

EATON COUNTY BOARD OF COMMISSIONERS  
JUNE 19, 2019

The Eaton County Board of Commissioners met in regular session at the County Facilities, in the City of Charlotte, Wednesday, June 19, 2019.

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

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

Invocation was given by Commissioner Mott.

Roll call. Commissioners present; Rob Piercefield, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Glenn Freeman, Joseph Brehler, Brian Droscha, Matthew S. Bowen, Wayne Ridge, Brian Lautzenheiser, Jim Mott, and Barbara Rogers.

Commissioners absent: Lisa Deavers

Commissioner Brehler requested the following additions to the agenda under Ways & Means Committee Report: Item # 7 Item - Resolution to Approve PA 202 waiver application, and #8 – A motion to approve facilitator's recommended settlement in 56<sup>th</sup> Circuit Court case 15-00137-CZ.

Commissioner Lautzenheiser moved the agenda be approved as amended. Seconded by Commissioner Rogers. Carried.

Commissioner Lautzenheiser moved the approval of the minutes of May 15, 2019. Seconded by Commissioner Freeman. Carried.

Communications: The required Foreclosure Stabilization Fund Report was received from the County Treasurer and he was available to take questions. (On file)

Gratiot County Resolution regarding Veterans Services Grant Funding. Referred to Public Works and Planning Committee.

Cheboygan County Resolution Supporting US House of Representatives Bill 530. Referred to Public Works and Planning Committee.

Bay County Resolution regarding proposed Federal Education Funding Reductions. Referred to Ways & Means Committee.

Hamlin Township Ordinance Prohibiting Marihuana Establishments. (On file)

Commissioner Pearl-Wright moved the approval of #19-6-66 Resolution to Support the Use of Local County Funds for Local Community Mental Health Services.

WHEREAS, the Eaton County Board of Commissioners having entered into an enabling resolution to create the Community Mental Health Authority of Clinton, Eaton, and Ingham Counties pursuant to Section 100 et seq. and

Section 205 of the Mental Health Code, 1974 PA 258, as amended (MCL330.1100 et seq; MCL330.1205) with Clinton, Eaton, and Ingham Counties; and

WHEREAS, Community Mental Health Authority of Clinton, Eaton, and Ingham Counties is a community mental health authority of the counties of Clinton, Eaton, and Ingham, organized under the terms of Section 204(a) of the Michigan Mental Health Code (the Code), (MCL330.1204[a]; and

WHEREAS, Section 116(b) of the Code (MCL330.1116[b]) requires that the Department of Community Health shift primary responsibility for the direct delivery of public mental health services from the state to a community mental health services program whenever the community mental health services program has demonstrated a willingness and capacity to provide an adequate and appropriate system of mental health services for the citizens of that service area; and

WHEREAS, Community Mental Health Authority of Clinton, Eaton, and Ingham Counties has demonstrated such willingness and capacity to provide community mental health services for over the past 50 years and is properly certified as a community mental health services program under the terms of Section 232(a) of the Code (MCL330.1232[a]); and

WHEREAS, Section 202(1) of the Code (MCL330.1202[1]) requires that the state shall financially support, in accordance with chapter 3, community mental health services programs that have been established and that are administered according to the provisions of this chapter; and

WHEREAS, there are also established in the state entities known as Prepaid Inpatient Health Plans (PIHPs), which receive Medicaid funds and distribute them to Community Mental Health Services Programs and other Medicaid providers; and

WHEREAS, Appropriations Bill Public Act 207 of 2018, Article X, Part 2 Provisions Concerning Appropriations, General Sections, Behavioral Health Services, Section 928 (1) states, “Each PIHP shall provide, from internal resources, local funds to be used as a bona fide part of the state match required under the Medicaid program in order to increase capitation rates for PIHPs. These funds shall not include either state funds received by a CMHSP for services provided to non-Medicaid recipients or the state matching portion of the Medicaid capitation payments made to a PIHP.”; and

WHEREAS, Community Mental Health Authority of Clinton, Eaton, and Ingham Counties and the counties that it represents are not a state designated PIHP; and

WHEREAS, the county of Eaton has a strong desire to keep local funding at the local level to meet the financial liability of the county pursuant to Section 302(1) of the Code (MCL330.1301[1] and to respond to the behavioral health needs in this county.

NOW, THEREFORE BE IT RESOLVED, that the Eaton County Board of Commissioners strongly supports the use of these local county funds for local community mental health services as provided for under the Michigan Constitution and Michigan Mental Health Code, and urges removal of the Section 928 provision that requires local funds be used as part of the state match requirement from the state budget boilerplate; and

BE IT FURTHER RESOLVED, that the Eaton County Board of Commissioners strongly urges its State Senate and House of Representatives members to

eliminate similar language mentioned above in future State funding appropriations; and

BE IT FURTHER RESOLVED, that the State Senate and House of Representatives ensure that the current level of Medicaid funding is not negatively impacted by the removal of Section 928; and

BE IT FURTHER RESOLVED, that copies of this resolution be provide to Governor Gretchen Whitmer, Senator Thomas Barrett, Representative Angela Witwer, Representative Sarah Lightner, Michigan Department of Health and Human Services Director Robert Gordon, Behavioral Health and Developmental Disabilities Administration Deputy Director Dr. George Mellos, the Michigan Association of Counties and the Community Mental Health Association of Michigan.

Seconded by Commissioner Whitacre. Discussion held. Carried.

Commissioner Freeman moved the approval of #19-6-67 Resolution to Authorize Application for SCAO Adult Drug Court OUIL III Grant.

WHEREAS, the Eaton County Trial Courts, through the District Court Probation Department, has operated a District Court sobriety program for approximately twenty years; and

WHEREAS, the State Court Administrative Office is making grant funds available for the period of October 1, 2019 to September 30, 2020; and

WHEREAS, the District Court seeks to expand the program with grant funds to provide treatment and tether services.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize the District Court Department to submit a grant application in an amount not to exceed \$100,000; and

BE IT FURTHER RESOLVED, that if the grant is not continued or requires a County appropriation, the continuation of the grant funded positions will be reviewed by the appropriate committees to determine the necessity of the 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 or his designee be authorized to sign any necessary contracts or documents.

Seconded by Commissioner Droscha. Carried.

Commissioner Freeman moved the approval of #19-6-68 Resolution to Authorize U.S. Department of Justice Bulletproof Vest Partnership Grant Application.

WHEREAS, the United States Department of Justice, Office of Justice Programs has Bulletproof Vest Partnership funds available; and

WHEREAS, the Eaton County Sheriff Department has developed a plan to utilize these funds to assist in the purchase of uniquely fitted vests; and

WHEREAS, the Public Safety Committee has reviewed and approved the plan; and

WHEREAS, the grant will provide up to \$20,000 for the purchase of Bulletproof Vests with a fifty percent required match.

NOW, THEREFORE, BE IT RESOLVED, that the Bulletproof Vest Partnership is authorized for submission; and

BE IT FURTHER RESOLVED, that the budget for the Bulletproof Vest Partnership fund will be established based on the plan approved by the Public Safety Committee; 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 U.S. Department of Justice; and

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners or his designee is authorized to sign all necessary contracts and documents.

Seconded by Commissioner Droscha. Carried.

Commissioner Whitacre reported that the Tri-County Brownfield Coalition was awarded an EPA Grant in the amount of \$600,000 for Phase I Environmental Assessments at identified sites in the region, which are selected by the Coalition. An update on the status of the Sunfield Recycling Program was also provided.

Commissioner Brehler moved the approval of #19-6-69 Resolution to Adopt 2019 Summer Property Tax Levy and Notice of Certification of County Allocated Tax Levy.

WHEREAS, Eaton County is authorized under the General Property Tax Act, Public Act 206 of 1893, as amended, to levy and collect County allocated property taxes; and

WHEREAS, the General Property Tax Act has been amended by Public Act 357 of 2004 being 211.44a, to require all Michigan Counties to impose a summer tax levy in 2007 and each year thereafter.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Public Act 357 of 2004, the Eaton County allocated tax shall be levied and collected on July 1, 2019, at the full amount allocated after application of the "Headlee" millage reduction fraction, or 5.2149 mills for General County Operations; and

BE IT FURTHER RESOLVED, that the Treasurer of each city and township in Eaton County is directed to account for and deliver the full County allocated tax collections for 2019 in accordance with the provisions of Public Act 357 of 2004; and

BE IT FURTHER RESOLVED, that this resolution constitutes certification of the levy of the County allocated tax and authorized collection of the County allocated tax July 1, 2019, at the full amount allocated after application of the "Headlee" millage reduction fraction, or 5.2149 mills.

Seconded by Commissioner Freeman.

Roll call vote: Ayes: Piercefield, Mulder, Haskell, Pearl-Wright, Whitacre, Freeman, Brehler, Droscha, Bowen, Ridge, Lautzenheiser, Mott, Rogers, and Augustine. Nays: None. Motion carried.

Commissioner Brehler moved the Approval of #19-6-70 Resolution to Approve an Application for a Farmland and Open Space Developmental Rights Agreement-Tennes.

WHEREAS, Stephen R. and Bridget C. Tennes filed a Farmland and Open Space Application for property located in Benton Township, with the Eaton County Clerk's Office in February 2019; and

WHEREAS, this application includes Parcel # 23-070-021-100-001-01 which parcel totals 38.64 acres; and

WHEREAS, the applicant is requesting a 90 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 June 19, 2019 does hereby approve the Farmland and Open Space Application filed by Stephen R. and Bridget C. Tennes property located in Benton Township.

Seconded by Commissioner Droscha. Carried.

Commissioner Brehler moved the approval of #19-6-71 Resolution to Approve an Application for a Farmland and Open Space Developmental Rights Agreement-Van Sickle.

WHEREAS, Nyle R. and Linda I. Van Sickle filed a Farmland and Open Space Application for property located in Benton Township, with the Eaton County Clerk's Office in April 2019; and

WHEREAS, this application includes Parcel # 23-130-014-100-080-00 which parcel totals +/- 40.91 acres; and

WHEREAS, the applicant is requesting a 90 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 June 19, 2019 does hereby approve the Farmland and Open Space Application filed by Nyle R. and Linda I. Van Sickle property located in Benton Township.

Seconded by Commissioner Ridge. Carried.

Commissioner Brehler moved the approval of #19-6-72 Resolution to Amend County Investment Policy.

WHEREAS, the County Treasurer previously developed and the Board of Commissioners has previously approved an Investment Policy for the Eaton County; and

WHEREAS, through periodic review the County Treasurer has proposed amendments (attached) to the policy; and

WHEREAS, the proposed amendments were reviewed by the Ways & Means Committee and are being recommended for approval.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves the amendments to the County Investment Policy.

Seconded by Commissioner Bowen. Carried. (On file)

Commissioner Brehler moved the Approval of #19-6-73 2018/19 Budget Amendments.

WHEREAS, the Eaton County 2018/2019 Appropriations Act of September 19, 2018 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 2018- 2019 Eaton County Budget:

GENERAL FUND

BUILDING AND GROUNDS -101.265.000

Increase	Building Repair and Maintenance	\$225,000
Increase	Interest Revenue	\$225,000

Increase Building Repair and Maintenance for thirty-four jail shower replacements in the old section of the jail with unanticipated interest revenue from investment changes by the County Treasurer.

SHERIFF – ANIMAL CONTROL -101.301.430

Increase	Wage and Fringe (Lead Animal Control Officer)	\$11,050
Decrease	Wage and Fringe (Animal Control Attendant)	\$11,050

Increase Animal Control wage and fringe benefits and increase the position allocation list effective August 1, 2019 to add a lead animal control officer position.

CAPITAL OUTLAY – SHERIFF - CORRECTIONS – 101.901.351

Increase	Capital Equipment	\$4,985
Increase	Transfers-In - Commissary	\$4,985

Increase Capital Equipment to replace Digital Recorder Server for Security System Cameras.

Seconded by Commissioner Pearl-Wright. Carried.

Commissioner Brehler moved the approval of claims as audited by the Ways & Means Committee for \$355,163.30 and to accept the report of previously authorized payments.

Seconded by Commissioner Droscha. Carried.

Commissioner Brehler moved the Approval of #19-6-74 Resolution to Approve Protecting Local Government Retirement and Benefits Act Application for Waiver.

WHEREAS, the County received notification that the retirement health benefit system of the Healing & Recovery Center (Medical Care Facility) received a preliminary determination of underfunded status under Public Act 202 of 2017; and

WHEREAS, this system is included in the annual financial statements of the County; and

WHEREAS, the Facility manages and maintained this system and utilized an alternative method to calculate the actuarial liability of this closed system for financial reporting purposes for the year ended September 30, 2018; and

WHEREAS, the alternative method did not provide a calculation of the Actuarial Determined Contribution (ADC) to satisfy the reporting requirements of Public Act 202 of 2017, resulting in the preliminary determination of underfunded status for the Facility's retirement health benefit system; and

WHEREAS, the Facility has completed an actuarial valuation of the ADC to satisfy the reporting requirements of Public Act 202 of 2017 to be submitted as part of an application for waiver under the Act; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves the application for waiver and authorizes its submission to the Michigan Department of Treasury.

Seconded by Commissioner Haskell. Carried.

Commissioner Brehler moved for the County to accept the facilitator's recommended settlement in the 56<sup>th</sup> Circuit Court Case No. 15-00137-CZ, as recommended by legal counsel and recommended by the Ways & Means Committee on June 14, 2019.

Seconded by Commissioner Pearl-Wright. Carried.

Public Comment: None

Commissioner Comments: Commissioner Rogers discussed and distributed a document from the Eaton County Substance Advisory Group, on the significance of early childhood programs. (On file)

Commissioner Droscha spoke of the well-attended event at Crandell Lake; the first Crandell Park Waterfest. He discussed the Parks Commission's interest to continue this as an annual event. He also spoke of a letter from the Department of Treasury congratulating Eaton Township on their perfect score, regarding the assessing requirements.

Commissioner Haskell stated that the Delta Rocks event will be held on June 22<sup>nd</sup> from 12:00 p.m.-6:00 p.m.

Commissioner's Augustine and Pearl-Wright stated that the Yankee Doodle Days will be held on June 20<sup>th</sup> -23<sup>rd</sup> in Grand Ledge.

Commissioner Lautzenheiser congratulated the Charlotte Chamber on the successful Charlotte Celebrates event that took place last weekend.

Commissioner Rogers reminded the Board of the festivities that will take place in the City of Eaton Rapids for the 4<sup>th</sup> of July holiday.

Commissioner Whitacre spoke of a non-profit grant application, to create community supported agricultural farms, submitted to the USDA which included the City of Eaton Rapids as a proposed target area.

New Business: None

Unfinished Business: None

Old Business: None

Chairman Augustine adjourned the meeting to Wednesday, July 17, 2019 at 7:00 p.m.

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Chairman of the Board of Commissioners

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Clerk of the Board of Commissioners

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