

EATON COUNTY BOARD OF COMMISSIONERS  
NOVEMBER 16, 2022

The Eaton County Board of Commissioners met in regular session at the County Facilities, in the City of Charlotte, Wednesday, November 16, 2022 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.

Invocation by Commissioner Lautzenheiser.

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

Commissioner Augustine moved the approval of the agenda as presented. Seconded by Commissioner Droscha. Carried unanimously.

Commissioner Droscha moved the approval of the October 19, 2022 minutes. Seconded by Commissioner Rogers. Carried unanimously.

Communications: Email communication from Mr. Douglas Radcliffe North regarding a proposed advertising platform for the Secretary of State.

Claudine Williams, Community Development Director, presented the Closeout Eaton County Homeowner Rehabilitation Program CDBG Grant 2015-2017 and the proposed use of program funds to administer FY23 Emergency Repair Program and the final report on the expenditure of FY21 grant funds.

Chairman Whittum opened the public hearing for Closeout Eaton County Homeowner Rehabilitation Program CDBG Grant 2015-2017 at 7:04.

Public Comment: None

Closed public hearing 7:05

Public Hearing.

Chairman Whittum opened the Public Hearing for the Community Development Block Grant Emergency Repair Program at 7:06 p.m.

Public Comment: None

Closed public hearing 7:07

Public Comment: Eric Hafner spoke regarding the ongoing voluntary negotiations and the retention and recruitment of Sheriff Department employees.

Commissioner Rogers moved the approval of the Community Mental Health Appointment.

Clinton-Eaton-Ingham Community Mental Health Board - 3 year term

Adam Matson

expiring 12/31/25

Seconded by Commissioner Lautzenheiser. Carried unanimously.

Commissioner Rogers moved the approval of #22-11-104 Resolution Urging State Legislature to Amend the Michigan Auto Insurance Reform Act to Amend the Reimbursement Cap for Auto Accident Victims and Home Health Care.

WHEREAS the Michigan No-Fault Auto Insurance Reform Act of 2019 introduced a fee cap, which took final effect on July 1, 2021; this cap set percentage limits on how much residential care facilities, home health care providers, and other persons can be reimbursed for providing treatment/care to auto accident victims; and

WHEREAS these reimbursement caps are 55% of the reimbursement rates that Home Care Providers were collecting in 2019; and

WHEREAS, 55% of a Home Health Care provider's 2019 collections, is an unsustainable reimbursement cap to continue caring for catastrophically injured individuals following an auto accident; and

NOW THEREFORE BE IT RESOLVED, that the Eaton County Board of Commissioners hereby urges the Michigan Legislature to amend the Michigan No-Fault Auto Insurance Reform Act to address a sustainable fee cap (i.e. Michigan's Workman's Compensation Fee Cap for Ancillary Services) for Home Health Care providers, in order to uphold these benefits that have been paid for by the survivors who are currently receiving and who will receive in-home, long-term care, when purchasing an Unlimited PIP Auto Insurance policy, paid by the Michigan Catastrophic Claims Association; and

BE IT FURTHER RESOLVED, that the Eaton County Clerk/Register of Deeds is requested to forward copies of the adopted resolution to the Governor of the State of Michigan, the State Senate Majority and Minority leaders, the State House Speaker and Minority Leader, the members of the Eaton County delegation to the Michigan Legislature, and the other 82 counties of Michigan as Commissioner Correspondence. Seconded by Commissioner Lautzenheiser. Carried unanimously.

Commissioner Barnes moved the approval of #22-11-105 Resolution to Approve Intergovernmental Service Agreement with Waverly Community Schools.

WHEREAS the Waverly Community Schools has requested that the Eaton County Sheriff provide the District with a deputy sheriff assigned as a school resource officer; and

WHEREAS the school district has agreed to fully fund the addition of a position to the Eaton County Sheriff's Office for the requested assignment; and

WHEREAS, the Sheriff and Public Safety Committee have reviewed the proposed service agreement and are recommending its approval; and

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

approves the intergovernmental service agreement between Eaton County, the Sheriff's Office and Waverly Community Schools; and

BE IT FURTHER RESOLVED, the Chairman of Board of Commissioners is authorized to execute the intergovernmental service agreement on behalf of the County; and

BE IT FURTHER RESOLVED, the approval of this service agreement is contingent upon the approval of a resolution to amend the FY 22-23 Budget to increase the revenue and expenditures included therein and amend the Position Allocation List to increase the number of authorized deputy sheriff positions by one (1), associated with this agreement. Seconded by Commissioner Rogers.

Commissioner Lautzenheiser moved to tie-bar the Ways and Means Committee proposed budget amendment of \$125,000 to increase total budget to contractual revenue and expenditures for Waverly Community Schools contract, Resolution #22-11-106 to the current motion.

WHEREAS, the Eaton County 2022/2023 Appropriations Act of September 21, 2022 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 2022/2023 Eaton County Budget:

GENERAL FUND

Increase  
Increase

SHERIFF

Local Unit Revenue  
Salary & Benefits

\$125,000  
\$125,000

To increase total budget to contractual revenue and expenditures for Waverly Community Schools contract, recommended by the Public Safety Committee and amend the Position Allocation List to add one (1) deputy sheriff full-time equivalent position to be assigned as School Resource Officer.

Seconded by Commissioner Brehler. Motion to tie-bar carried.

Vote on Commissioner Barnes' motion, as amended. Yeas: Commissioners Barnes, Augustine, Whitacre, Mudry, Reynnet, Ridge, Lautzenheiser, Rogers and Whittum. Nays: Commissioners Brehler, Droscha and Pearl-Wright. Motion carried.

Commissioner Barnes moved the approval of #22-11-107 Resolution to Authorize Application for State Opioid Response Project Grant.

WHEREAS, the Michigan Department of Health and Human Services and the State Court Administrative Office has State Opioid Response grant funds available for the period of October 1, 2022 to September 30, 2023; and  
WHEREAS, the Community Corrections Department operates an Adult Circuit Drug Court which is grant funded; and  
WHEREAS, the grant would provide additional funds to offer transitional housing for participants of the Adult Circuit Drug Court.  
NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize the Community Corrections Department to submit a grant application in an amount not to exceed \$22,800 for the period of October 1, 2022 to September 30, 2023; and  
BE IT FURTHER RESOLVED, that if the County's participation in the grant is discontinued or requires a County General Fund contribution, the continuation of the grant funding will be reviewed by the appropriate committees to determine the necessity of General Fund commitment; and  
BE IT FURTHER RESOLVED, that the Controller be authorized to approve any necessary budget amendments to increase expenditures and increase grant revenue if the grant is approved by the State of Michigan; and  
BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners be authorized to sign any necessary documents.  
Seconded by Commissioner Augustine. Carried unanimously.

Commissioner Barnes moved the approval of #22-11-108 Resolution to Approve Community Corrections Advisory Board By-Law Amendments.

WHEREAS the Board of Commissioners established a Community Corrections Advisory Board under, PA 511 of 1988, as amended, the "Community Corrections Act"; and  
WHEREAS the Board of Commissioners has approved by-laws for the advisory board; and  
WHEREAS, the by-laws can be amended from time to time as recommended by the advisory board, with the approval of the Board of Commissioners; and  
WHEREAS, the Advisory Board reviewed the by-laws at its meeting on October 19, 2022 and recommended the approval of the attached amendments to the by-laws; and  
WHEREAS, the Public Safety Committee reviewed the recommended changes to the by-laws and recommended their approval to the Board of Commissioners.  
NOW THEREFORE BE IT RESOLVED, that the Eaton County Board of Commissioners approves the amendments to the Community Corrections Advisory Board By-Laws attached to this resolution.  
Seconded by Commissioner Whitacre. Carried unanimously.

Commissioner Lautzenheiser moved the approval of #22-11-109 Resolution to Approve a Michigan Department of Environment Great Lakes and Energy Scrap Tire Recycling Grant Application.

WHEREAS, the Resource Recovery Department has been established for the development and administration of the County Solid Waste Management Plan under Act 641; and

WHEREAS, key components of the Resource Recovery Department include increasing the amount of materials recycled; and

WHEREAS, the Michigan Department of Environment Great Lakes and Energy Scrap Tire Recycling Grant is designed to provide assistance in the removal of residential tires; and

WHEREAS, the Resource Recovery Department offers Scrap Tire collection events annually; and

WHEREAS, the Michigan Department of Environment Great Lakes and Energy has encouraged regional applications and Eaton County has been approached by Clinton County and Barry County to submit one grant for all three communities; and

WHEREAS, the grant program does not have any matching requirements; and

WHEREAS, Eaton County will serve as the applicant and fiduciary for the grant; and NOW, THEREFORE, LET IT BE RESOLVED that Eaton County approves the application of the Scrap Tire grant; and

BE IT FURTHER RESOLVED, that acceptance of the grant award is contingent upon the approval of Memorandums of Understanding between the County and other individual participating entities providing for said participating entities to reimburse the County for any non-grant costs associated with collection events held within their jurisdiction; and

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners, or his designee, is authorized to sign any necessary grant documents; and

BE IT FURTHER RESOLVED, that the Controller is authorized to make budget amendments to the adopted budget, in the event the grant is authorized.

Seconded by Commissioner Brehler. Carried unanimously.

Commissioner Lautzenheiser moved the approval of #22-11-110 Resolution to Approve Contracts for Household Hazardous Waste, Electronic and Battery Recycling Programs.

WHEREAS, the County is charged by the Public Act 451, Part 115, as amended, Eaton County Solid Waste Management Plan Update of February 1999 to enhance the separation, collection, and utilization of materials to increase the percentage of the solid waste stream diverted; and,

WHEREAS, the County Department of Resource Recovery operates a household hazardous waste, electronic waste and battery collection programs, which divert potentially hazardous materials from improper disposal; and,

WHEREAS, ERG Environmental Services agreed to recycle all household hazardous waste brought to Eaton County collection sites per Federal and State guidelines and in accordance with the proposals submitted to the Department of Resource Recovery; and

WHEREAS, Schupan Asset Management agreed to recycle all electronic waste brought to Eaton County collection sites per Federal and State guidelines and in accordance with the proposals submitted to the Department of Resource Recovery; and

WHEREAS, Cirba Solutions agreed to recycle all household batteries brought to Eaton County collection sites per Federal and State guidelines and in accordance with the proposals submitted to the Department of Resource Recovery; and

WHEREAS, the County Department of Resource Recovery recommended these vendors for two-year contracts extending from January 1, 2023-December 31, 2024; and

WHEREAS, the Public Works and Planning Committee reviewed one proposal and recommended that a contract be established between the County and ERG Environmental Services for a two-year household hazardous waste disposal contract at its regular meeting held on November 9, 2022; and

WHEREAS, the Public Works and Planning Committee reviewed two proposals and recommended that a contract be established between the County and Schupan Asset Management for a two-year electronics recycling contract at its regular meeting held on November 9, 2022; and

WHEREAS, the Public Works and Planning Committee reviewed two proposals and recommended that a contract be established between the County and Cirba Solutions for a two-year battery recycling contract at its regular meeting held on November 9, 2022; and

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners officially approves the recommended contracts.

Seconded by Commissioner Rogers. Carried unanimously.

Commissioner Lautzenheiser moved the approval of #22-11-111 Resolution to Approve Right-of-Way Easement.

WHEREAS, the County owns property known as the Thornapple Trail in Vermontville Township; and

WHEREAS, the County-owned property bisects a parcel of property owned by the Estate of Arline C. Vincent; and

WHEREAS, the Public Works and Planning Committee has reviewed and is recommending the approval of the attached right-of-way easement to continue to provide unobstructed access to the property for purposes of ingress and egress; and

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners approves the Right-of-Way Easement, as presented; and

BE IT FURTHER RESOLVED, the Chairman of the Board of Commissioners is authorized to execute said agreement on behalf of the County.

Seconded by Commissioner Droscha. Carried unanimously.

Commissioner Lautzenheiser moved the approval of #22-11-112 Resolution to Approve Michigan Department of Natural Resources Spark Grant Application.

WHEREAS, the Michigan Department of Natural Resources is making grant funds of up to \$1,000,000 available to local units of government through its Spark Grant Program; and

WHEREAS, the Parks and Recreation Department is requesting approval to submit an application for funding; and

WHEREAS, the requested application will be in the amount of \$1,000,000, with no required local match; and

WHEREAS, the Department is proposing the application for funding include costs for the development of interior road infrastructure within the Crandell Park property.

NOW, THEREFORE, LET IT BE RESOLVED that the Eaton County Board of Commissioners approves the Parks and Recreation Department's request to apply for Michigan Spark Grant funds; and

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners, or his designee, is authorized to sign any necessary grant documents; and  
BE IT FURTHER RESOLVED, that the Controller is authorized to make budget amendments to the adopted budget, in the event the grant is authorized.  
Seconded by Commissioner Pearl-Wright. Carried unanimously.

Commissioner Lautzenheiser moved the approval of the following Public Works and Planning Committee Appointments.

Road Commission 6-year term -

Tim Lamoreaux	expiring December 31, 2028
Keith Barber	expiring December 31, 2028

Seconded by Commissioner Augustine. Carried.

Commissioner Lautzenheiser moved the approval of the remaining Public Works and Planning Committee Appointments.

Planning Commission 3-year term -

Zachary Dillinger	expiring December 31, 2025
Brian Ross	expiring December 31, 2025
Timothy Cattron	expiring December 31, 2025

Zoning Board of Appeals 3-year term

Nicole Chmielewski	expiring December 31, 2025
Timothy Cattron (Planning Comm. Rep.)	expiring December 31, 2025

Purchase of Development Rights Selection Committee 2 Year Term

David Roberts	expiring December 31, 2024
Duane Ross	expiring December 31, 2024

Capitol Area Regional Transportation Study Committee 1 year term

Claudine Williams	expiring December 31, 2023
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Seconded by Commissioner Ridge. Carried unanimously.

Commissioner Lautzenheiser moved the approval of 2022 Apportionment Report. (On file). Seconded by Commissioner Augustine. Carried unanimously.

Commissioner Lautzenheiser moved the approval of the 2023 Holiday Schedule. (On file). Seconded by Commissioner Pearl-Wright. Carried unanimously.

Commissioner Lautzenheiser moved the approval of #22-11-113 Resolution to Authorize Extension for COVID Emergency Supplemental Funding Grant Extension – Prosecuting Attorney.

WHEREAS, the Prosecuting Attorney was approved to receive Coronavirus Emergency Supplemental Funding through the United States Department of Justice passed-

through the Michigan State Police for the period of June 1, 2021 through December 31, 2022; and

WHEREAS, the Prosecuting Attorney has been notified that an extension of the granting period is available to extend the previous grant period through September 30, 2023; and

WHEREAS, the grant would provide funding for contractual services and applicable equipment for an attorney to address coronavirus-related caseload backlog; and

WHEREAS, the Prosecuting Attorney's Office is desirous of submitting the grant extension to contract with an attorney to primarily manage the backlog of cases currently in the screening process.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize the Prosecutor's Office to submit a grant extension to retain the grant award with an amount not to exceed \$135,715 for the period of June 1, 2021 to September 30, 2023; and

BE IT FURTHER RESOLVED, that the Controller be authorized to approve any necessary budget amendments to increase expenditures and increase grant revenue if the grant is approved by the State of Michigan; and

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

Seconded by Commissioner Brehler. Carried unanimously.

Commissioner Lautzenheiser moved the approval of #22-11-114 Resolution to Approve Amendments to Section 125 Flexible Benefit Program Plan Document.

WHEREAS, the Board of Commissioners makes available to its employees a voluntary flexible benefit program under Section 125 of the Internal Revenue Code; and

WHEREAS, amendments to the program are being proposed to increase the benefit options available to employees through the program; and

WHEREAS, the Ways and Means Committee has reviewed and it recommended the approval of the attached amendments.

NOW THEREFORE BE IT RESOLVED, that the Eaton County Board of Commissioners approves the amendments to its Section 125 Flexible Benefit Plan Document.

Seconded by Commissioner Droscha. Carried unanimously.

Commissioner Lautzenheiser moved the approval of #22-11-115 Resolution to Approve FY 2022-23 Budge Amendments.

WHEREAS, the Eaton County 2022/2023 Appropriations Act of September 21, 2022 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 2022/2023 Eaton County Budget:



GENERAL FUND

PROSECUTING ATTORNEY 101.267

Increase	Federal Revenue	\$ 105,000
Increase	Contractual Services	\$ 105,000
To increase total budget to grant revenue and expenditures for the Prosecuting Attorney CESF grant extension.		

TRANSFERS OUT

Increase	Transfers Out- Public Improvement	\$ 200,000
Increase	Contractual Services	\$ 200,000
To increase budget to re-authorize appropriation for health department clinic renovation project contribution.		

TRANSFERS OUT

Increase	Transfers Out- Landfill	\$ 35,000
Decrease	Contingency	\$ 35,000
To increase transfer to Landfill Fund for the replacement of monitoring wells at the site, as recommended by the Public Works and Planning Committee.		

SPECIAL REVENUE FUNDS

PARKS AND RECREATION

Increase	Fund Balance Carryover	\$ 68,700
Increase	Capital Outlay – Vehicle	\$ 68,700
To increase budget to re-authorize appropriation for truck purchase ordered October 2021, order not fulfilled due to supply chain shortages as of November 2022.		

LANDFILL

Increase	Transfers In-General Fund	\$ 35,500
Increase	Contractual Services	\$ 35,500
To increase transfer to Landfill Fund for the replacement of monitoring wells at the site, as recommended by the Public Works and Planning Committee.		

PUBLIC IMPROVEMENT FUND 245

Increase	Fund Balance Carryover	\$ 116,522
Increase	Transfers In – Rescue Plan	\$2,193,813
Increase	Proceeds from Borrowing	\$1,371,975
Increase	Capital Outlay	\$3,682,310
To increase budget for balance of public health and energy project not completed during FY21-22		

Increase	Fund Balance Carryover	\$ 975,966
Increase	Capital Outlay	\$ 975,966

To increase budget for balance of jail and youth facility security system replacement project not completed during FY21-22

Increase	Transfers In – General Fund	\$ 200,000
Increase	Capital Outlay	\$ 200,000

To increase budget to re-authorize appropriation for health department clinic renovation project contribution.

AMERICAN RESCUE PLAN FUND

Increase	Federal Revenue	\$2,193,813
Increase	Transfers Out	\$2,193,813

To increase budget to re-authorize appropriation for balance of public health and energy project not completed during FY 21-22.

COMPUTER FUND 298

Increase	Fund Balance Carryover	\$ 237,004
Decrease	Transfer In-Central Dispatch	\$ 16,444
Increase	Capital Outlay	\$ 130,115
Increase	Contractual Services	\$ 90,445

To increase budget to re-authorize appropriation for technology projects in progress from FY 21-22, and return unexpended FY 21-22 project funds to the Central Dispatch Fund.

Seconded by Commissioner Droscha. Carried unanimously.

Commissioner Lautzenheiser moved the approval of the following Ways and Means Committee Appointment.

Eaton County Building Authority 3-year term

Bob Robinson                      expiring December 31, 2025

Seconded by Commissioner Augustine. Carried unanimously.

Commissioner Lautzenheiser moved the approval of claims as audited by the Ways & Means Committee for \$775,196.14 and to accept the report of previously authorized payments.

Seconded by Commissioner Rogers. Carried unanimously.

Commissioner Lautzenheiser moved the approval of #22-11-116 Resolution to Approve Park and Open Space Millage Levy.

WHEREAS, on November 8, 2022, the voters of Eaton County approved 0.5000 of a mill for County Parks and Open Space Millage; and

WHEREAS, Eaton County has complied with the requirements of the Uniform Budget and Accounting Act, as amended, regarding a proposed levy of 0.5000 of a mill.

NOW THEREFORE, BE IT RESOLVED; that the Eaton County Board of Commissioners does hereby adopt the levy of 0.5000 of a mill for County Parks and Open Space Millage.

Seconded by Commissioner Augustine. Carried unanimously.

Public Comment: Will Pitylak spoke regarding the Eaton County budget.

Commissioner Comments: Chairman Whittum reported Controller/County Administrator John Fuentes provided written notification of his intent to retire as of January 13, 2023. (On file)

Commissioner Droscha stated that a Benton Township farmer had been tragically killed in a farming accident. A fundraiser is being planned to assist the family.

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

Commissioner Augustine moved to enter closed session to consult with legal counsel regarding settlement strategy in pending tax foreclosure class action litigation (MCL 15.268 (e)) at 7:50 p.m.

Regular session resumed at 8:22 p.m.

Commissioner Augustine moved to enter closed session to consult with legal counsel for strategy and negotiation session necessary to reach a collective bargaining agreement (MCL 15.268 (c)) at 8:23.

Regular session resumed at 9:28 p.m.

Chairman Whittum adjourned the meeting to Wednesday, December 21, 2022 at 7:00 p.m.

  
Chairman of the Board of Commissioners

  
Clerk of the Board of Commissioners

**EATON COUNTY BOARD OF COMMISSIONERS**

**NOVEMBER 16, 2022**

**RESOLUTION URGING STATE LEGISLATURE TO AMEND THE MICHIGAN AUTO INSURANCE REFORM ACT TO AMEND THE REIMBURSEMENT CAP FOR AUTO ACCIDENT VICTIMS AND HOME HEALTH CARE**

**Introduced by the Health and Human Services Committee**

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

**WHEREAS** the Michigan No-Fault Auto Insurance Reform Act of 2019 introduced a fee cap, which took final effect on July 1, 2021; this cap set percentage limits on how much residential care facilities, home health care providers, and other persons can be reimbursed for providing treatment/care to auto accident victims; and

**WHEREAS** these reimbursement caps are 55% of the reimbursement rates that Home Care Providers were collecting in 2019; and

**WHEREAS**, 55% of a Home Health Care provider's 2019 collections, is an unsustainable reimbursement cap to continue caring for catastrophically injured individuals following an auto accident; and

**NOW THEREFORE BE IT RESOLVED**, that the Eaton County Board of Commissioners hereby urges the Michigan Legislature to amend the Michigan No-Fault Auto Insurance Reform Act to address a sustainable fee cap (i.e. Michigan's Workman's Compensation Fee Cap for Ancillary Services) for Home Health Care providers, in order to uphold these benefits that have been paid for by the survivors who are currently receiving and who will receive in-home, long-term care, when purchasing an Unlimited PIP Auto Insurance policy, paid by the Michigan Catastrophic Claims Association; and

**BE IT FURTHER RESOLVED**, that the Eaton County Clerk/Register of Deeds is requested to forward copies of the adopted resolution to the Governor of the State of Michigan, the State Senate Majority and Minority leaders, the State House Speaker and Minority Leader, the members of the Eaton County delegation to the Michigan Legislature, and the other 82 counties of Michigan as Commissioner Correspondence. Carried unanimously.

**EATON COUNTY BOARD OF COMMISSIONERS**

**NOVEMBER 16, 2022**

**RESOLUTION TO APPROVE INTERGOVERNMENTAL SERVICE AGREEMENT  
WITH WAVERLY COMMUNITY SCHOOLS**

**Introduced by the Public Safety Committee**

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

**WHEREAS** the Waverly Community Schools has requested that the Eaton County Sheriff provide the District with a deputy sheriff assigned as a school resource officer; and

**WHEREAS** the school district has agreed to fully fund the addition of a position to the Eaton County Sheriff's Office for the requested assignment; and

**WHEREAS**, the Sheriff and Public Safety Committee have reviewed the proposed service agreement and are recommending its approval; and

**NOW THEREFORE BE IT RESOLVED**, that the Eaton County Board of Commissioners approves the intergovernmental service agreement between Eaton County, the Sheriff's Office and Waverly Community Schools; and

**BE IT FURTHER RESOLVED**, the Chairman of Board of Commissioners is authorized to execute the intergovernmental service agreement on behalf of the County; and

**BE IT FURTHER RESOLVED**, the approval of this service agreement is contingent upon the approval of a resolution to amend the FY 22-23 Budget to increase the revenue and expenditures included therein and amend the Position Allocation List to increase the number of authorized deputy sheriff positions by one (1), associated with this agreement.

Vote on Resolutions #22-11-105 and #22-11-106. Yeas: Commissioners Barnes, Augustine, Whitacre, Mudry, Reynnet, Ridge, Lautzenheiser, Rogers and Whittum. Nays: Commissioners Brehler, Droscha and Pearl-Wright. Motion carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**NOVEMBER 16, 2022**

**RESOLUTION TO APPROVE 2022/2023 BUDGET AMENDMENTS**

**Introduced by the Ways and Means Committee**

Commissioner Lautzenheiser moved to tie-bar the Resolution 22-11-106 to Resolution 22-11-105. Seconded by Commissioner Brehler. Motion carried unanimously.

**WHEREAS**, the Eaton County 2022/2023 Appropriations Act of September 21, 2022 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 2022/2023 Eaton County Budget:

**GENERAL FUND**

	<b><u>SHERIFF</u></b>	
Increase	Local Unit Revenue	\$ 125,000
Increase	Salary & Benefits	\$ 125,000

To increase total budget to contractual revenue and expenditures for Waverly Community Schools contract, recommended by the Public Safety Committee and amend the Position Allocation List to add one (1) deputy sheriff full-time equivalent position to be assigned as School Resource Officer.

Vote on Resolutions #22-11-105 and #22-11-106. Yeas: Commissioners Barnes, Augustine, Whitacre, Mudry, Reynnet, Ridge, Lautzenheiser, Rogers and Whittum. Nays: Commissioners Brehler, Droscha and Pearl-Wright. Motion carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**NOVEMBER 16, 2022**

**RESOLUTION TO AUTHORIZE APPLICATION FOR STATE OPIOID  
RESPONSE PROJECT GRANT**

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

**WHEREAS**, the Michigan Department of Health and Human Services and the State Court Administrative Office has State Opioid Response grant funds available for the period of October 1, 2022 to September 30, 2023; and

**WHEREAS**, the Community Corrections Department operates an Adult Circuit Drug Court which is grant funded; and

**WHEREAS**, the grant would provide additional funds to offer transitional housing for participants of the Adult Circuit Drug Court.

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Commissioners authorize the Community Corrections Department to submit a grant application in an amount not to exceed \$22,800 for the period of October 1, 2022 to September 30, 2023; and

**BE IT FURTHER RESOLVED**, that if the County's participation in the grant is discontinued or requires a County General Fund contribution, the continuation of the grant funding will be reviewed by the appropriate committees to determine the necessity of General Fund commitment; and

**BE IT FURTHER RESOLVED**, that the Controller be authorized to approve any necessary budget amendments to increase expenditures and increase grant revenue if the grant is approved by the State of Michigan; and

**BE IT FURTHER RESOLVED**, that the Chairperson of the Board of Commissioners be authorized to sign any necessary documents. Carried unanimously.

**EATON COUNTY BOARD OF COMMISSIONERS**

**NOVEMBER 16, 2022**

**RESOLUTION TO APPROVE COMMUNITY CORRECTIONS ADVISORY BOARD  
BY-LAW AMENDMENTS**

**Introduced by the Public Safety Committee**

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

**WHEREAS** the Board of Commissioners established a Community Corrections Advisory Board under, PA 511 of 1988, as amended, the “Community Corrections Act”; and

**WHEREAS** the Board of Commissioners has approved by-laws for the advisory board; and

**WHEREAS**, the by-laws can be amended from time to time as recommended by the advisory board, with the approval of the Board of Commissioners; and

**WHEREAS**, the Advisory Board reviewed the by-laws at its meeting on October 19, 2022 and recommended the approval of the attached amendments to the by-laws; and

**WHEREAS**, the Public Safety Committee reviewed the recommended changes to the by-laws and recommended their approval to the Board of Commissioners.

**NOW THEREFORE BE IT RESOLVED**, that the Eaton County Board of Commissioners approves the amendments to the Community Corrections Advisory Board By-Laws attached to this resolution. Motion carried unanimously.



**EATON COUNTY BOARD OF COMMISSIONERS**

**NOVEMBER 16, 2022**

**RESOLUTION TO APPROVE A MICHIGAN DEPARTMENT OF ENVIRONMENT GREAT LAKES AND ENERGY SCRAP TIRE RECYCLING GRANT APPLICATION**

*Introduced by the Public Works and Planning Committee*

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

**WHEREAS**, the Resource Recovery Department has been established for the development and administration of the County Solid Waste Management Plan under Act 641; and

**WHEREAS**, key components of the Resource Recovery Department include increasing the amount of materials recycled; and

**WHEREAS**, the Michigan Department of Environment Great Lakes and Energy Scrap Tire Recycling Grant is designed to provide assistance in the removal of residential tires; and

**WHEREAS**, the Resource Recovery Department offers Scrap Tire collection events annually; and

**WHEREAS**, the Michigan Department of Environment Great Lakes and Energy has encouraged regional applications and Eaton County has been approached by Clinton County and Barry County to submit one grant for all three communities; and

**WHEREAS**, the grant program does not have any matching requirements; and

**WHEREAS**, Eaton County will serve as the applicant and fiduciary for the grant; and

**NOW, THEREFORE, LET IT BE RESOLVED** that Eaton County approves the application of the Scrap Tire grant; and

**BE IT FURTHER RESOLVED**, that acceptance of the grant award is contingent upon the approval of Memorandums of Understanding between the County and other individual participating entities providing for said participating entities to reimburse the County for any non-grant costs associated with collection events held within their jurisdiction; and

**BE IT FURTHER RESOLVED**, that the Chairperson of the Board of Commissioners, or his designee, is authorized to sign any necessary grant documents; and

**BE IT FURTHER RESOLVED**, that the Controller is authorized to make budgets amendments to the adopted budget, in the event the grant is authorized. Motion carried unanimously.

## EATON COUNTY BOARD OF COMMISSIONERS

NOVEMBER 16, 2022

**RESOLUTION TO APPROVE CONTRACTS FOR HOUSEHOLD HAZARDOUS WASTE, ELECTRONICS AND BATTERY RECYCLING*****Introduced by the Public Works and Planning Committee***

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

**WHEREAS**, the County is charged by the Public Act 451, Part 115, as amended, Eaton County Solid Waste Management Plan Update of February 1999 to enhance the separation, collection, and utilization of materials to increase the percentage of the solid waste stream diverted; and,

**WHEREAS**, the County Department of Resource Recovery operates a household hazardous waste, electronic waste and battery collection programs, which divert potentially hazardous materials from improper disposal; and,

**WHEREAS**, ERG Environmental Services agreed to recycle all household hazardous waste brought to Eaton County collection sites per Federal and State guidelines and in accordance with the proposals submitted to the Department of Resource Recovery; and

**WHEREAS**, Schupan Asset Management agreed to recycle all electronic waste brought to Eaton County collection sites per Federal and State guidelines and in accordance with the proposals submitted to the Department of Resource Recovery; and

**WHEREAS**, Cirba Solutions agreed to recycle all household batteries brought to Eaton County collection sites per Federal and State guidelines and in accordance with the proposals submitted to the Department of Resource Recovery; and

**WHEREAS**, the County Department of Resource Recovery recommended these vendors for two-year contracts extending from January 1, 2023-December 31, 2024; and

**WHEREAS**, the Public Works and Planning Committee reviewed one proposal and recommended that a contract be established between the County and ERG Environmental Services for a two-year household hazardous waste disposal contract at its regular meeting held on November 9, 2022; and

**WHEREAS**, the Public Works and Planning Committee reviewed two proposals and recommended that a contract be established between the County and Schupan Asset Management for a two-year electronics recycling contract at its regular meeting held on November 9, 2022; and

**WHEREAS**, the Public Works and Planning Committee reviewed two proposals and recommended that a contract be established between the County and Cirba Solutions for a two-year battery recycling contract at its regular meeting held on November 9, 2022; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Eaton County Board of Commissioners officially approves the recommended contracts. Carried unanimously.

**EATON COUNTY BOARD OF COMMISSIONERS**

**November 16, 2022**

**RESOLUTION TO APPROVE RIGHT OF WAY EASEMENT**

**Introduced by the Public Works and Planning Committee**

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

**WHEREAS**, the County owns property known as the Thornapple Trail in Vermontville Township; and

**WHEREAS**, the County-owned property bisects a parcel of property owned by the Estate of Arline C. Vincent; and

**WHEREAS**, the Public Works and Planning Committee has reviewed and is recommending the approval of the attached right-of-way easement to continue to provide unobstructed access to the property for purposes of ingress and egress; and

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Commissioners approves the Right-of-Way Easement, as presented; and

**BE IT FURTHER RESOLVED**, the Chairman of the Board of Commissioners is authorized to execute said agreement on behalf of the County. Carried unanimously.

**EATON COUNTY BOARD OF COMMISSIONERS**

**NOVEMBER 16, 2022**

**RESOLUTION TO APPROVE A MICHIGAN DEPARTMENT OF NATURAL  
RESOURCES SPARK GRANT APPLICATION**

*Introduced by the Public Works and Planning Committee*

Commissioner Lautzenheiser moved the approval of the following resolutions. Seconded by Commissioner Pearl-Wright.

**WHEREAS**, the Michigan Department of Natural Resources is making grant funds of up to \$1,000,000 available to local units of government through its Spark Grant Program; and

**WHEREAS**, the Parks and Recreation Department is requesting approval to submit an application for funding; and

**WHEREAS**, the requested application will be in the amount of \$1,000,000, with no required local match; and

**WHEREAS**, the Department is proposing the application for funding include costs for the development of interior road infrastructure within the Crandell Park property.

**NOW, THEREFORE, LET IT BE RESOLVED** that the Eaton County Board of Commissioners approves the Parks and Recreation Department's request to apply for Michigan Spark Grant funds; and

**BE IT FURTHER RESOLVED**, that the Chairperson of the Board of Commissioners, or his designee, is authorized to sign any necessary grant documents; and

**BE IT FURTHER RESOLVED**, that the Controller is authorized to make budgets amendments to the adopted budget, in the event the grant is authorized. Carried unanimously.

**EATON COUNTY BOARD OF COMMISSIONERS**

**NOVEMBER 16, 2022**

**RESOLUTION TO AUTHORIZE APPLICATION FOR  
UNITED STATES DEPARTMENT OF JUSTICE  
CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING GRANT  
EXTENSION – PROSECUTING ATTORNEY**

**Introduced by the Ways and Means Committee**

Commissioner Lautzenheiser moved the approval of the following resolutions. Seconded by Commissioner Brehler.

**WHEREAS**, the Prosecuting Attorney was approved to receive Coronavirus Emergency Supplemental Funding through the United States Department of Justice passed-through the Michigan State Police for the period of June 1, 2021 through December 31, 2022; and

**WHEREAS**, the Prosecuting Attorney has been notified that an extension of the granting period is available to extend the previous grant period through September 30, 2023; and

**WHEREAS**, the grant would provide funding for contractual services and applicable equipment for an attorney to address coronavirus-related caseload backlog; and

**WHEREAS**, the Prosecuting Attorney's Office is desirous of submitting the grant extension to contract with an attorney to primarily manage the backlog of cases currently in the screening process.

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Commissioners authorize the Prosecutor's Office to submit a grant extension to retain the grant award with an amount not to exceed \$135,715 for the period of June 1, 2021 to September 30, 2023; and

**BE IT FURTHER RESOLVED**, that the Controller be authorized to approve any necessary budget amendments to increase expenditures and increase grant revenue if the grant is approved by the State of Michigan; and

**BE IT FURTHER RESOLVED**, that the Chairperson of the Board of Commissioners be authorized to sign any necessary documents. Carried unanimously.

**EATON COUNTY BOARD OF COMMISSIONERS**

**NOVEMBER 16, 2022**

**RESOLUTION TO APPROVE AMENDMENTS TO SECTION 125 FLEXIBLE  
BENEFIT PROGRAM PLAN DOCUMENT**

**Introduced by the Ways and Means Committee**

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

**WHEREAS**, the Board of Commissioners makes available to its employees a voluntary flexible benefit program under Section 125 of the Internal Revenue Code; and

**WHEREAS**, amendments to the program are being proposed to increase the benefit options available to employees through the program; and

**WHEREAS**, the Ways and Means Committee has reviewed and it recommended the approval of the attached amendments.

**NOW THEREFORE BE IT RESOLVED**, that the Eaton County Board of Commissioners approves the amendments to its Section 125 Flexible Benefit Plan Document. Carried unanimously.

**EATON COUNTY BOARD OF COMMISSIONERS**

**NOVEMBER 16, 2022**

**RESOLUTION TO APPROVE 2022/2023 BUDGET AMENDMENTS**

**Introduced by the Ways and Means Committee**

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

**WHEREAS**, the Eaton County 2022/2023 Appropriations Act of September 21, 2022 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 2022/2023 Eaton County Budget:

**GENERAL FUND**

**PROSECUTING ATTORNEY 101.267**

Increase	Federal Revenue	\$ 105,000
Increase	Contractual Services	\$ 105,000

To increase total budget to grant revenue and expenditures for the Prosecuting Attorney CESF grant extension.

**TRANSFERS OUT**

Increase	Transfers Out- Public Improvement	\$ 200,000
Increase	Contractual Services	\$ 200,000

To increase budget to re-authorize appropriation for health department clinic renovation project contribution.

**TRANSFERS OUT**

Increase	Transfers Out- Landfill	\$ 35,000
Decrease	Contingency	\$ 35,000

To increase transfer to Landfill Fund for the replacement of monitoring wells at the site, as recommended by the Public Works and Planning Committee. Carried unanimously.



**SPECIAL REVENUE FUNDS**

**PARKS AND RECREATION**

Increase	Fund Balance Carryover	\$ 68,700
Increase	Capital Outlay – Vehicle	\$ 68,700

To increase budget to re-authorize appropriation for truck purchase ordered October 2021, order not fulfilled due to supply chain shortages as of November 2022.

**LANDFILL**

Increase	Transfers In-General Fund	\$ 35,500
Increase	Contractual Services	\$ 35,500

To increase transfer to Landfill Fund for the replacement of monitoring wells at the site, as recommended by the Public Works and Planning Committee.

**PUBLIC IMPROVEMENT FUND 245**

Increase	Fund Balance Carryover	\$ 116,522
Increase	Transfers In – Rescue Plan	\$2,193,813
Increase	Proceeds from Borrowing	\$1,371,975
Increase	Capital Outlay	\$3,682,310

To increase budget for balance of public health and energy project not completed during FY21-22

Increase	Fund Balance Carryover	\$ 975,966
Increase	Capital Outlay	\$ 975,966

To increase budget for balance of jail and youth facility security system replacement project not completed during FY21-22

Increase	Transfers In – General Fund	\$ 200,000
Increase	Capital Outlay	\$ 200,000

To increase budget to re-authorize appropriation for health department clinic renovation project contribution.

**AMERICAN RESCUE PLAN FUND**

Increase	Federal Revenue	\$2,193,813
Increase	Transfers Out	\$2,193,813

To increase budget to re-authorize appropriation for balance of public health and energy project not completed during FY 21-22.

**COMPUTER FUND 298**

Increase	Fund Balance Carryover	\$ 237,004
Decrease	Transfer In-Central Dispatch	\$ 16,444
Increase	Capital Outlay	\$ 130,115
Increase	Contractual Services	\$ 90,445

To increase budget to re-authorize appropriation for technology projects in progress from FY 21-22, and return unexpended FY 21-22 project funds to the Central Dispatch Fund. Carried unanimously.

**EATON COUNTY BOARD OF COMMISSIONERS**

**NOVEMBER 16, 2022**

**RESOLUTION TO ADOPT THE APPROVED EXTRA VOTED MILLAGE  
FOR COUNTY PARKS AND OPEN SPACE MILLAGE**

**Introduced by the Ways and Means Committee**

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

**WHEREAS**, on November 8, 2022, the voters of Eaton County approved 0.5000 of a mill for County Parks and Open Space Millage; and

**WHEREAS**, Eaton County has complied with the requirements of the Uniform Budget and Accounting Act, as amended, regarding a proposed levy of 0.5000 of a mill.

**NOW THEREFORE, BE IT RESOLVED**; that the Eaton County Board of Commissioners does hereby adopt the levy of 0.5000 of a mill for County Parks and Open Space Millage. Carried unanimously.