not until then," he said.

Tyler DuBord, who was not up for reelection Tuesday and will continue to serve on the council, thanked the exiting council members for their thoughts on the matter.

In other business, the council held two public hearings on ordinances, which were both approved. The first was to amend the city's zoning map to rezone 77 parcels in the area along Ludington Street to E3 - Central Commercial Dis-

trict, which allows for more mixed use housing options in the downtown area. The second ordinance eliminated an energy optimization charge on residents' utility bills, as it will no longer be required by the state.

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For More Information

Department of Agriculture and Rural Development  
Pesticide and Plant Pest Management Division  
Administrative Rules for Regulation no. 634. Commercial fertilizers  
Rule Set 2021-69 AC

NOTICE OF PUBLIC HEARING  
Tuesday, December 7, 2021  
01:00 PM

Constitution Hall, 525 W Allegan Street, Lansing, MI 48933. Room: CH-ATN-THEODORE-BROWN  
Virtual Room: Microsoft Teams +1 248-509-0316,,659194761# United States, Pontiac  
Phone Conference ID: 659 194 761#

The Department of Agriculture and Rural Development will hold a public hearing to receive public comments on proposed changes to the Regulation no. 634. Commercial fertilizers rule set.

The rules will allow the State of Michigan to align with current standards set by AAPFCO. The subsequent decrease in fertilizer usage and cost of tonnage reporting as a result of the proposed rule change benefits the public's health, farmers, and the environment. The proposed rule change will benefit farmers and the industry by reducing the cost of tonnage reporting and decreasing the amount of fertilizer used. Both the public and environment will also see substantial benefits due to that decrease in fertilizer usage.

By authority conferred on the director of the department of agriculture and rural development by section 8516 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.8516.

The proposed rules will take effect 7 days after filing with the Secretary of State. The proposed rules are published on the State of Michigan's website at www.michigan.gov/ARD and in the 12/1/2021 issue of the Michigan Register. Copies of these proposed rules may also be obtained by mail or electronic mail at the following email address: Guardiolaj1@michigan.gov.

Comments on these proposed rules may be made at the hearing, by mail, or by electronic mail at the following addresses until 12/8/2021 at 05:00PM.

Michigan Department of Agriculture and Rural Development  
Office of Legal Affairs and Emergency Management PO Box 30017 Lansing, Michigan 48909  
Guardiolaj1@michigan.gov

The public hearing will be conducted in compliance with the 1990 Americans with Disabilities Act. If the hearing is held at a physical location, the building will be accessible with handicap parking available. Anyone needing assistance to take part in the hearing due to disability may call 517-284-5730 to make arrangements.

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## DAILY EDITION

a newspaper published and circulated in the County of Muskegon and otherwise qualified according to Supreme Court Rule; and that the annexed notice, taken from said paper, has been duly published in said paper on the following day(days) \_\_\_\_\_

November 7 A.D. 20 21

Sworn to and subscribed before me this 8th day of November 20 21

Department of Agriculture  
and Rural Development  
Pesticide and Plant Pest  
Management Division  
Administrative Rules for  
Regulation no. 634.  
Commercial fertilizers  
Rule Set 2021-69 AC  
NOTICE OF PUBLIC HEARING  
Tuesday, December 7, 2021  
01:00 PM

Constitution Hall, 525 W  
Allegan Street, Lansing, MI  
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Teams +1 248-509-  
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Comments on these proposed rules may be made at the

*Teasha R. Payne*

TEASHA R. PAYNE  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF MECOSTA  
COMMISSION EXP FEB 24 2026  
ACTING IN COUNTY OF Kent



STATE OF MICHIGAN )  
County of Bay

ss *Dawn Sutton*

Being duly sworn deposes and say he/she is Principal Clerk of



# THE BAY CITY TIMES

## DAILY EDITION

a newspaper published and circulated in the County of Bay and otherwise qualified according to Supreme Court Rule; and that the annexed notice, taken from said paper, has been duly published in said paper on the following day(days) \_\_\_\_\_

November 7 A.D. 20 21

Sworn to and subscribed before me this 8<sup>th</sup> day of November 2021

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