



EATON COUNTY BOARD OF COMMISSIONERS

JUNE 16, 2010

The Eaton County Board of Commissioners met in recessed session at the County Facilities, in the City of Charlotte, Wednesday, June 16, 2010.

Chairman Brehler called the meeting to order at 7:00 PM.

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

Commissioner Clarke gave the invocation.

Roll call. Commissioners present; Mike Hosey, Blake Mulder, Theresa Abed, Jeanne Pearl-Wright, Leo Farhat, Glenn Freeman, John Forell, Linda Keefe, Daryl Baker, Dale Barr, Denise Clarke, Roger Harris, Joseph Brehler. Commissioners absent; Carol Strachan, Art Luna.

Chairman Brehler asked for additions or corrections to the agenda. Commissioner Keefe added item #14, Personal Property Tax Discovery Program Service Contract resolution to the agenda under the Ways and Means Committee Report.

Commissioner Hosey moved the agenda be approved as amended. Seconded by Commissioner Freeman. Carried.

Commissioner Baker moved the minutes of May 19, 2010 be approved as presented. Seconded by Commissioner Farhat. Carried.

Communications.

1/Letter from Associated Builders and Contractors of Michigan regarding the new County Dental Clinic and the Board's decision to require a Project Labor Agreement as a condition for submitting a bid.

Public Comment.

Allen Schlossberg introduced himself as a candidate for Eaton County Probate Judge.

Dexter Griffin, Charlotte requested a meeting of some of the Board of Commissioners to listen to his complaints and concerns.

George Silva, MSU Extension introduced MSU Extension District 8 Coordinator Don Lehman. Mr. Lehman spoke about the restructuring of MSU Extension which includes replacing Directors and Regional Directors with a District Coordinator. The change takes effect July 1<sup>st</sup>.

Commissioner Pearl-Wright moved the approval of Resolution #10-6-67, Proclaiming July 2010 Safe Storage and Disposal of Medications Month in Eaton County and encouraged residents of the county to safely store and dispose of medications to reduce deaths and poisoning and protect our environment from unused medications. Seconded by Commissioner Barr. Carried.

Commissioner Freeman moved the approval of Resolution #10-6-68, To Authorize the Sheriff's Department to Participate in a Regional Homeland Security Grant Application. The total Eaton County allocation is \$157,216.01. Seconded by Commissioner Hosey. Carried.

Commissioner Forell moved the approval of Resolution #10-6-69, to change land use classification in Section 10, Sunfield Township from Local Business (C-1) to Low Density Residential (R-1), as requested by Mariann Nagle, DCA-6-10-3. Seconded by Commissioner Pearl-Wright. Carried.

Commissioner Baker moved the approval of Resolution #10-6-70, for a comprehensive amendment to the Eaton County Land Development Code to include the operation of a light automotive and small engine repair business as a use on limited agriculturally zoned property with a

Conditional Use Permit. Changes to Articles 7 and 14, DCA-6-10-5. Seconded by Commissioner Forell. Carried.

Commissioner Baker moved the approval of Resolution #10-6-71 to change land use classification in Section 4, Eaton Township from Low Density Residential (R-1) to General Business (C-2) as requested by WAAL, LLC (Lisa Knowles and Bill Arnold), DCA-6-10-4. Seconded by Commissioner Hosey. Carried.

Commissioner Keefe moved to approve Document #10-6-72, 2010 Tax Limitation Valuations. Seconded by Commissioner Freeman. Carried.

Commissioner Keefe moved the approval of Resolution #10-6-73, to Adopt the Approved General Operating Millage of 5.2149 mills for General County Operations. Seconded by Commissioner Freeman. Carried.

Commissioner Keefe moved the approval of Resolution #10-6-74, to Adopt the Approved Extra Voted Millage of 0.7000 of a mill for the County Jail (Bonded Debt) and Operation of Same. Seconded by Commissioner Pearl-Wright. Carried.

Commissioner Keefe moved the approval of Resolution #10-6-75, to Adopt the Approved Extra Voted Millage of 0.9500 of a mill for the Operation of the 911 Emergency System. Seconded by Commissioner Hosey. Carried.

Commissioner Keefe moved the approval of Resolution #10-6-76, to Adopt the Approved Extra Voted Millage of 0.3500 of a mill for Eaton County Juvenile Services. Seconded by Commissioner Barr. Carried.

Commissioner Keefe moved the approval of Resolution #10-6-77, to Adopt the Approved Extra Voted Millage of 0.1250 of a mill for the Eaton County Medical Care Facility Debt Retirement. Seconded by Commissioner Farhat. Carried.

Commissioner Keefe moved the approval of Resolution #10-6-78, to Adopt the Approved Extra Voted Millage of 0.2469 of a mill for the Eaton County Transportation Authority (EATRAN). Seconded by Commissioner Baker. Carried.

Commissioner Keefe moved the approval of Resolution #10-6-79, to Exempt County Property Tax Revenues from Capture by the Village of Bellevue Downtown Development Authority. Seconded by Commissioner Barr. Carried.

Commissioner Keefe moved the approval of Resolution #10-6-80, to Increase Parks and Recreation Petty Cash Fund from \$225 to \$375. Seconded by Commissioner Pearl-Wright. Carried.

Commissioner Keefe moved the approval of Resolution #10-6-81, to Approve Title IV-E Grant Application in an amount not to exceed \$40,000 for the Prosecuting Attorney. Seconded by Commissioner Clarke. Carried.

Commissioner Keefe moved the approval of Resolution #10-6-82, to Approve 2009/2010 General Fund Budget Amendments. Seconded by Commissioner Freeman. Carried.

Commissioner Keefe moved the approval of Resolution #10-6-83, to Approve 2009/2010 Special Revenue Fund Budget Amendments. Seconded by Commissioner Pearl-Wright. Carried.

Commissioner Keefe moved the approval of claims as audited by the Ways and Means Committee in the amount of \$281,525.42 and to accept the report of previously authorized payments. Seconded by Commissioner Forell. Carried.

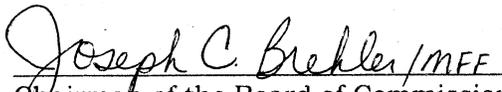
Commissioner Keefe moved the approval of Resolution #10-6-84, to Approve Personal Property Tax Discovery Program Service Contract with Tax Management Associates, Inc. Seconded by Commissioner Freeman. Carried. Nays; Farhat, Forell.

Public Comments. Polly Brainerd, Prevention Specialist with the Eaton Intermediate School District thanked the Board for approving the prescription drug abuse collection resolution as this is a growing problem. Local municipalities are approving similar resolutions. She also thanked the Board for adopting the millage rate for the juvenile justice programs.

Commissioner Comment. Commissioner Barr introduced his opponent Ken Austin and invited the Board to Raney Park to watch the Olivet softball team. Commissioner Mulder invited the Board to Yankee Doodle Days. Commissioner Pearl-Wright invited the Board to Delta Rocks next weekend. Commissioner Baker invited the Board to Celebrate Charlotte this weekend.

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

Chairman Brehler adjourned the meeting to Wednesday, July 21, 2010 at 7:00 PM.

  
Chairman of the Board of Commissioners

  
Clerk of the Board of Commissioners

**EATON COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION PROCLAIMING JULY 2010 SAFE STORAGE  
AND DISPOSAL OF MEDICATIONS MONTH  
IN EATON COUNTY**

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

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

**Whereas**, pharmaceutical medications, including antibiotics, mood stabilizers, and hormones can be found in the drinking water of 41 million Americans because they have been placed in landfills, poured in the sink, or flushed down the toilet; and,

**Whereas**, drugs in our homes that are not safely stored and secured could be taken by our children and teens to get high; and

**Whereas**, the 2008 Michigan Profile for Health Youth (MiPHY) results show that 7.8% of Eaton County 7<sup>th</sup> grade students and 9.5% of 11<sup>th</sup> grade students reported using a prescription drug to get high in the past 30 days, and 14% of the 11<sup>th</sup> graders took painkillers for non-medical purposes in the past 30 days; and,

**Whereas**, unnecessary and accidental deaths and poisonings have occurred in Eaton County by adults and youth; and

**Whereas**, properly disposing of waste medicines through Eaton County Department of Resource Recovery's medicine take-back program is an action that can be taken now to reduce the amount of medicines entering the environment and keep them out of the hands of our children and teens; and

**Whereas**, medicine take-back programs are more economical than trying to capture these waste medicines through wastewater treatment or environmental clean-up; and,

**Whereas**, Eaton County Resource Recovery Department collected 399 pounds of medications in 2009, and has four scheduled medicine take-back opportunities in Delta Township and Charlotte in 2010; and,

**Whereas**, The Eaton County Substance Abuse Advisory Group (ECSAAG), and the local General Federation of Women's Clubs, and Eaton County Department of Resource Recovery have partnered to encourage safe storage and disposal of medications in Eaton County.

**NOW, THEREFORE, BE IT RESOLVED**, that:

1. The Eaton County Board of Commissioners hereby proclaims July 2010 as Safe Storage and Disposal of Medications in Eaton County Month.
2. The Eaton County Board of Commissioners call upon all citizens, parents, youth, governmental agencies, public and private institutions, businesses and workplaces, hospitals, and schools in Eaton County to support Eaton County Substance Abuse Advisory Group initiatives and other local efforts to safely store and dispose of medications to reduce deaths and poisoning and protect our environment from unused medications.

**BE IT FURTHER RESOLVED**, that the Clerk of the Board of Commissioners is requested to forward copies of this adopted resolution to the Eaton County Substance Abuse Advisory Group in support of their effort to safely store and dispose of medications throughout Eaton County. Carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**JUNE 16, 2010**

**RESOLUTION TO AUTHORIZE SHERIFF DEPARTMENT TO  
PARTICIPATE IN A REGIONAL HOMELAND SECURITY  
GRANT APPLICATION**

**Introduced by the Public Safety Committee**

Commissioner Freeman moved the approval of the following resolution.

Seconded by Commissioner Hosey.

**WHEREAS**, the Michigan State Police Emergency Management and Homeland Security Division has grant funds available through the U.S. Department of Homeland Security; and

**WHEREAS**, the City of Lansing has prepared a grant application on behalf of Region I (including the Counties of Gratiot, Clinton, Shiawassee, Eaton, Ingham, Livingston, Jackson, Hillsdale and Lenawee) and will be acting as the fiduciary for the Region whose allocation is \$3,214,130; and

**WHEREAS**, the total Eaton County allocation is \$157,216.01; and

**WHEREAS**, the Region approved a planner assigned to Eaton County to work for the Region in an amount not to exceed \$50,000 through the regional allocation; and

**WHEREAS**, the Eaton County Sheriff Department has hosted the planner on-site through a contractual services agreement with a local temporary employment agency for the designated grant period and would like to continue through this grant period. Eaton County will pay the local temporary employment agency and submit for reimbursement through the grant process; and

**WHEREAS**, the grant performance period is March 1, 2009 to April 30, 2012; and

**WHEREAS**, there are no required matching funds.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners approves Eaton County's participation in the Region I grant application; 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 Controller be authorized to approve any necessary budget amendments to increase expenditures and increase grant revenue if the grant is approved by the United States Department of Justice; and

**BE IT FURTHER RESOLVED**, that the Chairperson or his designee is authorized to sign any necessary documents pertaining to the County's participation. Carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO APPROVE DCA-6-10-3**

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

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

**PREAMBLE:** The Eaton County Land Development Code, an Ordinance adopted by the Commissioners of the County of Eaton pursuant to Public Act 183 of 1943, and administered pursuant to Public Act 110 of 2006, as amended, may be amended from time to time by following procedures outlined in Article 13 of the Development Code.

**WHEREAS,** Mariann Nagle, initiated a petition to change the Land Development District (zoning) designation for a parcel at 12925 Sunfield Road, Section 10, Sunfield Township from Local Business (C-1) to Low Density Residential (R-1); and

**WHEREAS,** the Eaton County Planning Commission held a duly advertised and noticed public hearing on **June 1, 2010**; and

**WHEREAS,** the Eaton County Planning Commission found the requested amendment to be consistent with the required findings of fact (Items A-G) contained in Section 13.6 of the Eaton County Land Development Code; and

**WHEREAS,** the Eaton County Planning Commission has taken action on **June 1, 2010** to recommend the approval of the request for change in the Land Development District designation.

**NOW THEREFORE BE IT RESOLVED** that the Board of Commissioners of the County of Eaton, Michigan having considered the findings of facts and recommendations hereby:

**APPROVES** the request by Mariann Nagle, for a change in land use district classification in Section 7.1.2 of the Land Development Code to change a parcel of land at 12925 Sunfield Road, Section 10, Sunfield Township from Local Business (C-1) to Low Density Residential (R-1) for the following described property:

COM. 210.5 FT S OF NE CORNER SEC. 10, W 148.5 FT, S 2.5 FT, W 160.15 FT, S 133.5 FT,  
E TO LINE OF OLD RAILROAD BED, NELY ALONG SAID LINE TO E SEC. LINE, N TO BEG  
SEC. 10, T4N,R6W, SUNFIELD TWP.

At the regular meeting of the Eaton County Board of Commissioners on June 16, 2010 the Resolution regarding the approval of said request was adopted.

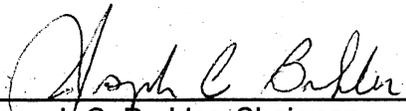
Those voting Aye: Commissioners Hosey, Mulder, Abed, Pearl-Wright, Farhat, Freeman  
Forell, Keefe, Baker, Barr, Clarke, Harris, Brehler

Those voting Nay: None

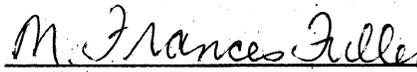
Abstention: None

Absent: Strachan, Luna

Motion carried.

  
Joseph C. Brehler, Chairman  
Eaton County Board of Commissioners

I hereby certify that the above Ordinance amending the Eaton County Land Development Code, which was approved, is a true and correct copy of that recorded in the official minutes of June 16, 2010 of the Eaton County Board of Commissioners.

  
M. Frances Fuller, Clerk  
Eaton County Board of Commissioners

**EATON COUNTY LAND DEVELOPMENT CODE  
ZONING ORDINANCE AMENDMENT DCA-6-10-3**

**District Change Amendment DCA-6-10-3 to amend the Zoning District Maps of the Eaton County Land Development Code (zoning ordinance) of Eaton County, as enacted in 1981 pursuant to the provisions of Public Act 110 of 2006, as amended.**

An application for a District Change Amendment to change a Land Development District designation on the Official Land Development District Map (Map Amendment) has been submitted by Mariann Nagle, to rezone property from Local Business (C-1) to Low Density Residential (R-1) for property located at 12925 Sunfield Road, Section 10, Sunfield Township, parcel ID# 010-010-200-100-00 and is legally described as:

COM. 210.5 FT S OF NE CORNER SEC. 10, W 148.5 FT, S 2.5 FT, W 160.15 FT, S 133.5 FT, E TO LINE OF OLD RAILROAD BED, NELY ALONG SAID LINE TO E SEC. LINE, N TO BEG SEC. 10, T4N,R6W, SUNFIELD TWP.

**WHEREAS**, the Eaton County Planning Commission held a duly advertised and noticed public hearing on **June 1, 2010**; and

**WHEREAS**, the Eaton County Planning Commission has taken action on **June 1, 2010** to recommend approval of the map amendment:

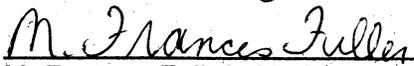
**WHEREAS**, after careful consideration of the amendment, the Eaton County Board of Commissioners approved the aforementioned map amendment as follows:

Yeas	13
Nays	0
Abstaining	0
Absent	2

I, M. Frances Fuller, Clerk for the County of Eaton, do hereby certify that the above and foregoing is a true copy of the amendment to the Zoning District Maps of the Eaton County Land Development Code (Zoning Ordinance), as amended and passed by the Eaton County Board of Commissioners on **June 16, 2010**, and now on record in the office of the Clerk of said County.

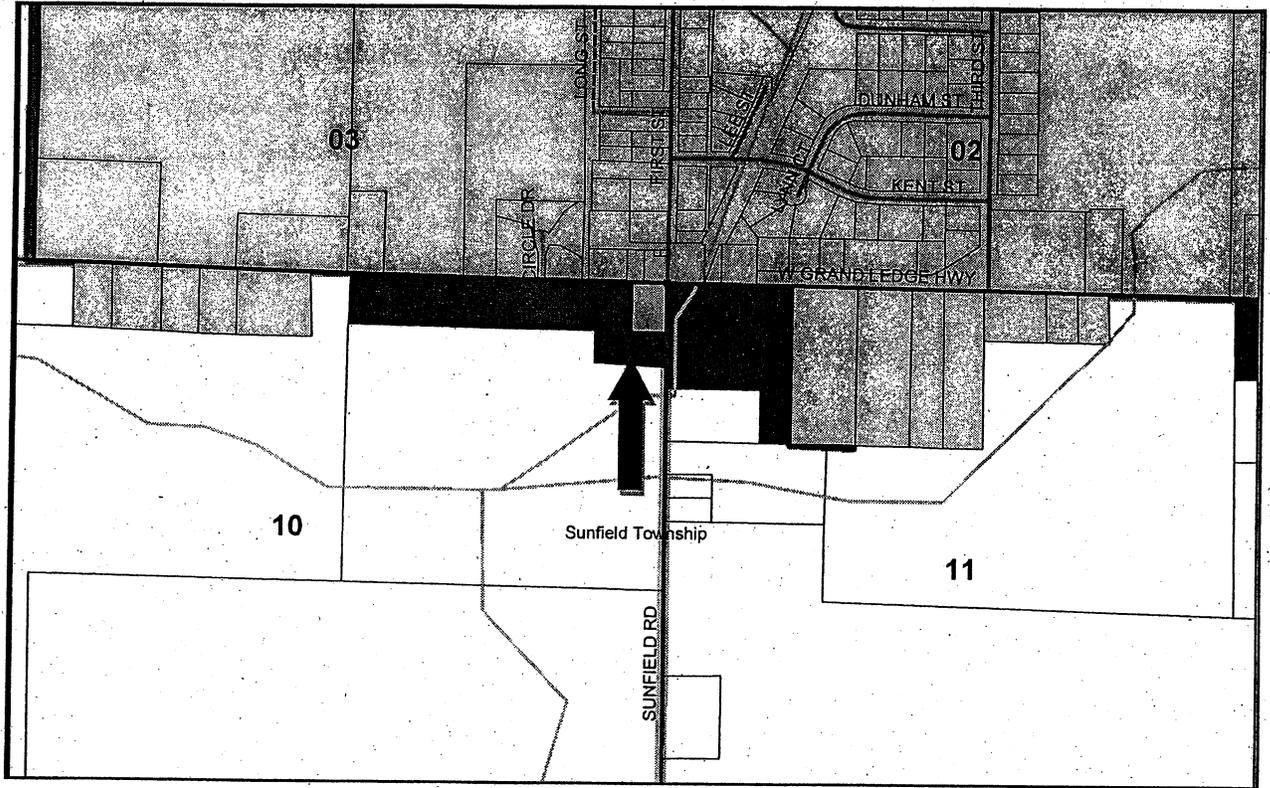
IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of said County at the City of Charlotte, Michigan, the

18<sup>th</sup> day of June, 2010

  
M. Frances Fuller, Clerk  
Eaton County Board of Commissioners

  
Joseph C. Brehler, Chairman  
Eaton County Board of Commissioners

LOCAL BUSINESS DISTRICT (C-1) CHANGED TO LOW DENSITY RESIDENTIAL (R-1)



Eaton County  
Community Development  
Department

Permit: DCA-6-10-3  
Township: Sunfield  
Parcel Number: 010-010-200-100-00



**Legend**

	LA
	R1
	R2
	C1
	C2
	I
	RC
	City_Village_Limits

COM. 210.5 FT S OF NE CORNER SEC. 10, W 148.5 FT, S 2.5 FT, W 160.15 FT, S 133.5 FT,  
E TO LINE OF OLD RAILROAD BED, NELY ALONG SAID LINE TO E SEC. LINE, N TO BEG  
SEC. 10, T4N,R6W, SUNFIELD TWP.

*Joseph C. Brehler*  
\_\_\_\_\_  
Joseph C. Brehler, Chairman  
Eaton County Board of Commissioners

*M. Frances Fuller*  
\_\_\_\_\_  
M. Frances Fuller, Clerk  
Eaton County Board of Commissioners

Date: 6-16-10

Date: 6-16-10

**EATON COUNTY BOARD OF COMMISSIONERS**

June 16, 2010

**RESOLUTION TO APPROVE DCA-6-10-5****Introduced by the Public Works and Planning Committee**

Commissioner Baker moved the approval of the following resolution.  
Seconded by Commissioner Forell.

**PREAMBLE:** The Eaton County Land Development Code, an Ordinance adopted by the Commissioners of the County of Eaton pursuant to Public Act 183 of 1943, and administered pursuant to Public Act 110 of 2006, may be amended from time to time by following procedures outlined in Article 13 of the Development Code.

**WHEREAS,** Eaton County Planning Commission initiated a petition for a Comprehensive Amendment to the Eaton County Land Development Code (zoning ordinance) to include the operation of a light automotive and small engine repair business as a use on limited agriculturally zoned property with a Conditional Use Permit. Amendments are proposed to Article 7 Land Development Districts (change 7.3.4 X. Uses similar to 7.3.4 Y, add 7.3.4 X Light Automotive and Small Engine Repair Business) and Article 14 Specific Provisions and Requirements (add 14.37 Light Automotive and Small Engine Repair Business); and

**WHEREAS,** the Eaton County Planning Commission held a duly advertised and noticed public hearing on **June 1, 2010**; and

**WHEREAS,** the Eaton County Planning Commission found the requested amendment to be consistent with the required findings of fact (Items A-G) contained in Section 13.6 of the Eaton County Land Development Code; and

**WHEREAS,** the Eaton County Planning Commission has taken action on **June 1, 2010** to recommend the approval of the request for a comprehensive amendment to the Eaton County Land Development Code (zoning ordinance) to include the operation of a light automotive and small engine repair business as a use on limited agriculturally zoned property with a Conditional Use Permit. Amendments are proposed to Article 7 Land Development Districts (change 7.3.4 X. Uses similar to 7.3.4 Y, add 7.3.4 X Light Automotive and Small Engine Repair Business) and Article 14 Specific Provisions and Requirements (add 14.37 Light Automotive and Small Engine Repair Business).

**NOW THEREFORE BE IT RESOLVED** that the Board of Commissioners of the County of Eaton, Michigan having considered the findings of facts and recommendations hereby:

**APPROVES** the request by Eaton County Planning Commission for a Comprehensive Amendment to the Eaton County Land Development Code (zoning ordinance) to include the operation of a light automotive and small engine repair business as a use on limited agriculturally zoned property with a Conditional Use Permit. Amendments are proposed to Article 7 Land Development Districts (change 7.3.4 X. Uses similar to 7.3.4 Y, add 7.3.4 X Light Automotive and Small Engine Repair Business) and Article 14 Specific Provisions and Requirements (add 14.37 Light Automotive and Small Engine Repair Business).

At the regular meeting of the Eaton County Board of Commissioners on **June 16, 2010** the Resolution regarding the approval of said request was adopted.

Those voting Aye: Commissioners Hosey, Mulder, Abed, Pearl-Wright, Farhat, Freeman, Forell, Keefe, Baker, Barr, Clarke, Harris, Brehler.

Those voting Nay: None

Abstention: None

Absent: Strachan, Luna

Motion carried.



Joseph C. Brehler, Chairman  
Eaton County Board of Commissioners

I hereby certify that the above Ordinance amending the Eaton County Land Development Code, which was approved, is a true and correct copy of that recorded in the official minutes of June 16, 2010 of the Eaton County Board of Commissioners.



M. Frances Fuller, Clerk  
Eaton County Board of Commissioners

**EATON COUNTY LAND DEVELOPMENT CODE**

**ZONING ORDINANCE AMENDMENT DCA-6-10-5**

**District Change Amendment DCA-6-10-5 to amend the Land Development Code (Zoning Ordinance) of Eaton County, as enacted in 1981 pursuant to the provisions of Public Act 110 of 2006, as amended.**

An application for a District Change Amendment for a Comprehensive Amendment to the Eaton County Land Development Code (zoning ordinance) to include the operation of a light automotive and small engine repair business as a use on limited agriculturally zoned property with a Conditional Use Permit. Amendments are proposed to Article 7 Land Development Districts (change 7.3.4 X. Uses similar to 7.3.4 Y, add 7.3.4 X Light Automotive and Small Engine Repair Business) and Article 14 Specific Provisions and Requirements (add 14.37 Light Automotive and Small Engine Repair Business).

**WHEREAS**, the Eaton County Planning Commission held a duly advertised and noticed public hearing on **June 1, 2010**; and

**WHEREAS**, the Eaton County Planning Commission has taken action on **June 1, 2010** to recommend approval of the text amendment:

**WHEREAS**, after careful consideration of the amendment, the Eaton County Board of Commissioners approved the aforementioned text amendment as follows:

Yeas	13
Nays	0
Abstaining	0
Absent	2

I, M. Frances Fuller, Clerk for the County of Eaton, do hereby certify that the above and foregoing is a true copy of the amendment to the Eaton County Land Development Code (Zoning Ordinance), as amended and passed by the Eaton County Board of Commissioners on **June 16, 2010**, and now on record in the office of the Clerk of said County.

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of said County at the City of Charlotte, Michigan, the

18<sup>th</sup> day of June, 2010

M. Frances Fuller  
M. Frances Fuller, Clerk  
Eaton County Board of Commissioners

Joseph C. Brehler  
Joseph C. Brehler, Chairman  
Eaton County Board of Commissioners

DCA 6-10-5      **PROPOSED TEXT AMENDMENTS**  
**TO THE EATON COUNTY LAND DEVELOPMENT CODE**

Additions shown in ***bold italic print*** and deletions are shown by ~~strikeout print~~.

The following District Change Amendment, DCA-6-10-5, is proposed to the Eaton County Land Development Code (Zoning Ordinance) to allow for a light automotive and small engine repair business to be operated in a limited agricultural zoned district with a conditional use permit. The proposed amendments are as follows:

**SECTION 7.3 LIMITED AGRICULTURAL DISTRICT (LA)**

7.3.1 **Intent and Purpose:** This district is primarily intended for agricultural operations and the limited development of very low density single-family dwellings. Such areas are not well suited for the development of residential neighborhoods nor are they expected to be provided with urban type public services.

7.3.2 **Uses Permitted by Right:**

- A. Accessory Use as provided in Subsection 6.2.10 of this Ordinance.
- B. Customary Agricultural Operation as defined in Article 5 of this Ordinance.
- C. Gunsmithing as defined in Article 5 of this Ordinance.
- D. Home Occupation as provided in Section 14.14 of this Ordinance.
- E. Home Office as provided in Section 14.35 of this Ordinance.
- F. Mobile Home Dwelling as provided in Section 16.5 of this Ordinance.
- G. Single-Family Dwelling, as defined in Article 5 of this Ordinance.
- H. Foster Care Facility as provided in Section 14.4 A-C (and D if 6 or fewer residents) of this Ordinance.
- I. Day Care Facilities, as defined in Article 5, Section 5.3.4 D 1. (if 6 or fewer children of this Ordinance.
- J. Uses similar to the above uses permitted by right.

7.3.3 **Uses Permitted by Site Plan Approval pursuant to Article 8 of this Ordinance:**

- A. Community Service Facility as provided in Section 14.5 of this Ordinance.
- B. Parks and Recreational Facilities as defined in Article 5 of this Ordinance.
- C. Radio, Television and Communication Towers as provided in Subsection 14.27.4 of this Ordinance.
- D. Uses similar to the above uses permitted by Site Plan Approval.

7.3.4 **Uses Permitted by Conditional Use Permit pursuant to Article 9 of this Ordinance:**

- A. Agricultural Business as provided in Section 14.1 of this Ordinance.
- B. Archery and Gun Range as provided in Section 14.34 of this Ordinance.
- C. Cemetery as provided for in Section 14.3 of this Ordinance.
- D. Commercial Recreation Facility as defined in Article 5 of this Ordinance.

- E. Construction Contractors Establishment and storing of heavy equipment as provided in Section 14.29 of this Ordinance.
- F. Distressed Vehicle Transporter as provided in Section 14.24 of this Ordinance.
- G. Educational Institutions, including public and private schools, as provided in Section 14.10 of this Ordinance.
- H. Foster Care Facility as provided in Section 14.4 D (if 7-12 residents) and E of this Ordinance.
- I. Golf Course and Country Club as provided in Section 14.11 of this Ordinance.
- J. Government Facility as provided in Section 14.10 of this Ordinance.
- K. Home Business as provided in Section 14.13 of this Ordinance.
- L. Nursery and Greenhouse as provided in Section 14.1 of this Ordinance.
- M. Open Air Business and Storage as provided in Section 14.33 of this Ordinance.
- N. Planned Unit Development (PUD) as provided in Article 15 of this Ordinance.
- O. Private Airport as provided in Section 14.20 of this Ordinance.
- P. Public Airport and Heliport as provided in Section 14.21 of this Ordinance.
- Q. Radio, Television and Communication Towers, as provided in Section 14.27 of this Ordinance
- R. Religious Institutions as provided for in Section 14.22 of this Ordinance.
- S. Rental Storage Buildings as provided in Section 14.26 of this Ordinance.
- T. Rooming and Boarding Dwellings as provided in Section 14.30 of this Ordinance.
- U. Surface Mining as provided in Section 14.25 of this Ordinance.
- V. Veterinary Hospital or Clinic and Kennel as provided in Section 14.1 of this Ordinance.
- W. Agricultural Migrant Labor Housing as provided in Section 14.36 of the Ordinance.
- X. ***Light Automotive and Small Engine Repair as provided in Section 14.37 of this Ordinance.***
- Y. Uses similar to the above uses permitted by Conditional Use Permit.

7.3.5 Site Development Requirements: All lots, buildings or structures created after the effective date of this Ordinance shall conform to the site development standards set forth in Table A, Section 7.7 of this Ordinance, except as modified by Article 6, General Provisions; Article 14, Specific Provisions and Requirements; Article 15, Planned Unit Developments; or as varied pursuant to Article 4, Board of Appeals.

**SECTION 14.37 LIGHT AUTOMOTIVE AND SMALL ENGINE REPAIR:**

**14.37.1 Definition: An establishment primarily engaged in the repair or maintenance of passenger automobiles, motorcycles, light duty trucks and small engines.**

- A. ***Passenger Automobiles, Motorcycles and Light Duty Trucks: Vehicles which do not exceed 9,000 pounds gross weight. Work performed is limited to the replacement of any part that does not require removal of the engine, engine transmission or differential. May include repairs and replacement of cooling, electrical, fuel, oil and exhaust systems; brake adjustments, relining and repairs; wheel alignment and balancing and repair and replacement of shock absorbers.***

June 1, 2010

- B. Small Engines: Lawnmowers, tractors, all terrain vehicles (ATV), off road vehicles (ORV), boats, jet skis, dirt bikes, mopeds and snowmobiles.**

**14.37.2 Regulations and Conditions:**

- A. The business shall conform to the requirements of Section 14.13 Home Business. Any requirements in this section which are more restrictive than 14.13 shall be followed.**
- B. The licensed mechanic shall be the property owner and reside in the home located on the property.**
- C. Facility where work is being performed must be licensed by the State of Michigan. The license shall be submitted to the Community Development Department annually.**
- D. The Mechanic performing work shall be licensed by the State of Michigan. The license shall be submitted to the Community Development Department prior to submitting a Conditional Use Permit Application and annually if approved.**
- E. The facility shall have a contract with a licensed waste hauler to remove all fuel, oils and coolant from the property. Personal disposal is prohibited. A copy of the signed contract from the hauler shall be submitted to the Community Development Department annually.**
- F. There shall be no employees. Only the property owner which is licensed by the State of Michigan shall perform work.**
- G. There shall be no outdoor storage of vehicles outside of business hours. All work performed on vehicles shall be done inside the licensed facility.**
- H. Hours of operation are limited to Monday through Friday 7:00 a.m. to 6:00 p.m. and Saturday 8:00 a.m. to 12:00 p.m.**
- I. There shall be no sale of parts or fuels which are not associated with the repair of a vehicle or small engine.**
- J. Small engine repair businesses are exempt from items C and D and the licensing requirement of Item F.**
- K. There shall be no body work or painting performed on the property.**

**STAFF COMMENTS**

The Planning Commission may wish to discuss the concerns of the Barry-Eaton District Health Department regarding not allowing floor drains in the buildings where the repair work of storage of equipment is done.

The Planning Commission may also wish to discuss the "Other Comments" in reference to air conditions and the size of tractors. The State of Michigan does not regulate the maintenance and repair of tractors therefore; there is not a limit on the size of a tractor that can be repaired. Also, repair of tractors for farm operators could be consider an Agricultural Business, which is a use allowed on limited agricultural zoned property with a conditional use permit. Per the State of Michigan Repair Facility Manual air conditioning and heating repairs are considered to be minor repairs that must be done by a certified mechanic.

**EATON COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO APPROVE DCA-6-10-4**

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

Commissioner Baker moved the approval of the following resolution.  
Seconded by Commissioner Hosey.

**PREAMBLE:** The Eaton County Land Development Code, an Ordinance adopted by the Commissioners of the County of Eaton pursuant to Public Act 183 of 1943, and administered pursuant to Public Act 110 of 2006, as amended, may be amended from time to time by following procedures outlined in Article 13 of the Development Code.

**WHEREAS,** WAAL, L.L.C. (Lisa Knowles and Bill Arnold), initiated a petition to change the Land Development District (zoning) designation for a parcel at 2024 Lansing Road, Section 4, Eaton Township from Low Density Residential (R-1) to General Business (C-2); and

**WHEREAS,** the Eaton County Planning Commission held a duly advertised and noticed public hearing on **June 1, 2010**; and

**WHEREAS,** the Eaton County Planning Commission found the requested amendment to be consistent with the required findings of fact (Items A-G) contained in Section 13.6 of the Eaton County Land Development Code; and

**WHEREAS,** the Eaton County Planning Commission has taken action on **June 1, 2010** to recommend the approval of the request for change in the Land Development District designation.

**NOW THEREFORE BE IT RESOLVED** that the Board of Commissioners of the County of Eaton, Michigan having considered the findings of facts and recommendations hereby:

**APPROVES** the request by WAAL, L.L.C. (Lisa Knowles and Bill Arnold), for a change in land use district classification in Section 7.1.2 of the Land Development Code to change a parcel of land at 2024 Lansing Road, Section 4, Eaton Township from Low Density Residential (R-1) to General Business (C-2) for the following described property:

COM 2061.64 FT N OF SW CORNER SEC. 4, N 14.36 FT, N 31DEG 34MIN 40SEC E 249.17 FT, N 51DEG 51MIN 20SEC E 164 FT, S 59MIN 20SEC W 202 FT, S 25DEG 49MIN 23SEC W 171.72 FT TO N LINE BRENTWOOD RD, NWLY ON N LINE OF RD 151.83 FT, W 33 FT TO BEG. SEC 4 T2N R4W EATON TWP 76 ASSESSMENT INCLUDES 110-004-300-004.

At the regular meeting of the Eaton County Board of Commissioners on **June 16, 2010** the Resolution regarding the approval of said request was adopted.

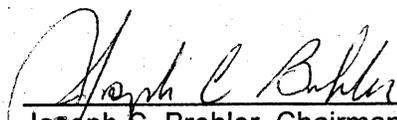
Those voting Aye: Commissioners Hosey, Mulder, Abed, Pearl-Wright, Farhat, Freeman, Forell, Keefe, Baker, Barr, Clarke, Harris, Brehler.

Those voting Nay: None

Abstention: None

Absent: Strachan, Luna

Motion carried.

  
\_\_\_\_\_  
Joseph C. Brehler, Chairman  
Eaton County Board of Commissioners

I hereby certify that the above Ordinance amending the Eaton County Land Development Code, which was approved, is a true and correct copy of that recorded in the official minutes of **June 16, 2010** of the Eaton County Board of Commissioners.

  
\_\_\_\_\_  
M. Frances Fuller, Clerk  
Eaton County Board of Commissioners

**EATON COUNTY LAND DEVELOPMENT CODE  
ZONING ORDINANCE AMENDMENT DCA-6-10-4**

**District Change Amendment DCA-6-10-4 to amend the Zoning District Maps of the Eaton County Land Development Code (zoning ordinance) of Eaton County, as enacted in 1981 pursuant to the provisions of Public Act 110 of 2006, as amended.**

An application for a District Change Amendment to change a Land Development District designation on the Official Land Development District Map (Map Amendment) has been submitted by WAAL, L.L.C. (Lisa Knowles and Bill Arnold), to rezone property from Low Density Residential (R-1) to General Business (C-2) for property located at 2024 Lansing Road, Section 4, Eaton Township, parcel ID# 100-004-300-002-00 and is legally described as:

COM 2061.64 FT N OF SW CORNER SEC. 4, N 14.36 FT, N 31DEG 34MIN 40SEC E 249.17 FT, N 51DEG 51MIN 20SEC E 164 FT, S 59MIN 20SEC W 202 FT, S 25DEG 49MIN 23SEC W 171.72 FT TO N LINE BRENTWOOD RD, NWLY ON N LINE OF RD 151.83 FT, W 33 FT TO BEG. SEC 4 T2N R4W EATON TWP 76 ASSESSMENT INCLUDES 110-004-300-004

**WHEREAS**, the Eaton County Planning Commission held a duly advertised and noticed public hearing on **June 1, 2010**; and

**WHEREAS**, the Eaton County Planning Commission has taken action on **June 1, 2010** to recommend approval of the map amendment:

**WHEREAS**, after careful consideration of the amendment, the Eaton County Board of Commissioners approved the aforementioned map amendment as follows:

Yeas	<u>13</u>
Nays	<u>0</u>
Abstaining	<u>0</u>
Absent	<u>2</u>

I, M. Frances Fuller, Clerk for the County of Eaton, do hereby certify that the above and foregoing is a true copy of the amendment to the Zoning District Maps of the Eaton County Land Development Code (Zoning Ordinance), as amended and passed by the Eaton County Board of Commissioners on **June 16, 2010**, and now on record in the office of the Clerk of said County.

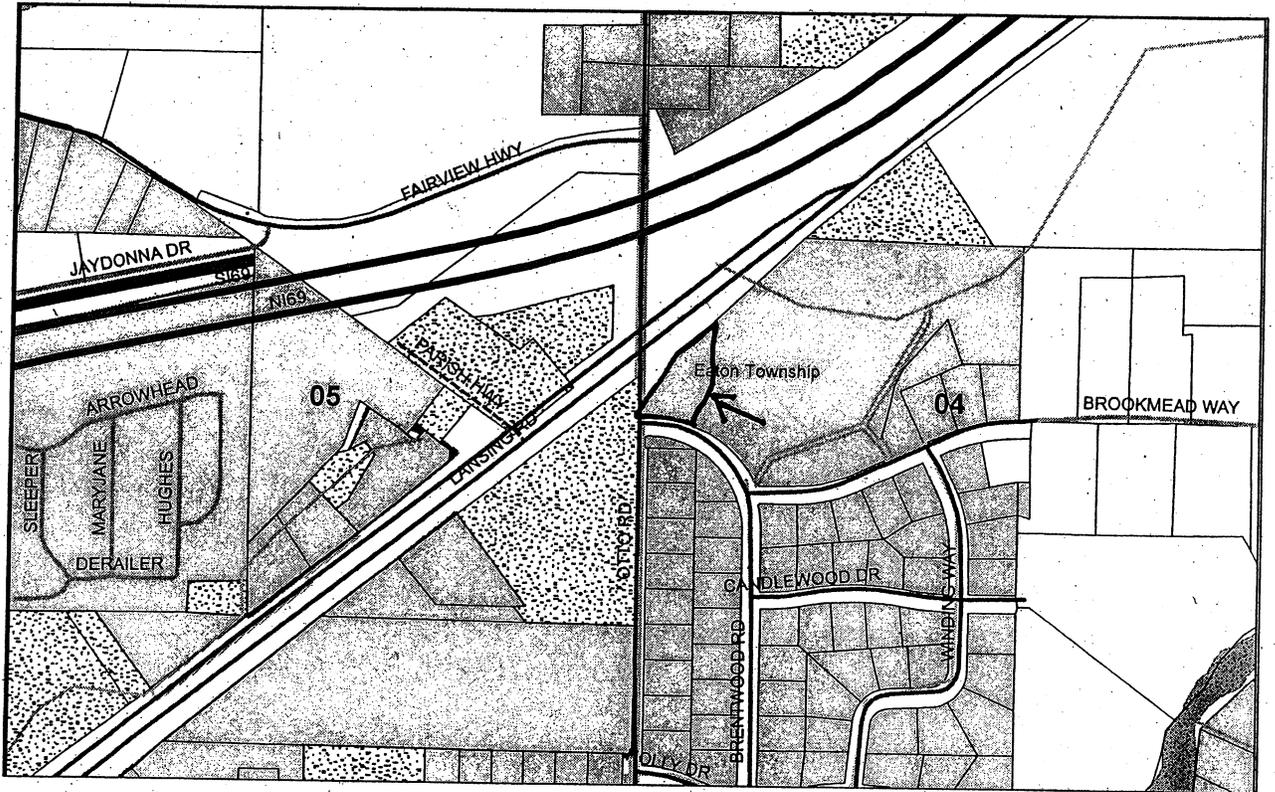
IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of said County at the City of Charlotte, Michigan, the

18<sup>th</sup> day of June, 2010

M. Frances Fuller  
M. Frances Fuller, Clerk  
Eaton County Board of Commissioners

Joseph C. Brehler  
Joseph C. Brehler, Chairman  
Eaton County Board of Commissioners

LOW DENSITY RESIDENTIAL (R-1) CHANGED TO GENERAL BUSINESS DISTRICT (C-2)



Eaton County  
Community Development  
Department

Permit: DCA-6-10-4  
Township: Eaton  
Parcel Number: 110-004-300-002-00



Legend

- LA
- R1
- R2
- C1
- C2
- I
- RC
- City\_Village\_Limits

COM 2061.64 FT N OF SW CORNER SEC. 4, N 14.36 FT, N 31DEG 34MIN 40SEC E 249.17 FT, N 51DEG 51MIN 20SEC E 164 FT, S 59MIN 20SEC W 202 FT, S 25DEG 49MIN 23SEC W 171.72 FT TO N LINE BRENTWOOD RD, NWLY ON N LINE OF RD 151.83 FT, W 33 FT TO BEG. SEC 4 T2N R4W EATON TWP 76 ASSESSMENT INCLUDES 110-004-300-004

Joseph C. Brehler, Chairman  
Eaton County Board of Commissioners

M. Frances Fuller, Clerk  
Eaton County Board of Commissioners

Date: 6-16-10

Date: 6-16-10

**2010 TAX RATE REQUEST  
MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS**

County	EATON	2010 Taxable Value	3,374,454,592
Local Government Unit (County, Township, City, Village, K-12 School District, ISD, CC, or ANY Authority such as District Library, DDA, etc.) <b>Eaton County</b>			

**PLEASE READ THE  
INSTRUCTIONS ON  
THE REVERSE SIDE  
CAREFULLY.**

You must complete this form for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec. 211.119.  
The following tax rates have been authorized for levy on the 2010 tax roll.

Source	Purpose of Millage	Date of Election	Charter, etc.	2009		2010		Maximum Allowable Millage Rate*	Millage Requested to be Levied July 1	Millage Requested to be Levied Dec. 1	Expiration Date of Millage Authorized
				HEADLEE	Sec. 211.34	HEADLEE	Sec. 211.34				
Allocated	Operation	11/07/78	5.5000	5.2149	1.0000	5.2149	1.0000	5.2149	5.2149	0.0000	N/A
Ex Voted	Jail Operation	08/08/06	0.7000	0.7000	1.0000	0.7000	1.0000	0.7000		0.7000	12/31/26
Ex Voted	911	11/08	0.9500	0.9500	1.0000	0.9500	1.0000	0.9500		0.9500	12/31/13
Ex Voted	Eatran	11/07/06	0.2469	0.2469	1.0000	0.2469	1.0000	0.2469		0.2469	12/31/11
Ex Voted	Juvenile	08/08	0.3500	0.3500	N/A	0.3500	1.0000	0.3500		0.3500	12/31/13
Ex Voted	Medical Care	08/07/07	0.1250	N/A	1.0000	0.1250	1.0000	0.1250		0.1250	12/31/26
<b>Total</b>									5.2149	2.3719	

Prepared by	Timothy Vandermark	Telephone Number	(517)-543-4101	Title	Equalization Director	Date	5/26/2010
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As the representatives for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary, to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary, to comply with MCL Sections 211.24e, 211.34, and for LOCAL school districts which levy a Supplemental (Hold Harmless) Millage, MCL 380.1211(3).

<input checked="" type="checkbox"/>	Clerk	Signature	<i>M. Frances Fuller</i>	Type Name	M. Frances Fuller	Date	6-16-10
<input checked="" type="checkbox"/>	Secretary	Signature	<i>Joseph C. Brehler</i>	Type Name	Joseph C. Brehler	Date	6/16/10
<input checked="" type="checkbox"/>	Chairperson						
<input checked="" type="checkbox"/>	President						

Carried.

\*Under Truth in Taxation, MCL Section 211.24e, the governing body may decide to levy a rate which will not exceed the maximum authorized rate allowed in column 9. A public hearing and determination is required for an operating levy which is larger than the base tax rate but not larger than the rate in column 9.

\*\* IMPORTANT: See instructions on the reverse side for the correct method of calculating the millage rate in column (5).

**EATON COUNTY**  
**2010 Tax Limitation Valuations**

Form L-4028 Complete Millage Reduction Computation (Sec. 211.34D M.C.L.)

Code Number	Taxing Jurisdiction	2009 TAXABLE as of 05-26-09	Losses Taxable	Additions Taxable	2010 Taxable as of 05-24-10	2010 MRF
23	Eaton County	3,509,609,434	34,682,494	73,312,761	3,374,051,092	1.0000
23-130	Bellevue Twp	76,775,544	679,550	763,761	74,490,773	1.0000
23-070	Benton Twp	95,156,000	1,184,764	441,700	92,052,200	1.0000
23-150	Brookfield Twp	44,602,659	536,633	725,679	43,671,828	1.0000
23-100	Carmel Twp	85,436,448	227,381	490,310	83,921,949	1.0000
23-060	Chester Twp	55,436,500	92,184	1,005,300	55,109,400	1.0000
23-050	Delta Charter Twp	1,375,102,075	17,212,707	43,004,889	1,318,173,924	1.0000
23-110	Eaton Twp	127,102,670	269,416	923,650	117,267,773	1.0000
23-120	Eaton Rapids Twp	134,883,400	183,437	906,450	127,461,020	1.0000
23-160	Hamlin Twp	103,204,913	182,512	893,200	96,899,311	1.0000
23-090	Kalamo Twp	47,298,300	21,379	191,900	45,602,070	1.0000
23-030	Oneida Twp	150,925,445	1,818,500	2,230,400	144,654,335	1.0000
23-020	Roxand Twp	56,133,000	370,057	279,530	53,921,940	1.0000
23-010	Sunfield Twp	60,616,982	229,800	257,550	59,289,332	1.0000
23-050	Vermontville Twp	50,421,307	518,718	576,165	49,356,404	1.0000
23-140	Walton Twp	58,518,224	110,298	677,900	57,023,906	1.0000
23-080	Windsor Twp	245,322,700	1,968,686	2,044,541	237,860,688	1.0000
23-200	Charlotte City	238,879,799	3,354,775	5,420,542	230,174,961	1.0000
23-300	Eaton Rapids City	131,194,383	1,407,018	4,423,300	127,511,984	1.0000
23-400	Grand Ledge City(IC)	221,196,510	1,569,571	1,656,795	211,183,821	1.0000
23-500	Lansing City	86,238,120	1,288,551	2,738,207	82,987,836	IC
23-600	Olivet City	16,917,205	226,295	132,587	16,566,531	1.0000
23-700	Potterville City	48,247,250	1,230,262	3,528,405	48,869,106	1.0000
23-131	Bellevue Village	21,000,343	262,351	196,635	20,067,059	1.0000
23-081	Dimondale Village	33,942,000	162,647	180,915	33,021,581	1.0000
23-021	Mulliken Village	12,192,400	25,200	42,280	11,631,910	1.0000
23-011	Sunfield Village	11,491,875	93,250	44,000	11,363,716	1.0000
23-051	Vermontville Village	12,880,394	61,737	116,931	12,248,600	1.0000
	Charlotte District Library	451,418,917	3,851,572	6,834,502	431,364,683	1.0000
	Benton/Potterville District Library	143,403,250	2,415,026	3,970,105	140,921,306	1.0000
	Mulliken District Library	56,133,000	370,057	279,530	53,921,940	1.0000
	Sunfield District Library	60,616,982	229,800	257,550	59,289,332	1.0000
	Capital Area District Library	49,269,360	98,751	171,807	46,627,270	IC
	Grand Ledge District Library (IC)	372,121,955	3,726,431	3,143,775	355,163,056	1.0000
	Delta District Library(IC)	1,412,070,835	18,402,507	45,571,289	1,354,534,490	1.0000

(IC) indicates a taxing jurisdiction located in more than one county. Valuations are for this county only. Fraction is based on entire valuations located in the several counties involved.

Note: The Millage Reduction Fraction (MRF) shall not exceed 1.0000 beginning in 1994 and for all future years due to Public Act 145 of 1993.

**EATON COUNTY**  
**2010 Tax Limitation Valuations**  
**For Local School Operating Millage (Non-Homestead)**

Form L-4028 Complete Millage Reduction Computation (Sec. 211.34D M.C.L.)

Code Number	School District	2009 TAXABLE as of 05-26-09	Losses Taxable	Additions Taxable	2010 Taxable as of 05-24-10	2010 MRF
23030	Charlotte	136,094,147	800,085	2,184,115	132,764,831	1.0000
23050	Eaton Rapids(IC)	83,908,348	224,579	4,415,080	83,853,472	1.0000
23060	Grand Ledge (IC)	390,041,604	654,917	6,940,700	371,445,223	1.0000
23065	Maple Valley (IC)	12,518,468	16,486	151,943	12,956,473	.9889
23090	Potterville	27,688,372	92,548	3,563,585	30,246,535	1.0000
23490	Strange #3	3,133,416	11,300	300	3,078,564	1.0000
23010	Bellevue (IC)	10,843,916	44,021	110,231	10,489,069	1.0000
23080	Olivet (IC)	15,568,188	26,358	296,786	15,550,121	.9799
33020	Lansing	16,587,704	43,100	129,800	15,442,620	IC
33070	Holt	17,295,306	48,426	161,436	16,706,327	IC
33215	Waverly (IC)	292,116,147	401,119	11,303,189	288,756,813	1.0000
34090	Lakewood	11,340,443	11,900	966,850	11,988,258	IC
34110	Portland	0	0	0	0	IC
38150	Springport	112,262	100	7,964	124,382	IC

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Note: The Millage Reduction Fraction (MRF) shall not exceed 1.0000 beginning in 1994 and for all future years due to Public Act 145 of 1993.

**EATON COUNTY**  
**2010 Tax Limitation Valuations**  
**For Local School Operating Millage (All Properties)**

Form L-4028 Complete Millage Reduction Computation (Sec. 211.34D M.C.L.)

Code Number	School District	2009 TAXABLE as of 05-26-09	Losses Taxable	Additions Taxable	2010 Taxable as of 05-24-10	2010 MRF
23030	Charlotte	564,103,758	4,893,826	7,214,100	541,250,544	1.0000
23050	Eaton Rapids(IC)	449,665,849	2,509,948	7,885,137	430,012,334	1.0000
23060	Grand Ledge(IC)	1,142,656,750	9,832,492	20,654,025	1,088,370,195	1.0000
23065	Maple Valley (IC)	100,487,353	551,282	685,265	98,022,738	1.0000
23090	Potterville	123,551,956	1,934,148	3,978,667	121,532,459	1.0000
23490	Strange #3	6,055,303	12,000	4,400	6,001,250	1.0000
23010	Bellevue (IC)	75,277,981	500,786	403,815	72,890,959	1.0000
23080	Olivet (IC)	125,962,610	646,191	1,338,275	122,855,946	1.0000
33020	Lansing	69,305,936	101,262	500,907	64,872,275	IC
33070	Holt	116,344,030	538,373	560,567	112,507,015	IC
33215	Waverly (IC)	663,037,712	12,485,917	28,715,389	643,829,551	1.0000
34090	Lakewood	70,280,196	534,669	1,188,950	69,034,480	IC
34110	Portland	58,200	0	0	57,200	IC
38150	Springport	2,821,800	141,500	182,564	2,814,146	IC
<u>Intermediate Schools</u>						
23	Eaton (IC)	2,386,520,969	19,733,696	40,421,594	2,285,189,520	1.0000
13	Calhoun	201,240,591	1,146,977	1,742,090	195,746,905	IC
38	Jackson	2,821,800	141,500	182,564	2,814,146	IC
33	Ingham	848,687,678	13,125,552	29,776,863	821,208,841	IC
34	Ionia	70,338,396	534,669	1,188,950	69,091,680	IC
<u>Others</u>						
	Eatran, 911 and Jail	3,509,609,434	34,682,494	73,312,761	3,374,051,092	1.0000
	Lansing Comm. College	1,991,344,428	22,958,044	50,430,888	1,909,579,036	IC
	Capital Reg. Airport Auth.	86,238,120	1,288,551	2,738,207	82,987,836	IC
	CATA	86,238,120	1,288,551	2,738,207	82,987,836	IC
	Grand Ledge Fire Dis	372,121,955	3,388,071	3,887,195	355,838,156	1.0000

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Note: The Millage Reduction Fraction (MRF) shall not exceed 1.0000 beginning in 1994 and for all future years due to Public Act 145 of 1993.

**EATON COUNTY**  
**2010 Tax Limitation Valuations**

Form L-4028 Complete Base Tax Rate Fraction (Sec. 211.24E M.C.L.)

Code Number	Taxing Jurisdiction	2009 TAXABLE as of 05-26-09	Losses Taxable	Additions Taxable	2010 Taxable as of 05-24-10	2010 BTRF
23	Eaton County	3,509,609,434	34,682,494	73,312,761	3,374,051,092	1.0528
23-130	Bellevue Twp	76,775,544	679,550	763,761	74,490,773	1.0321
23-070	Benton Twp	95,156,000	1,184,764	441,700	92,052,200	1.0258
23-150	Brookfield Twp	44,602,659	536,633	725,679	43,671,828	1.0261
23-100	Carmel Twp	85,436,448	227,381	490,310	83,921,949	1.0213
23-060	Chester Twp	55,436,500	92,184	1,005,300	55,109,400	1.0229
23-040	Delta Charter Twp	1,375,102,075	17,212,707	43,004,889	1,318,173,924	1.0649
23-110	Eaton Twp	127,102,670	269,416	923,650	117,267,773	1.0902
23-120	Eaton Rapids Twp	134,883,400	183,437	906,450	127,461,020	1.0644
23-160	Hamlin Twp	103,204,913	182,512	893,200	96,899,311	1.0731
23-090	Kalamo Twp	47,298,300	21,379	191,900	45,602,070	1.0411
23-030	Oneida Twp	150,925,445	1,818,500	2,230,400	144,654,335	1.0469
23-020	Roxand Twp	56,133,000	370,057	279,530	53,921,940	1.0395
23-010	Sunfield Twp	60,616,982	229,800	257,550	59,289,332	1.0230
23-050	Vermontville Twp	50,421,307	518,718	576,165	49,356,404	1.0230
23-140	Walton Twp	58,518,224	110,298	677,900	57,023,906	1.0366
23-080	Windsor Twp	245,322,700	1,968,686	2,044,541	237,860,688	1.0320
23-200	Charlotte City	238,879,799	3,354,775	5,420,542	230,174,961	1.0479
23-300	Eaton Rapids City	131,194,383	1,407,018	4,423,300	127,511,984	1.0544
23-400	Grand Ledge City	221,196,510	1,569,571	1,656,795	211,183,821	1.0518
23-500	Lansing City	86,238,120	1,288,551	2,738,207	82,987,836	IC
23-600	Olivet City	16,917,205	226,295	132,587	16,566,531	1.0156
23-700	Potterville City	48,247,250	1,230,262	3,528,405	48,869,106	1.0370
23-131	Bellevue Village	21,000,343	262,351	196,635	20,067,059	1.0437
23-081	Dimondale Village	33,942,000	162,647	180,915	33,021,581	1.0286
23-021	Mulliken Village	12,192,400	25,200	42,280	11,631,910	1.0498
23-011	Sunfield Village	11,491,875	93,250	44,000	11,363,716	1.0070
23-051	Vermontville Village	12,880,394	61,737	116,931	12,248,600	1.0566
	Charlotte District Library	451,418,917	3,851,572	6,834,502	431,364,683	1.0543
	Benton/Potterville District Library	143,403,250	2,415,026	3,970,105	140,921,306	1.0295
	Mulliken District Library	56,133,000	370,057	279,530	53,921,940	1.0395
	Sunfield District Library	60,616,982	229,800	257,550	59,289,332	1.0230
	Capital Area District Library	49,269,360	98,751	171,807	46,627,270	IC
	GL District Library (IC)	372,121,955	3,726,431	3,143,775	355,163,056	1.0354
	Delta District Library(IC)	1,412,070,835	18,402,507	45,571,289	1,354,534,490	1.0646

(IC) indicates a taxing jurisdiction located in more than one county. Valuations are for this county only. Fraction is based on entire valuations located in the several counties involved.

(BTRF) - Base Tax Rate Fraction

**EATON COUNTY**  
**2010 Tax Limitation Valuations**  
**For Local School Operating Millage (Non-Homestead)**

Form L-4028 Complete Base Tax Rate Fraction (Sec. 211.24E M.C.L.)

Code School Number District	2009 TAXABLE as of 05-26-09	Losses Taxable	Additions Taxable	2010 Taxable as of 05-24-10	2010 BTRF
23030 Charlotte	136,094,147	800,085	2,184,115	132,764,831	1.0361
23050 Eaton Rapids(IC)	83,908,348	224,579	4,415,080	83,853,472	1.0572
23060 Grand Ledge(IC)	390,041,604	654,917	6,940,700	371,445,223	1.0622
23065 Maple Valley (IC)	12,518,468	16,486	151,943	12,956,473	.9918
23090 Potterville	27,688,372	92,548	3,563,585	30,246,535	1.0342
23490 Strange #3	3,133,416	11,300	300	3,078,564	1.0142
23010 Bellevue (IC)	10,843,916	44,021	110,231	10,489,069	1.0275
23080 Olivet (IC)	15,568,188	26,358	296,786	15,550,121	.9829
33020 Lansing	16,587,704	43,100	129,800	15,442,620	IC
33070 Holt	17,295,306	48,426	161,436	16,706,327	IC
33215 Waverly (IC)	292,116,147	401,119	11,303,189	288,756,813	1.0487
34090 Lakewood	11,340,443	11,900	966,850	11,988,258	IC
34110 Portland	0	0	0	0	IC
38150 Springport	112,262	100	7,964	124,382	IC

(IC) indicates a taxing jurisdiction located in more than one county. Valuations are for this county only. Fraction is based on entire valuations located in the several counties involved.

(BTRF) - Base Tax Rate Fraction

**EATON COUNTY**  
**2010 Tax Limitation Valuations**  
**For Local School Operating Millage (All Properties)**

Form L-4028 Complete Base Tax Rate Fraction (Sec. 211.24E M.C.L.)

Code Number	School District	2009 TAXABLE as of 05-26-09	Losses Taxable	Additions Taxable	2010 Taxable as of 05-24-10	2010 BTRF
23030	Charlotte	564,103,758	4,893,826	7,214,100	541,250,544	1.0471
23050	Eaton Rapids(IC)	449,665,849	2,509,948	7,885,137	430,012,334	1.0654
23060	Grand Ledge (IC)	1,142,656,750	9,832,492	20,654,025	1,088,370,195	1.0540
23065	Maple Valley (IC)	100,487,353	551,282	685,265	98,022,738	1.0190
23090	Pottersville	123,551,956	1,934,148	3,978,667	121,532,459	1.0346
23490	Strange #3	6,055,303	12,000	4,400	6,001,250	1.0077
23010	Bellevue (IC)	75,277,981	500,786	403,815	72,890,959	1.0325
23080	Olivet (IC)	125,962,610	646,191	1,338,275	122,855,946	1.0271
33020	Lansing	69,305,936	101,262	500,907	64,872,275	IC
33070	Holt	116,344,030	538,373	560,567	112,507,015	IC
33215	Waverly (IC)	663,037,712	12,485,917	28,715,389	643,829,551	1.0617
34090	Lakewood	70,280,196	534,669	1,188,950	69,034,480	IC
34110	Portland	58,200	0	0	57,200	IC
38150	Springport	2,821,800	141,500	182,564	2,814,146	IC
<u>Intermediate Schools</u>						
23	Eaton (IC)	2,386,520,969	19,733,696	40,421,594	2,285,189,520	1.0512
13	Calhoun	201,240,591	1,146,977	1,742,090	195,746,905	IC
38	Jackson	2,821,800	141,500	182,564	2,814,146	IC
33	Ingham	848,687,678	13,125,552	29,776,863	821,208,841	IC
34	Ionia	70,338,396	534,669	1,188,950	69,091,680	IC
<u>Others</u>						
Eatran, 911 and Jail		3,509,609,434	34,682,494	73,312,761	3,374,051,092	1.0528
Lansing Comm. College		1,991,344,428	22,958,044	50,430,888	1,909,579,036	IC
Capitol Reg. Airport Auth.		86,238,120	1,288,551	2,738,207	82,987,836	IC
CATA		86,238,120	1,288,551	2,738,207	82,987,836	IC
Grand Ledge Fire Dis		372,121,955	3,388,071	3,887,195	355,838,156	1.0477

(IC) indicates a taxing jurisdiction located in more than one county. Valuations are for this county only. Fraction is based on entire valuations located in the several counties involved.

(BTRF) - Base Tax Rate Fraction

**EATON COUNTY BOARD OF COMMISSIONERS**

**JUNE 16, 2010**

**RESOLUTION TO ADOPT THE APPROVED  
GENERAL OPERATING MILLAGE FOR THE COUNTY**

**Introduced by the Ways and Means Committee**

Commissioner Keefe moved the approval of the following resolution.  
Seconded by Commissioner Freeman.

**WHEREAS**, Eaton County has complied with the requirements of the General Property Act, (MCL 211.24e) as amended, regarding a public hearing on a proposed levy of 5.2149 mills.

**NOW, THEREFORE, BE IT RESOLVED**, that the Eaton County Board of Commissioners does hereby adopt the levy of 5.2149 mills for General County Operations. Carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**JUNE 16, 2010**

**RESOLUTION TO ADOPT THE APPROVED EXTRA VOTED MILLAGE FOR  
THE COUNTY JAIL (BONDED DEBT) AND THE OPERATION OF SAME**

**Introduced by the Ways and Means Committee**

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

**WHEREAS**, Eaton County has complied with the requirements of the General Property Tax Act (MCL 211.24e), as amended, regarding a public hearing on a proposed levy of 0.7000 of a mill.

**NOW, THEREFORE, BE IT RESOLVED**, that the Eaton County Board of Commissioners does hereby adopt the levy of 0.7000 of a mill for the County Jail.  
Carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**JUNE 16, 2010**

**RESOLUTION TO ADOPT THE APPROVED EXTRA VOTED MILLAGE  
FOR THE OPERATION OF THE 911 EMERGENCY SYSTEM**

**Introduced by the Ways and Means Committee**

Commissioner Keefe moved the approval of the following resolution.  
Seconded by Commissioner Hosey.

**WHEREAS**, Eaton County has complied with the requirements of the General Property Tax Act (MCL 211.24e), as amended, regarding a public hearing on a proposed levy of 0.9500 of a mill.

**NOW, THEREFORE, BE IT RESOLVED**, that the Eaton County Board of Commissioners does hereby adopt the levy of 0.9500 of a mill for the 911 Emergency System. Carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**JUNE 16, 2010**

**RESOLUTION TO APPROVE EXTRA VOTED MILLAGE  
FOR EATON COUNTY JUVENILE SERVICES**

**Introduced by the Ways and Means Committee**

Commissioner Keefe moved the approval of the following resolution.  
Seconded by Commissioner Barr.

**WHEREAS**, Eaton County has complied with the requirements of the General Property Tax Act, (MCL 211.24e) as amended, regarding a proposed levy of 0.3500 of a mill; and

**NOW, THEREFORE BE IT RESOLVED**, that the Eaton County Board of Commissioners does hereby adopt the levy of 0.3500 of a mill for Juvenile Services. Carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**JUNE 16, 2010**

**RESOLUTION TO ADOPT THE APPROVED EXTRA VOTED MILLAGE FOR THE  
EATON COUNTY MEDICAL CARE FACILITY DEBT RETIREMENT**

**Introduced by the Ways and Means Committee**

Commissioner Keefe moved the approval of the following resolution.  
Seconded by Commissioner Farhat.

**WHEREAS**, Eaton County has complied with the requirements of the General Property Act, (MCL 211.24e) as amended, regarding a public hearing on a proposed levy of 0.1250 of a mill.

**NOW, THEREFORE, BE IT RESOLVED**, that the Eaton County Board of Commissioners does hereby adopt the levy of 0.1250 of a mill for the Medical Care Facility. Carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**JUNE 16, 2010**

**RESOLUTION TO ADOPT THE APPROVED EXTRA VOTED MILLAGE  
FOR THE EATON COUNTY TRANSPORTATION AUTHORITY (EATRAN)**

**Introduced by the Ways and Means Committee**

Commissioner Keefe moved the approval of the following resolution.  
Seconded by Commissioner Baker.

**WHEREAS**, Eaton County has complied with the requirements of the General Property Tax Act, (MCL 211.24e) as amended, regarding a public hearing on a proposed levy of 0.2469 of a mill.

**NOW, THEREFORE, BE IT RESOLVED**, that the Eaton County Board of Commissioners does hereby adopt the levy of 0.2469 of a mill for EATRAN. Carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**JUNE 16, 2010**

**RESOLUTION TO EXEMPT COUNTY PROPERTY TAX REVENUES  
FROM CAPTURE BY THE VILLAGE OF BELLEVUE  
DOWNTOWN DEVELOPMENT AUTHORITY**

**Introduced by the Ways and Means Committee**

Commissioner Keefe moved the approval of the following resolution.  
Seconded by Commissioner Barr.

**WHEREAS**, the Bellevue Village Council held a public hearing on April 22, 2010, for the purpose of adopting an Ordinance creating a Downtown Development Authority (DDA) and establishing the boundaries of the DDA district; and

**WHEREAS**, Eaton County property tax revenues may be subject to capture by a Tax Increment Financing Plan that may be proposed by the Bellevue DDA and approved by the Bellevue Village Council; and

**WHEREAS**, pursuant to MCL 125.1653(3), Eaton County may exempt its property taxes from capture by the Bellevue DDA by adopting a Resolution to that effect within sixty (60) days of the April 22, 2010 public hearing, which Resolution takes effect when filed with the Bellevue Village Clerk; and

**WHEREAS**, the Resolution exempting Eaton County property taxes from capture by the Bellevue DDA remains effective until a copy of a Resolution rescinding that Resolution is filed with the Bellevue Village Clerk; and

**WHEREAS**, pursuant to MCL 125.1664(4), Eaton County may enter into agreements with the Bellevue DDA and the Bellevue Village Council to share a portion of the County's captured taxable value of the DDA district; and

**WHEREAS**, pursuant to Eaton County Board of Commissioners Resolution #97-12-152, a copy of which is attached and incorporated by reference, it is the policy of Eaton County not to permit the capture of County property tax revenues in any new or amended DDA Districts unless the Board of Commissioners has approved a Tax Sharing Agreement with the DDA and the affected municipality, which Tax Sharing Agreement must meet the conditions set forth in Resolution #97-12-152.

**NOW, THEREFORE, BE IT RESOLVED**, that pursuant to MCL 125.1653(3), Eaton County hereby exempts its property taxes from capture by the Bellevue DDA; and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect when a copy is filed with the Bellevue Village Clerk, and shall remain effective until a copy of a Resolution rescinding this Resolution is filed with the Bellevue Village Clerk; and

**BE IT FURTHER RESOLVED**, that Eaton County may hereafter enter into Agreements with the Bellevue DDA and the Bellevue Village Council to share a portion of the captured taxable value of the DDA District, in conformance with the policies set forth in Resolution #97-12-152. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

December 17, 1997

RESOLUTION TO APPROVE TAX INCREMENT FINANCING PLAN

Introduced by the Equalization Committee

Commissioner Land moved the approval of the following resolution.  
Seconded by Commissioner Moon.

WHEREAS, from the time to time various County municipalities request the County's participation in a Tax Increment Financing Plan, and

WHEREAS, the Equalization Committee has determined that it would be beneficial to have a policy concerning this issue; and

WHEREAS, this proposed policy has been distributed to all governmental units throughout the County who would make use of the policy at various times; and

WHEREAS, their comments have been reviewed and considered by the Equalization Committee.

NOW, THEREFORE, BE IT RESOLVED, that the attached Eaton County Tax Increment Financing Plan Policy is approved.

Carried.

EATON COUNTY BOARD OF COMMISSIONERS

December 17, 1997

RESOLUTION TO APPROVE TAX INCREMENT FINANCING PLAN

Introduced by the Equalization Committee

Commissioner Land moved the approval of the following resolution.  
Seconded by Commissioner Moon.

WHEREAS, from the time to time various County municipalities request the County's participation in a Tax Increment Financing Plan, and

WHEREAS, the Equalization Committee has determined that it would be beneficial to have a policy concerning this issue; and

WHEREAS, this proposed policy has been distributed to all governmental units throughout the County who would make use of the policy at various times; and

WHEREAS, their comments have been reviewed and considered by the Equalization Committee.

NOW, THEREFORE, BE IT RESOLVED, that the attached Eaton County Tax Increment Financing Plan Policy is approved.

Carried.

November 13, 1997

**EATON COUNTY TAX INCREMENT FINANCING PLAN POLICY**

Eaton County is currently participating in different types of Tax Increment Financing Plans for the cities of Charlotte, Eaton Rapids, Potterville and Grand Ledge. State law now gives municipalities the option of deciding whether or not to allow the capture of their property tax revenues within new or expanding development districts under the Local Development Finance Authority Act (LDFA) and the Downtown Development Authority Act (DDA). With recent changes in the laws governing Tax Incremental Financing Plans the following policy is being established by the County:

1. A local community interested in capturing the County's portion of the proposed taxes generated by a Tax Incremental Financing Plan, should notify the County as early in the process as possible.
2. The proposed capturing of the County's taxes should be discussed with the County prior to any public hearing being held in regards to the project.
3. The County will not permit the capture of County property tax revenues in any new or amended development districts unless the Eaton County Board of Commissioners has approved a tax sharing agreement with the affected Downtown Development Authority and/or Local Development Finance Authority and the affected municipality.
4. The County will only consider the approval of a tax sharing agreement which meets the following conditions:
  - a. A description of the land to be utilized for the project must be included. The ownership of all of the parcels involved should be detailed.
  - b. The tax sharing agreement shall include a proposed financing plan for the infrastructure costs. Such a proposed financing plan should include an estimate for the development of the properties and the revenues generated from the development.
  - c. Infrastructure projects must be specifically defined and must be directly related to economic growth within the district.
  - d. The infrastructure projects must be limited to a specific maximum dollar amount, to be completed within a specified time period.

- e. The affected jurisdiction must allow the capture of its property tax revenues for the period of time for which County property revenues are captured.
  - f. The agreement shall specify the maximum amount of captured County property tax revenues which may be collected.
  - g. Any captured County property tax revenues collected in excess of the amounts required for the projects defined within the agreement must be returned to the County on an annual basis.
  - h. The tax sharing agreement shall provide that it will terminate at the later of 10 years from its date or at the final maturity of any bonds, notes or other obligations payable from tax increment revenues subject to the agreement.
  - i. If the tax revenue is generated faster than anticipated due to growth within the district exceeding initial projections, the additional revenues shall be used to defease or call any bonds or other debit obligations related to the projects approved by the tax sharing agreement.
5. The County Equalization Department is designated as the County agency responsible for evaluating requests for the capture of County property tax revenues as to conformance with this policy, and shall recommend approval or disapproval of any such proposed agreement to the Board of Commissioners through its Equalization Committee and its Finance Committee.
  6. A copy of any approved agreement shall be given to the County Treasurer, who shall take the necessary steps to assure that any captured property tax revenues collected in excess of the amounts permitted by the agreement are returned to the County on an annual basis.
  7. The Board of Commissioners may also consider other relevant issues, including the possible environmental impacts of the projects envisioned with such proposed tax sharing agreements.
  8. The municipality shall agree to provide the County with an annual report detailing the progress of the project including the development as well as the additional revenues generated in comparison to the projected figures. An estimate shall be included as to when the full amount of the County's tax capture can be realized.

9. Upon receipt of a request for the capture of County property tax revenues, a resolution responding to the request as provided by this policy shall be placed on the appropriate Committee agendas for consideration for final action by the Board of Commissioners within the 60 day statutory deadline.
10. An initial rejection by the Board of Commissioners of a request for the capture of County property tax revenues may be rescinded if and when a tax sharing agreement is reached which meets the conditions of this policy.

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**EATON COUNTY BOARD OF COMMISSIONERS**

**JUNE 16, 2010**

**RESOLUTION TO INCREASE  
PARKS AND RECREATION PETTY CASH FUND**

**Introduced by the Ways and Means Committee**

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

**WHEREAS**, the Parks and Recreation Department has requested an increase in the petty cash fund for the Fitzgerald Park, Fox Park and Lincoln Brick Park gates; and

**WHEREAS**, the request is made in order to make change at the gates due to the increase in the fees; and

**WHEREAS**, the Ways and Means Committee has reviewed the request and recommended approval.

**NOW, THEREFORE, BE IT RESOLVED**, that the Eaton County Board of Commissioners approves the increase to the petty cash fund from \$225 to \$375 for the Parks and Recreation Department; and

**BE IT FURTHER RESOLVED**, that the Parks and Recreation follow the Eaton County Petty Cash policy dated June 2, 1996 and any violation of this policy may result in the Petty Cash fund being returned to the County. Carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**JUNE 16, 2010**

**RESOLUTION TO APPROVE TITLE IV-E GRANT APPLICATION**

**Introduced by the Ways and Means Committee**

Commissioner Keefe moved the approval of the following resolution.  
Seconded by Commissioner Clarke.

**WHEREAS**, the U.S. Department of Human Services has Title IV-E funding available through the State of Michigan Department of Human Services; and

**WHEREAS**, the current Title IV-E grant will expire on December 31, 2010; and

**WHEREAS**, the Prosecuting Attorney is seeking to apply for a renewal of funding for Title IV-E funding in order to offset the expenses of the county for legal representation in child abuse and neglect hearings; and

**WHEREAS**, a grant application for the period of January 1, 2011 through December 31, 2011 is being prepared in an amount not to exceed \$40,000 for the Prosecuting Attorney.

**NOW, THEREFORE, BE IT RESOLVED**, that

1. The Department of Human Services Title IV-E grant application is authorized; and
2. The Chairperson of the County Board of Commissioners is hereby authorized to execute said agreements on behalf of the County Board of Commissioners upon approval by the State.

Carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**JUNE 16, 2010**

**RESOLUTION TO APPROVE  
2009/2010 GENERAL FUND BUDGET AMENDMENTS**

**Introduced by the Ways and Means Committee**

Commissioner Keefe moved the approval of the following resolution.  
Seconded by Commissioner Freeman.

**WHEREAS**, the Eaton County 2009/2010 Appropriations Act of September 16, 2009 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 2009/2010 Eaton County Budget:

**CONTINGENCY – 890**

Decrease	Contingency	\$ 337,662
Decrease	Fund Balance Carryover	\$ 337,662

To decrease Contingency based on Controller's recommendation to reduce anticipated utilization of Fund Balance for FY 2009/2010. Carried.

**GENERAL FUND  
2009/2010 CONTINGENCY UPDATE**

BEGINNING BALANCE		\$ 674,362
	BALANCE 10/31/09	\$ 674,362
	BALANCE 11/30/09	\$ 674,362
Board of Commissioners	Agency Grants	\$ (5,000)
Prosecuting Attorney	Contractual - Medical Examiner Expense	\$ (10,000)
	BALANCE 12/31/09	\$ 659,362
	BALANCE 1/31/10	\$ 659,362
Controller	Contractual Services	\$ (21,700)
	BALANCE 2/28/10	\$ 637,662
	BALANCE 3/31/10	\$ 637,662
	BALANCE 4/30/10	\$ 637,662
	BALANCE 5/31/10	\$ 637,662
Transfer Out	Fund Balance	\$ (337,662)
	BALANCE 6/30/10	\$ 300,000

**EATON COUNTY BOARD OF COMMISSIONERS**

**JUNE 16, 2010**

**RESOLUTION TO APPROVE  
2009/2010 SPECIAL REVENUE FUND BUDGET AMENDMENTS**

**Introduced by the Ways and Means Committee**

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

**WHEREAS**, the Eaton County 2009/2010 Appropriations Act of September 16, 2009 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 2009/2010 Eaton County Budget:

**JUVENILE MILLAGE - 296**

Increase	Fund Balance Carryover	\$ 1,000
Increase	Contractual Services	\$ 1,000

To increase budget for Eaton Intermediate School District Literacy Program as recommended by Health and Human Services. Carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**JUNE 16, 2010**

**RESOLUTION TO APPROVE  
PERSONAL PROPERTY TAX DISCOVERY  
PROGRAM SERVICE CONTRACT**

**Introduced by the Ways and Means Committee**

Commissioner Keefe moved the approval of the following resolution.  
Seconded by Commissioner Freeman. Nays; Commissioners Farhat, Forell.

**WHEREAS**, the Equalization Department is interested in entering into a contract for services to identify unreported personal property; and

**WHEREAS**, the Ways and Means Committee has reviewed and is recommending the proposed contract for personal property discovery services attached to this resolution.

**NOW, THERE FOR, BE IT RESOLVED**, that the Eaton County Board of Commissioners approves the proposed contract with Tax Management Associates, Inc., for personal property discovery services; and

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

**TAX MANAGEMENT ASSOCIATES, INCORPORATED**

**AND**

**EATON COUNTY, MICHIGAN**

**DISCOVERY OF NON-FILING BUSINESSES CONTRACT**

This Contract Addendum is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2010 by and between EATON COUNTY, a political subdivision of the State of Michigan, hereinafter referred to as "COUNTY" and TAX MANAGEMENT ASSOCIATES, INC., a corporation authorized to conduct business in Michigan, hereinafter referred to as "CONTRACTOR" or "TMA".

**WITNESSETH:**

WHEREAS, The COUNTY desires to enter into an agreement to obtain "Discovery Services" performed by the CONTRACTOR and as defined herein; and,

WHEREAS, TMA offers to provide Discovery Services to the COUNTY through assistance to the office of the Assessor and the Assessor's staff;

THEREFORE, for and in consideration of the mutual covenants and agreements made herein, the parties agree as follows:

**1. Services.** "Discovery Services" will locate and record all businesses within the COUNTY statutorily required to file a Business Personal Property Tax Listing Form ("**Listing Form**") but are not presently doing so. All businesses identified by CONTRACTOR will be verified by COUNTY before they are added to the COUNTY roll. Any business found to be operating in the COUNTY, but not filing the Listing Form is known as a "**Discovered Business**" and refers to a single physical location.

**A. Collect electronic information from the COUNTY.** COUNTY shall provide TMA electronic copies of Listing Forms and commercial and industrial real parcel information for the tax year under review. This information will include, for each business currently filing a Listing Form in the jurisdiction, the business name, owner name, "doing business as" information, property address, mailing address, parcel identification number, and other like information which may help TMA identify unique business establishments and their locations. The electronic information provided to TMA will be considered a full and final list, and all businesses discovered by TMA through the Discovery Services which are not represented on this list will be considered Final Product as defined in sec. 1.H.

**B. Contact with list of potential businesses by mail.** TMA will use internal resources and research methodology to identify business locations within the COUNTY which do not appear on the COUNTY's tax roll. TMA shall generate correspondence to be sent to each business location outlining the statutory responsibility to file a Listing Form and indicating the COUNTY's intent to assess the business for personal property situated at a particular location. The correspondence shall also include a copy of COUNTY's Listing Form and instructions, a return envelope addressed to TMA's contact center, and contact information for TMA. Such correspondence shall be signed by the Assessor or by his/her authorized designee.

**C. TMA Contact Center.** TMA shall make available to the COUNTY for the purpose of Discovery Services a contact center owned and managed by TMA and located in Charlotte, N.C. The contact center will house staff responsible for the collection and processing of mail, email, fax materials, and phone calls with taxpayers. Through the contact center, TMA will manage the printing and mailing of all materials which go to identified accounts.

**F. Canvass Methods:** TMA shall use throughout the program all methods available and pertinent to a thorough review of business locations in the county. These methods may include phone calls to business locations, site visits and/or physical canvassing, or continued use of internet, mapping, or other resources to which TMA maintains access.

**G. Application of values from internal CAVS process.** TMA may use its Cost Analysis Valuation System ("CAVS") to determine an estimated taxable business personal property value associated with a particular business entity type. CAVS may be applied to any business entity determined to be actively operating in the jurisdiction but which failed to respond to requests for information by TMA and/or COUNTY personnel. CAVS values shall be considered an estimate of value based on best information, and shall be provided to the COUNTY as a guide and recommendation. All final values shall be the responsibility of the Assessor and/or designated COUNTY staff.

i. **CAVS Training.** TMA shall give access to and train designated COUNTY personnel how to use CAVS to determine an estimated value for business entities. An estimated value is based on average conditions and property density or capital investment based on like kind business entities. CAVS shall in no way be construed as an appraisal tool. CAVS is a proprietary, in-house application which shall be maintained by TMA. COUNTY may, upon termination of this Agreement, utilize the CAVS on a subscription basis pursuant to the terms of a separately negotiated written agreement.

**H. Final Product.** TMA will deliver to the COUNTY one file per Discovered Business which contains information related to the business location discovered through these services. This information will include the name, location, contact history, and other information to allow the Assessor to make an assessment of the business and location. Each file per Discovered Business is referred to herein as "**Final Product.**"

i. **Estimated Accounts.** The Final Product for "**Estimated Accounts**" will contain the information described in section 1.H. and also an estimate of the Cumulative Account Value, as defined in sec. 4, based on CAVS modeling and best knowledge of TMA staff. Estimates are not appraisals, limited appraisals, or audits, but instead are models based on like kind businesses of similar type and practice as they are built in the CAVS system. Documentation from CAVS describing the derivation of value will be included in each Final Product for Estimated Accounts. These values are provided as a professional service and estimate of Cumulative Account Value in TMA's opinion, and should be altered by the Assessor and COUNTY staff as appropriate.

ii. **File Processed Accounts.** When TMA through Discovery Services receives a completed and signed Listing Form, the Listing Form will be processed to include values for previous years based on date of acquisition and proper depreciation as a Final Product and defined as a "**File Processed Account.**"

2. **Training.** If requested by COUNTY, TMA will provide training to designated COUNTY personnel on TMA's Discovery Services methodology.

3. **Management Reporting.** TMA shall provide to COUNTY a Project Manager. The Project Manager will be responsible for reporting progress, program results, problems and resolutions, and other general reporting functions to a designated COUNTY representative. TMA shall make the Project Manager available on a regular basis to provide such reporting as necessary to allow the COUNTY to realize all program progress and provide status reports.

4. **Cost.** The COUNTY shall pay to TMA, for the services furnished under this Agreement, a "Fee" for each business location discovered and processed by TMA, defined as the Final Product and described in sec. 2.H-2.H.ii. The Fee for Final Product shall be \$250.00 when the "Cumulative Account Value," defined as the reported or estimated true cash value of all taxable personal property owned by a Discovered Business, summed for all taxable years discovered, is equal to or greater than the Lower Threshold, as described in sec. 8.

a. **Cumulative Account Value Adjustments.** The Cumulative Account Value may be adjusted on Estimated Accounts at the discretion of the COUNTY. TMA has no authority and expressly denies any right to place a value or to make an assessment on any property within the COUNTY. Cumulative Account Value Adjustments on File Processed Accounts may likewise be made at the discretion of the COUNTY, including the option not to include previous years. However, TMA will charge a Fee on File Processed Account Final Product based on the Cumulative Account Value originally reported by TMA to the COUNTY. Errors which are the fault of TMA processing, keystroke errors, or other miscellaneous errors which are not reflective of fact will be corrected and all Fees adjusted accordingly.

5. **Payment.** The Fee will be billed after the Final Product has been reviewed and approved by the Assessor or his staff, or sixty days after the Final Product has been delivered to the COUNTY, whichever date comes first. A cumulative invoice will be sent on a monthly basis after the first review period for each Final Product that has met the conditions contained in this section. Invoiced fees will be due and payable within ten (10) days following billing date. If payment is not received by TMA within sixty (60) days from billing date, unpaid balance of fees will be subject to additional fees in the amount of one and one-half percent (1 1/2%) per month until payment is received.

6. **Expenses.** All expenses incurred by TMA in performing Discovery Services under this Agreement including, but not limited to, travel, food, lodging, mileage, salaries, etc. shall be the responsibility of CONTRACTOR.

7. **New Accounts.** The COUNTY will be responsible for supplying TMA with an electronic file containing all personal property accounts currently on the COUNTY's tax roll. From the date of transmission forward all additional accounts added to the rolls will be billable by TMA to COUNTY until the Discovery Services cease.

8. **Lower Threshold.** TMA agrees to allow the COUNTY to select a lower threshold of personal property value as the Cumulative Account Value to be equal to or less than [\$1,000.00]. Any account with a reported, estimated, or assumed value below this threshold will not be processed by TMA, and will not be a billable account. TMA will return information on accounts meeting the definition of section 8 in a tabular format to the COUNTY, but will not process the account or attempt to collect more information about these locations or business operations.

9. **Revenue Neutral.** TMA will not bill the COUNTY for any files that are deemed to be uncollectable due to business closure or a mistake of fact related to TMA's Discovery Services resulting in incorrect situs information or duration of business activity. The total of TMA's invoices for Discovery Services under this contract will also not exceed the total billable amount in taxes which result from the same

Discovery Services. The intent of this section is to insure that the COUNTY does not pay more for these Discovery Services than they generate in revenue to the COUNTY. This section does not apply to Final Product that the COUNTY chooses not to bill or to collect delinquent tax amounts.

**10. Legal Costs.** All legal costs involving appeals resulting from a discovery shall be the responsibility of the COUNTY. TMA shall be responsible for defending its discovery findings throughout any appeals process without additional cost to the COUNTY. Defense of discovery findings shall include personal appearances at meetings with taxpayers or their representatives, and providing testimony and evidence at all hearings before the COUNTY Assessor and at any other appeal level concerning information associated with the discovery of the business in question.

**11. Term.** This contract will terminate on June 30, 2011 unless otherwise extended by a written addendum signed by both parties for a period of an additional one year.

The parties have expressed their agreement to these terms by causing this Contract to be executed by their duly authorized officer or agent. This Agreement shall be effective as of the date herein.

Tax Management Associates, Inc.

COUNTY

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_