EATON COUNTY BOARD OF COMMISSIONERS OCTOBER 20, 2021

The Eaton County Board of Commissioners met in regular session at the County Facilities, in the City of Charlotte, Wednesday, October 20, 2021 including the availability of virtual participation by the public.

Chairman Whittum called the meeting to order at 7:00 p.m.

The Pledge of Allegiance to the Flag was given by all.

Commissioner Jeanne Pearl-Wright gave the invocation.

Roll call. Commissioners present: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, and Jeremy Whittum.

Commissioners absent: Barbara Rogers

Chairman Whittum requested the removal of Item #IX State of the Judiciary due to a scheduling mis-communication.

Commissioner Lautzenheiser moved the approval of the agenda as amended. Seconded by Commissioner Augustine. Carried unanimously.

Commissioner Lautzenheiser moved the approval of the September 7, 2021 and September 15, 2021 meeting minutes as presented. Seconded by Commissioner Ridge. Carried unanimously.

Communications. Delta Township Notice of Public Hearing – Corridor Improvement Authority. (On file)

Resolutions received from the following: Tuscola County, Ogemaw County, Huron County, Muskegon County, Kalkaska County, Sanilac County, and Ingham County Boards of Commissioners. (On file)

Letters from Peter Tirrell and Dan & Amy Brown regarding school mask mandates. (On file)

Commissioner Lautzenheiser moved the approval of the following:

#21-10-104 WHEREAS, Rebecca Neal will be retiring from Eaton County on October 28, 2021 after 25 years of service; and

WHEREAS, Becky worked in the Animal Control Department from July 8, 1996; until her retirement; and

WHEREAS, Becky has provided dedicated and honorable service to the residents of Eaton County; and

WHEREAS, the Eaton County Board of Commissioners seeks to recognize and express appreciation for Becky's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank Rebecca for years of exceptional service to Eaton County and expresses its best wishes to her in the next chapter of her life; and

BE IT FURTHER RESOLVED, that this resolution of appreciation and support be duly recorded and attached to the permanent records of the County on this 20th day of the month of October in the year 2021.

#21-10-105 Resolution of Appreciation for Jeffrey Parshall Technology Services.

WHEREAS, Jeffrey Parshall will be retiring from Eaton County on October 29, 2021 after 25 years of service; and

WHEREAS, Jeff worked in the Technology Service Department from October 21, 1996; until his retirement; and

WHEREAS, Jeff has provided dedicated and honorable service to the residents and employees of Eaton County; and

WHEREAS, the Eaton County Board of Commissioners seeks to recognize and express appreciation for Jeff's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank Jeff for years of exceptional service to Eaton County and expresses its best wishes to him in the next chapter of his life; and

BE IT FURTHER RESOLVED, that this resolution of appreciation and support be duly recorded and attached to the permanent records of the County on this 20th day of the month of October in the year 2021.

#21-10-106 Resolution of Appreciation for Cynthia Jewell Treasurer's Office.

WHEREAS, Cynthia Jewell will be retiring from Eaton County on October 29, 2021 after 7 years of service; and

WHEREAS, Cindy worked in the Treasurer's Office from November 3, 2014; until her retirement; and

WHEREAS, Cindy has provided dedicated and honorable service to the residents of Eaton County; and

WHEREAS, the Eaton County Board of Commissioners seeks to recognize and express appreciation for Cindy's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank Cindy for years of exceptional service to Eaton County and expresses its best wishes to her in the next chapter of her life; and

BE IT FURTHER RESOLVED, that this resolution of appreciation and support be duly recorded and attached to the permanent records of the County on this 20th day of the month of October in the year 2021.

All three resolutions seconded by Commissioner Augustine. Carried unanimously.

Public Comment: Eaton County residents Jennifer Dingman, Brian Rose, Dan Logan, Jason Houghton and Ron Rademacher spoke in support of a County off-road vehicle ordinance.

Kandy Eldred spoke opposing COVID-19 vaccinations.

Amanda Wilson spoke supporting COVID-19 safety protections for school-age children.

Commissioner Mott moved the approval the following appointment to Health and Human Service Committee:

Clinton-Eaton-Ingham Community Mental Health Board:

• Kay Randolph-Back to a three (3) year term, expiring December 31, 2024

Seconded by Commissioner Lautzenheiser. Carried unanimously.

Commissioner Barnes moved the approval of #21-10-107 Resolution in Support of Domestic Violence Awareness Month, in Eaton County and the State of Michigan.

Whereas, Spanning centuries, cultures and continents, domestic violence is a tragic epidemic that has devastating effects on countless women, men and children; and Whereas, Domestic Violence is the intentional and patterned use of physical, emotional, sexual, psychological, and economic coercion and abuse; and

Whereas, The U.S. Department of Justice estimates that 1.3 million women and 835,000 men are victims of physical violence by a partner every year; and

Whereas, every 9 seconds, a woman in the U.S. is beaten or assaulted by a current or ex-significant; and

Whereas, it is estimated that between 3.3 million and 10 million children in the United States are exposed to adult domestic violence each year; and

Whereas, Domestic violence violates an individual's dignity, security and humanity; and

Whereas, the State of Michigan is committed to taking a firm position against domestic violence and will remain focused on ensuring that all people, especially the most vulnerable, are safe in their homes and abusers are held accountable for their crimes; and

Whereas, Domestic Violence Month provides an excellent opportunity for citizens to learn more about domestic violence issues and to show support for the numerous organizations and individuals who are providing advocacy efforts, services and assistance to domestic violence victims.

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners recognizes October as *Domestic Violence Awareness Month* and encourages all Eaton County residents to join in the efforts to help bring an end to intimate partner violence.

Seconded by Commissioner Augustine. Carried unanimously.

Commissioner Barnes moved the approval of #21-10-108 Resolution in Support of HB5026 to Amend the Emergency 9-1-1 Service Enabling Act.

WHEREAS, the Emergency 9-1-1 Service Enabling Act, Michigan Public Act 32 of 1986, MCL §484.1101 et seq., as amended ("Act"), sunsets on December 31, 2021; and

WHEREAS, without an extension of the Act, Eaton County has no authority to provide 9-1-1 service or to determine the technical, operational, managerial, or fiscal aspects of 9-1-1 service within the Eaton County 9-1-1 Service District; and

WHEREAS, the cost of the 9-1-1 Emergency Service IP Network has been historically funded by a user fees on communication devices; and

WHEREAS, user fee revenue has fallen short of expectations, which will result in a deficit in the State fund that pays for 9-1-1 network costs by 2023; and

WHEREAS, HB 5026 increases the State prepaid device user fee from 5% of the sale to 6% of the sale; and

WHEREAS, this small increase in the prepaid user fee, along with a \$16 million appropriation in SB 82, will provide only the amount necessary to fund the Emergency Services IP Network.

NOW THEREFORE BE IT RESOLVED, that the Eaton County Board of

Commissioners supports enactment of HB 5026 to ensure continued operation and funding of 9-1-1 service.

BE IT FURTHER RESOLVED, copies of this resolution will be forwarded to all members of the Michigan legislature representing Eaton County.

Seconded by Commissioner Pearl-Wright. Carried unanimously.

Commissioner Mulder moved the approval of following two resolutions:

#21-10-109 Resolution to Approve Mediator's Recommended Settlement – POAM – Sheriff Non-Supervisory

WHEREAS, the Board of Commissioners participated in mediation on September 16, 2021 with the Police Officers Association of Michigan, ("the Union"), which represents the Sheriff Deputies Association; and

WHEREAS, through discussion with the parties the mediator recommended settlement of the collective bargaining agreement (attached); and

WHEREAS, the County has been notified that the membership has ratified the terms of the mediator's recommended settlement attached to this resolution.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners approve the mediator's recommended settlement for the collective bargaining agreement with the Police Officers Association of Michigan, Sheriff Deputies Association for the period through September 30, 2024; and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners is authorized to sign any necessary documents.

Commissioner Mulder moved the approval of #21-10-110 Resolution to Approve Mediator's Recommended Settlement – COAM – Sheriff Command.

WHEREAS, the Board of Commissioners participated in mediation on September 29, 2021 with the Command Officers Association of Michigan, ("the Union"), which represents the Sheriff Command Officers Association; and

WHEREAS, through discussion with the parties the mediator recommended settlement of the collective bargaining agreement (attached); and

WHEREAS, the County has been notified that the membership has ratified the terms of the tentative agreement attached to this resolution.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners approve the mediator's recommended settlement for the collective bargaining agreement with the Command Officers Association of Michigan, Sheriff Command Officers Association for the period through September 30, 2024; and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners is authorized to sign any necessary documents.

Both resolutions seconded by Commissioner Droscha. Carried unanimously.

Commissioner Mulder moved the approval of #21-10-111 Resolution to Approve an Application for a Farmland and Open Space Development Rights Agreement (PA 116) – Behrndt.

WHEREAS, Edward Behrndt Jr. filed a Farmland and Open Space Application for property located in Kalamo Township, with the Eaton County Clerk's Office in July 2021; and

WHEREAS, this application includes Parcel #'s 090-020-100-041-00 and 090-020-100-004-00 which parcels total +/- 149.98 acres; and

WHEREAS, the applicant is requesting a 10 year agreement; and

WHEREAS, a copy of this application was sent to all reviewing agencies as required by the act; and

WHEREAS, the Eaton County Ways & Means Committee has reviewed this application and is recommending approval.

THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners at its regularly scheduled meeting on October 20, 2021 does hereby approve the Farmland and Open Space Application filed by Edward Behrndt Jr. property located in Kalamo Township.

Seconded by Commissioner Droscha. Carried unanimously.

Commissioner Mulder moved the approval of #21-10-112 Resolution to Approve FY 2021-22 Budget Amendments.

WHEREAS, the Eaton County 2021/2022 Appropriations Act of September 15, 2021 states that any amendment to increase a salary and/or a Capital Outlay lineitem in excess of \$2,500.00 or any amendment to increase the total budget of any fund or department in excess of \$2,500.00 shall be amended by the Board of

Commissioners, except that any amendment to decrease the General Fund Contingency shall be approved by the Board of Commissioners; and

WHEREAS, such amendments are needed in order to comply with the Uniform Budgeting and Accounting Act of 1978, P.A. 621.

NOW, THEREFORE BE IT RESOLVED, that the following budget amendments be approved and added to the 2021/2022 Eaton County Budget:

GENERAL FUND

TRANSFERS OUT 101.999

| Increase | Transfers-Out Resource Recovery | \$ 9,500 |
|----------|---------------------------------|----------|
| Decrease | Contingency | \$ 9,500 |

To increase transfers out to Resource Recovery Fund for review of countywide recycling programs and initiatives as recommended by the Public Works and Planning Committee.

SPECIAL REVENUE FUNDS

RESOURCE RECOVERY FUND 228

| Increase | Contractual | \$ 9,500 |
|----------|--------------------|----------|
| Increase | Transfers-In – G/F | \$ 9,500 |

To increase total budget for review of countywide recycling programs and initiatives as recommended by the Public Works and Planning Committee.

Seconded by Commissioner Brehler. Carried unanimously.

Commissioner Mulder moved the approval of claims as audited by the Ways & Means Committee for \$2,548,002.71 and to accept the report of previously authorized payments.

Seconded by Commissioner Haskell. Carried unanimously.

Public Comment: Barry County resident Gary White spoke regarding concerns for the administration of the Barry-Eaton District Health Department.

Commissioner Comments: Commissioner Pearl-Wright stated that November is Homeless Awareness month. Commissioner Mudry spoke regarding the Capital Area Airport Authority. Commissioner Mulder stated the Tri-County Office on Aging Dinner & Auction will be held on November 18th at the Kellogg Hotel and Conference Center. Commissioner Lautzenheiser stated the Charlotte Rotary Club will be holding a raffle to benefit Crandall Lake on November 20th. Chairman Whittum spoke regarding the Barry-Eaton District Board of Health meeting held on September 23rd.

There was no Unfinished Business, Old Business or New Business.

Chairman Whittum adjourned the meeting to Wednesday, November 17, 2021 at 7:00 p.m.

Chairman of the Board of Commissioners

Clerk of the Board of Commissioners

RESOLUTION OF APPRECIATION FOR REBECCA NEAL ANIMAL CONTROL

OCTOBER 20, 2021

Commissioner Lautzenheiser moved the approval of the following resolution. Seconded by Commissioner Augustine.

WHEREAS, Rebecca Neal will be retiring from Eaton County on October 28, 2021 after 25 years of service; and

WHEREAS, Becky worked in the Animal Control Department from July 8, 1996; until her retirement; and

WHEREAS, Becky has provided dedicated and honorable service to the residents of Eaton County; and

WHEREAS, the Eaton County Board of Commissioners seeks to recognize and express appreciation for Becky's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank Rebecca for years of exceptional service to Eaton County and expresses its best wishes to her in the next chapter of her life; and

BE IT FURTHER RESOLVED, that this resolution of appreciation and support be duly recorded and attached to the permanent records of the County on this 20th day of the month of October in the year 2021. Carried unanimously.

| Jeremy Whittum | Diana Bosworth |
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| Chairman of the Board of Commissioners | Clerk of the Board of Commissioners |

RESOLUTION OF APPRECIATION FOR JEFFREY PARSHALL TECHNOLOGY SERVICES

OCTOBER 20, 2021

Commissioner Lautzenheiser moved the approval of the following resolution. Seconded by Commissioner Augustine.

WHEREAS, Jeffrey Parshall will be retiring from Eaton County on October 29, 2021 after 25 years of service; and

WHEREAS, Jeff worked in the Technology Service Department from October 21, 1996; until his retirement; and

WHEREAS, Jeff has provided dedicated and honorable service to the residents and employees of Eaton County; and

WHEREAS, the Eaton County Board of Commissioners seeks to recognize and express appreciation for Jeff's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank Jeff for years of exceptional service to Eaton County and expresses its best wishes to him in the next chapter of his life; and

BE IT FURTHER RESOLVED, that this resolution of appreciation and support be duly recorded and attached to the permanent records of the County on this 20th day of the month of October in the year 2021. Carried unanimously.

| Jeremy Whittum | Diana Bosworth |
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| Chairman of the Board of Commissioners | Clerk of the Board of Commissioners |

RESOLUTION OF APPRECIATION FOR CYNTHIA JEWELL TREASURER'S OFFICE

OCTOBER 20, 2021

Commissioner Lautzenheiser moved the approval of the following resolution. Seconded by Commissioner Augustine.

WHEREAS, Cynthia Jewell will be retiring from Eaton County on October 29, 2021 after 7 years of service; and

WHEREAS, Cindy worked in the Treasurer's Office from November 3, 2014; until her retirement; and

WHEREAS, Cindy has provided dedicated and honorable service to the residents of Eaton County; and

WHEREAS, the Eaton County Board of Commissioners seeks to recognize and express appreciation for Cindy's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank Cindy for years of exceptional service to Eaton County and expresses its best wishes to her in the next chapter of her life; and

BE IT FURTHER RESOLVED, that this resolution of appreciation and support be duly recorded and attached to the permanent records of the County on this 20th day of the month of October in the year 2021. Carried unanimously.

| Jeremy Whittum | Diana Bosworth |
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| Chairman of the Board of Commissioners | Clerk of the Board of Commissioners |

OCTOBER 20, 2021

A RESOLUTION IN SUPPORT OF DOMESTIC VIOLENCE AWARENESS MONTH, IN EATON COUNTY AND THE STATE OF MICHIGAN

Commissioner Barnes moved the approval of the following resolution. Seconded by Commissioner Augustine.

Introduced by the Public Safety Committee

Whereas, Spanning centuries, cultures and continents, domestic violence is a tragic epidemic that has devastating effects on countless women, men and children; and

Whereas, Domestic Violence is the intentional and patterned use of physical, emotional, sexual, psychological, and economic coercion and abuse; and

Whereas, The U.S. Department of Justice estimates that 1.3 million women and 835,000 men are victims of physical violence by a partner every year; and

Whereas, every 9 seconds, a woman in the U.S. is beaten or assaulted by a current or ex-significant; and

Whereas, it is estimated that between 3.3 million and 10 million children in the United States are exposed to adult domestic violence each year; and

Whereas, Domestic violence violates an individual's dignity, security and humanity; and

Whereas, the State of Michigan is committed to taking a firm position against domestic violence and will remain focused on ensuring that all people, especially the most vulnerable, are safe in their homes and abusers are held accountable for their crimes; and

Whereas, Domestic Violence Month provides an excellent opportunity for citizens to learn more about domestic violence issues and to show support for the numerous organizations and individuals who are providing advocacy efforts, services and assistance to domestic violence victims.

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners recognizes October as *Domestic Violence Awareness Month* and encourages all Eaton County residents to join in the efforts to help bring an end to intimate partner violence. Carried unanimously.

OCTOBER 20, 2021

A RESOLUTION IN SUPPORT OF HB 5026 TO AMEND THE EMERGENCY 9-1-1 SERVICE ENABLING ACT

Introduced by the Public Safety Committee

Commissioner Barnes moved the approval of the following resolution. Seconded by Commissioner Pearl-Wright.

WHEREAS, the Emergency 9-1-1 Service Enabling Act, Michigan Public Act 32 of 1986, MCL §484.1101 et seq., as amended ("Act"), sunsets on December 31, 2021; and

WHEREAS, without an extension of the Act, Eaton County has no authority to provide 9-1-1 service or to determine the technical, operational, managerial, or fiscal aspects of 9-1-1 service within the Eaton County 9-1-1 Service District; and

WHEREAS, the cost of the 9-1-1 Emergency Service IP Network has been historically funded by a user fees on communication devices; and

WHEREAS, user fee revenue has fallen short of expectations, which will result in a deficit in the State fund that pays for 9-1-1 network costs by 2023; and

WHEREAS, HB 5026 increases the State prepaid device user fee from 5% of the sale to 6% of the sale; and

WHEREAS, this small increase in the prepaid user fee, along with a \$16 million appropriation in SB 82, will provide only the amount necessary to fund the Emergency Services IP Network.

NOW THEREFORE BE IT RESOLVED, that the Eaton County Board of Commissioners supports enactment of HB 5026 to ensure continued operation and funding of 9-1-1 service.

BE IT FURTHER RESOLVED, copies of this resolution will be forwarded to all members of the Michigan legislature representing Eaton County. Carried unanimously.

October 20, 2021

RESOLUTION TO APPROVE MEDIATOR'S RECOMMENDED SETTLEMENT WITH THE POLICE OFFICERS ASSOCIATION OF MICHIGAN, SHERIFF DEPUTIES ASSOCIATION

Introduced by the Ways and Means Committee

Commissioner Mulder moved the approval of the following resolution. Seconded by Commissioner Droscha.

WHEREAS, the Board of Commissioners participated in mediation on September 16, 2021 with the Police Officers Association of Michigan, ("the Union"), which represents the Sheriff Deputies Association; and

WHEREAS, through discussion with the parties the mediator recommended settlement of the collective bargaining agreement (attached); and

WHEREAS, the County has been notified that the membership has ratified the terms of the mediator's recommended settlement attached to this resolution.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners approve the mediator's recommended settlement for the collective bargaining agreement with the Police Officers Association of Michigan, Sheriff Deputies Association for the period through September 30, 2024; and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners is authorized to sign any necessary documents. Carried unanimously.

October 20, 2021

RESOLUTION TO APPROVE MEDIATOR'S RECOMMENDED SETTLEMENT WITH THE COMMAND OFFICERS ASSOCIATION OF MICHIGAN, SHERIFF COMMAND OFFICERS ASSOCIATION

Introduced by the Ways and Means Committee

Commissioner Mulder moved the approval of the following resolution. Seconded by Commissioner Droscha.

WHEREAS, the Board of Commissioners participated in mediation on September 29, 2021 with the Command Officers Association of Michigan, ("the Union"), which represents the Sheriff Command Officers Association; and

WHEREAS, through discussion with the parties the mediator recommended settlement of the collective bargaining agreement (attached); and

WHEREAS, the County has been notified that the membership has ratified the terms of the tentative agreement attached to this resolution.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners approve the mediator's recommended settlement for the collective bargaining agreement with the Command Officers Association of Michigan, Sheriff Command Officers Association for the period through September 30, 2024; and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners is authorized to sign any necessary documents. Carried unanimously.

October 20, 2021

RESOLUTION TO APPROVE AN APPLICATION FOR A FARMLAND AND OPEN SPACE DEVELOPMENTAL RIGHTS AGREEMENT (PUBLIC ACT 116 OF 1974, AS AMENDED)

Introduced by the Ways & Means Committee

Commissioner Mulder moved the approval of the following resolution. Seconded by Commissioner Droscha.

WHEREAS, Edward Behrndt Jr. filed a Farmland and Open Space Application for property located in Kalamo Township, with the Eaton County Clerk's Office in July 2021; and

WHEREAS, this application includes Parcel #'s 090-020-100-041-00 and 090-020-100-004-00 which parcels total +/- 149.98 acres; and

WHEREAS, the applicant is requesting a 10 year agreement; and

WHEREAS, a copy of this application was sent to all reviewing agencies as required by the act; and

WHEREAS, the Eaton County Ways & Means Committee has reviewed this application and is recommending approval.

THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners at its regularly scheduled meeting on October 20, 2021 does hereby approve the Farmland and Open Space Application filed by Edward Behrndt Jr. property located in Kalamo Township. Carried unanimously.

Diana Bosworth, County Clerk

10/22/202/ Date

OCTOBER 20, 2021

RESOLUTION TO APPROVE 2021/2022 BUDGET AMENDMENTS

Introduced by the Ways and Means Committee

Commissioner Mulder moved the approval of the following resolution. Seconded by Commissioner Brehler.

WHEREAS, the Eaton County 2021/2022 Appropriations Act of September 15, 2021 states that any amendment to increase a salary and/or a Capital Outlay line-item in excess of \$2,500.00 or any amendment to increase the total budget of any fund or department in excess of \$2,500.00 shall be amended by the Board of Commissioners, except that any amendment to decrease the General Fund Contingency shall be approved by the Board of Commissioners; and

WHEREAS, such amendments are needed in order to comply with the Uniform Budgeting and Accounting Act of 1978, P.A. 621.

NOW, THEREFORE BE IT RESOLVED, that the following budget amendments be approved and added to the 2021/2022 Eaton County Budget:

GENERAL FUND

TRANSFERS OUT 101.999

| Increase | Transfers-Out Resource Recovery | \$ 9,500 |
|----------|---------------------------------|-------------|
| Decrease | Contingency | \$ 9,500 |

To increase transfers out to Resource Recovery Fund for review of countywide recycling programs and initiatives as recommended by the Public Works and Planning Committee.

SPECIAL REVENUE FUNDS

RESOURCE RECOVERY FUND 228

| Increase | Contractual | \$ 9,500 |
|----------|--------------------|----------|
| Increase | Transfers-In – G/F | \$ 9,500 |

To increase total budget for review of countywide recycling programs and initiatives as recommended by the Public Works and Planning Committee. Carried unanimously.