



EATON COUNTY BOARD OF COMMISSIONERS

AUGUST 17, 2011

The Eaton County Board of Commissioners met in regular session at the County Facilities, in the City of Charlotte, Wednesday, August 17, 2011.

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

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

Commissioner Baker gave the invocation.

Roll call. Commissioners present; Michael Hosey, Blake Mulder, Susan Hoffman, Larry Brunette, James Osieczonek, John Boles, Glenn Freeman, Joseph Brehler, Roger Eakin, Wayne Ridge, L. Daryl Baker, Dale Barr, Jeremy Whittum, Ben Colestock, John Forell. Commissioners absent; none.

Commissioner Mulder added item # 7, 2011 Personnel Policy Revisions to the Ways and Means Committee report.

Hearing no further amendments the agenda stood as amended.

Commissioner Baker moved the minutes of July 20, 2011 be approved as presented. Seconded by Commissioner Boles. Carried.

Communications.

1/ Letter from Martin Cook regarding a drain wetland matter at the Flowerdale Farms.

2/ Letters from Eaton Township, Charamy Cleary, Brian Ross, Mary Ritter and Mark Stahl regarding proposed staff reductions in the Community Development Office.

Public Comment. Amy Summers, Zoning Assistant/Code Enforcement Official from the Community Development Office asked for reconsideration of the scheduled elimination of her position due to budget cuts.

Commissioner Hoffman moved the approval of Resolution #11-8-70, Recognizing National Alcohol and Drug Recovery Month.

WHEREAS, behavioral health is an essential part of health and one's overall wellness, and prevention works, treatment is effective, and people can and do recover from substance use and mental disorders; and

WHEREAS, all people have the fundamental and inherent value to be accepted and treated with respect, human dignity, and worth; and

WHEREAS, individuals should have access to fully participate in community life including economic advancement and prosperity; fair and decent housing; quality education; positive opportunities to benefit from and contribute to material, cultural, and social progress; and

WHEREAS, it is critical to educate our policymakers, friends and family members, health care providers, and businesses that substance use and mental disorders are treatable, and that people should seek assistance for these conditions, with the same urgency as they would any other health condition; and

WHEREAS, all Americans have the opportunity to access provisions within the Affordable Care Act and Mental Health Parity and Addictions Equity Act (MHPAEA), aimed to improve physical and emotional health while ensuring people will receive the care they need at a more reasonable cost; and

WHEREAS, substance use and mental disorders are serious public health problems. In 2009 4.3 million people received treatment for a substance use disorder and 30.2 million people for a mental health problems (2009 National Survey on Drug Use and Health), we must continue to reach the millions more who need help; and

WHEREAS, to help achieve this goal, the U.S. Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy, Recovery Network Inc., and the Recovery Month Coalition invite all residents of Eaton County to participate in National Alcohol and Drug Addiction Recovery Month (September 2011). NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners does hereby proclaim the month of September 2011 as National Alcohol and Drug Addiction Recovery Month. BE IT FURTHER RESOLVED, that the Board of Commissioners calls upon the citizens of Eaton County to observe this month with appropriate programs, activities, and ceremonies supporting this year's theme, "Join the Voices for Recovery: Recovery Benefits Everyone."

Seconded by Commissioner Barr. Carried.

Commissioner Baker moved the approval of Resolution #11-8-71, to Approve DCA 8-11-2. WHEREAS, Eaton County Planning Commission initiated a petition for a Comprehensive Amendment to the Eaton County Land Development Code (zoning ordinance) to clarify the intent, update language and improve comprehension. Amendments are proposed to the following: Article 7 Land Development Districts (amend Sections 7.3.3, 7.4A.2A.1, 7.4B.2A.1 & 7.4C.2A.1) & Article 14 Specific Provisions and Requirements (amend Section 14.27.2); and WHEREAS, the Eaton County Planning Commission held a duly advertised and noticed public hearing on August 2, 2011; 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 August 2, 2011 to recommend the approval of the request for a comprehensive amendment to the Eaton County Land Development Code (zoning ordinance) to clarify the intent, update language and improve comprehension. Amendments are proposed to the following: Article 7 Land Development Districts (amend Sections 7.3.3, 7.4A.2A.1, 7.4B.2A.1 & 7.4C.2A.1) & Article 14 Specific Provisions and Requirements (amend Section 14.27.2) 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 clarify the intent, update language and improve comprehension. Amendments are proposed to the following: Article 7 Land Development Districts (amend Sections 7.3.3, 7.4A.2A.1, 7.4B.2A.1 & 7.4C.2A.1) & Article 14 Specific Provisions and Requirements (amend Section 14.27.2)

Seconded by Commissioner Whittum. Claudine Hannold, Director of Community Development explained the amendments will allow for larger out buildings in residential districts, long term care facilities, limited agricultural districts and requires a \$2000 cash bond for cell tower applications which is reimbursed to the company if not used in its entirety. Vote on motion carried.

Commissioner Mulder moved the approval of Resolution #11-8-72, Declaring International Housekeepers Week. WHEREAS, the Eaton County Board of Commissioners has recognized the Eaton County custodial crew for International Housekeepers Week for the last five years, WHEREAS, we recognize the Eaton County Custodial staff are an important element of protecting the public and staff at Eaton County by way of sanitation as well as maintaining a clean environment and professional appearance, WHEREAS, in 1981 Oneita Dease and Doug Slingerland came up with the idea to recognize the "doers" in the housekeeping field naming it National Housekeepers week and then National Housekeepers Week became International Housekeepers week on July of 1996 NOW, THEREFORE, BE IT RESOLVED, the Eaton County Board of Commissioners does hereby declare September 11, 2011 thru September 17, 2011 International Housekeepers Week. BE IT FURTHER RESOLVED, this Resolution shall be signed by the Chairman of the Board of Commissioners, the Clerk of the County and shall bear the seal of the County. A copy of this resolution will be attached to the permanent records of Eaton County.

Seconded by Commissioner Ridge. Carried.

Commissioner Mulder moved the approval of Resolution #11-8-73, to enter into Municipal Prosecution Service Contracts.

WHEREAS, The Prosecuting Attorney is interested in providing municipal prosecution services to Delta Township for the prosecution of municipal ordinance violations; and

WHEREAS, the township is interested in entering into such an agreement, as a collaborative and cost-savings measure; and

WHEREAS, the contract provides for the Prosecuting Attorney to receive the revenue generated through the prosecution of municipal ordinance violations; and

WHEREAS, the initial contractual term shall commence on September 1, 2011 and continue through September 30, 2012; and

WHEREAS, the Ways & Means Committee has reviewed and is recommending approval of the contract to provide municipal prosecution services.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners approves the contract for municipal prosecution services with the Delta Township; and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners is authorized to sign the contracts, subject to the approval by the Delta Township Board.

Seconded by Commissioner Ridge. Carried.

Commissioner Mulder moved the following persons be appointed to attend the MERS Annual meeting, Chairman John Forell, Officer Delegate, Heather Hicks, Employee Delegate and Mary Beth Souza, Employee Alternate. Seconded by Commissioner Barr. Carried.

Commissioner Mulder moved the approval of Resolution #11-8-74, 2010/2011 General Fund Budget amendments.

WHEREAS, the Eaton County 2010/2011 Appropriations Act of September 16, 2010 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 2010/2011 Eaton County Budget:

<u>CONVENTION FACILITY - 631</u>		
Increase	Revenue	\$ 30,454
Increase	Expense	\$ 30,454

To increase budget for revenue received and the portion distributed to Mid-South Substance Abuse (50%).

Seconded by Commissioner Baker. Carried.

Commissioner Mulder moved the approval of Resolution #11-8-75, 2010/2011 Special Revenue Fund Budget amendments.

WHEREAS, the Eaton County 2010/2011 Appropriations Act of September 15, 2010 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 2010/2011 Eaton County Budget:

<u>RESOURCE RECOVERY FUND - 228</u>		
Increase	Fund Balance Carryover	\$ 6,004
Increase	Transfers-Out	\$ 6,004

<u>ENERGY EFFICIENCY GRANT - 287</u>		
Decrease	Grant Revenue	\$ 6,004
Increase	Transfers-In	\$ 6,004

To transfer funds from Resource Recovery budget to Energy Efficiency Grant budget for the grant match intended to come from in-kind salary match, however hours were not identified.

Seconded by Commissioner Hosey. Carried.

Commissioner Mulder moved the approval of claims as audited by the Ways and Means Committee in the amount of \$368,501.60 and to accept the report of previously authorized payments. Seconded by Commissioner Eakin. Carried.

Commissioner Mulder moved the approval of Resolution #11-8-76, to approve 2011 Personnel Policy Revisions.

WHEREAS, the Board of Commissioners has adopted a Personnel Policy for employees; and  
WHEREAS, Article 14, Travel Allowance states that employees will be reimbursed for travel based on the most current allowable rate set by the Internal Revenue Service; and

WHEREAS, on July 1, 2011, the Internal Revenue Service increased the mileage rate from \$.51 per mile to \$.55 per mile; and

WHEREAS, the Ways & Means Committee reviewed and is recommending the mileage rate remain at \$.51 per mile; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners approves the revision to the Personnel Policy, Article 14, Travel Allowance to require approval by the Ways and Means Committee for the mileage rate and that the rate remain at \$.51 per mile retroactive to July 1, 2011.

Seconded by Commissioner Eakin. Carried.

Commissioner Mulder announced the proposed budget will be presented on September 6<sup>th</sup> and thanked members of the Ways and Means Committee for attending the budget meetings and making the hard decisions that had to be made to balance the budget. Chairman Forell also thanked committee members for their time and commitment.

Public Comment. Helen Schneider, 1915 Glass Dr. Charlotte requested any deletions, additions and changes to the new Animal Control Ordinance be posted on line for the public to review. Controller Fuentes indicated the Prosecutor is still reviewing the ordinance and once review is complete, the amendments will be posted online.

Commissioner Comment. Commissioner Osieczonek commented he would rather see positions eliminated through attrition rather than layoffs. Commissioner Hosey reminded everyone the Parks Commission cruise is scheduled for September 12<sup>th</sup>; there will be a parade this weekend for the Farmers Picnic in Sunfield and next weekend in Mulliken. Commissioner Mulder has tickets to purchase for the parks cruise. Commissioner Freeman reported the Mulliken event will include a Hotrods and Harleys CASA fundraiser.

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

Commissioner Baker moved the meeting adjourn to **Tuesday**, September 6, 2011 at 7:00 PM.  
Seconded by Commissioner Eakin. Carried.

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Chairman of the Board of Commissioners

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Clerk of the Board of Commissioners

**EATON COUNTY BOARD OF COMMISSIONERS**

**AUGUST 17, 2011**

**RESOLUTION TO RECOGNIZE NATIONAL ALCOHOL AND DRUG ADDICTION  
RECOVERY MONTH**

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

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

**WHEREAS**, behavioral health is an essential part of health and one's overall wellness, and prevention works, treatment is effective, and people can and do recover from substance use and mental disorders; and

**WHEREAS**, all people have the fundamental and inherent value to be accepted and treated with respect, human dignity, and worth; and

**WHEREAS**, individuals should have access to fully participate in community life including economic advancement and prosperity; fair and decent housing; quality education; positive opportunities to benefit from and contribute to material, cultural, and social progress; and

**WHEREAS**, it is critical to educate our policymakers, friends and family members, health care providers, and businesses that substance use and mental disorders are treatable, and that people should seek assistance for these conditions, with the same urgency as they would any other health condition; and

**WHEREAS**, all Americans have the opportunity to access provisions within the Affordable Care Act and Mental Health Parity and Addictions Equity Act (MHPAEA), aimed to improve physical and emotional health while ensuring people will receive the care they need at a more reasonable cost; and

**WHEREAS**, substance use and mental disorders are serious public health problems. In 2009 4.3 million people received treatment for a substance use disorder and 30.2 million people for a mental health problems (**2009 National Survey on Drug Use and Health**), we must continue to reach the millions more who need help; and

**WHEREAS**, to help achieve this goal, the U.S. Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy, Recovery Network Inc., and the Recovery Month Coalition invite all residents of Eaton County to participate in National Alcohol and Drug Addiction Recovery Month (September 2011).

**NOW, THEREFORE, BE IT RESOLVED**, that the Eaton County Board of Commissioners does hereby proclaim the month of September 2011 as National Alcohol and Drug Addiction Recovery Month.

**BE IT FURTHER RESOLVED**, that the Board of Commissioners calls upon the citizens of Eaton County to observe this month with appropriate programs, activities, and ceremonies supporting this year's theme, "*Join the Voices for Recovery: Recovery Benefits Everyone.*" Carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**August 17, 2011**

**RESOLUTION TO APPROVE DCA-8-11-2**

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

**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 clarify the intent, update language and improve comprehension. Amendments are proposed to the following: Article 7 Land Development Districts (amend Sections 7.3.3, 7.4A.2A.1, 7.4B.2A.1 & 7.4C.2A.1) & Article 14 Specific Provisions and Requirements (amend Section 14.27.2); and

**WHEREAS,** the Eaton County Planning Commission held a duly advertised and noticed public hearing on **August 2, 2011**; 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 **August 2, 2011** to recommend the approval of the request for a comprehensive amendment to the Eaton County Land Development Code (zoning ordinance) to clarify the intent, update language and improve comprehension. Amendments are proposed to the following: Article 7 Land Development Districts (amend Sections 7.3.3, 7.4A.2A.1, 7.4B.2A.1 & 7.4C.2A.1) & Article 14 Specific Provisions and Requirements (amend Section 14.27.2)

**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 clarify the intent, update language and improve comprehension. Amendments are proposed to the following: Article 7 Land Development Districts (amend Sections 7.3.3, 7.4A.2A.1, 7.4B.2A.1 & 7.4C.2A.1) & Article 14 Specific Provisions and Requirements (amend Section 14.27.2)

At the regular meeting of the Eaton County Board of Commissioners on August 17, 2011 the Resolution regarding the approval of said request was adopted.

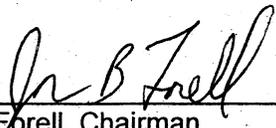
Those voting Aye: Hosey, Mulder, Hoffman, Brunette, Osieczonek, Boles, Freeman, Brehler, Eakin, Ridge, Baker, Barr, Whittum, Colestock, Forell

Those voting Nay: None

Abstention: None

Absent: None

Motion carried.

  
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John Forell, 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 August 17, 2011 of the Eaton County Board of Commissioners.

  
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M. Frances Fuller, Clerk  
Eaton County Board of Commissioners

EATON COUNTY LAND DEVELOPMENT CODE

ZONING ORDINANCE AMENDMENT DCA-8-11-2

District Change Amendment DCA-8-11-2 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 clarify the intent, update language and improve comprehension. Amendments are proposed to the following: Article 7 Land Development Districts (amend Sections 7.3.3, 7.4A.2A.1, 7.4B.2A.1 & 7.4C.2A.1) & Article 14 Specific Provisions and Requirements (amend Section 14.27.2)

WHEREAS, the Eaton County Planning Commission held a duly advertised and noticed public hearing on August 2, 2011; and

WHEREAS, the Eaton County Planning Commission has taken action on August 2, 2011 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	<u>15</u>
Nays	<u>0</u>
Abstaining	<u>0</u>
Absent	<u>0</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 Eaton County Land Development Code (Zoning Ordinance), as amended and passed by the Eaton County Board of Commissioners on August 17, 2011, 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

17th day of Aug, 2011

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

John Forell  
John Forell, Chairman  
Eaton County Board of Commissioners

**DCA-8-11-2 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-8-11-2, is proposed to the Eaton County Land Development Code (Zoning Ordinance) to clarify its intent and to improve its comprehension. The proposed amendments are as follows:

**Article 7, Land Development Districts:**

1. Add Long Term Care Facilities with six (6) or fewer bedrooms as a use allowed with Site Plan Approval in a Limited Agricultural District.

Section 7.3.3 Limited Agricultural District, 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. ***Long-Term Care Facilities as provided in Section 14.16 B (if 6 or fewer bedrooms and 6 or fewer residents)***
- ~~D.~~ E. **Uses similar to the above uses permitted by Site Plan Approval.**

**SECTION 14.16 HOSPITAL AND LONG-TERM CARE FACILITIES**

**14.16.1 Definitions:**

- A. **Hospital:** A building, structure, or institution in which sick or injured persons are given medical or surgical treatment and operating under license by the Health Department and the State of Michigan, and is used for primarily in-patient services, and including such related facilities as laboratories, out-patient departments, central service facilities, and staff offices.
- B. **Long-term Care Facility, Regulated:** Long-term care facilities which are regulated by Public Health Code Act No. 368 of 1978 shall be defined as follows:
  1. **Nursing Home:** A facility that provides twenty-four (24) hour organized nursing care and medical treatment to seven (7) or more unrelated elderly and non-elderly adult persons
  2. **Subacute Care Facility:** A "transitional care" facility that provides twenty-four (24) hour organized nursing care and medical treatment to one (1) or more persons.
  3. **Home for the Aged:** A facility providing room, board (at least two (2) meals a day), and supervised personal care (no nursing care is offered) to twenty-one (21) or more unrelated, non-transient, individuals 60 years of age or more (MCLA 333.21311).
  4. **Hospice Care Facility:** A facility, often part of a hospital, that provides twenty-four (24) hour in-patient and out-patient medical care to one (1) or more persons.

C. Long-term Care Facility, Unregulated: Long-term care facilities which are unregulated by state statute shall be defined as follows:

1. Assisted Living Facility: A facility offering housing and supervised personal care to one (1) or more persons.
2. Independent Living Facility: A facility offering housing and a varying degree of activities of daily living (ADLs) to one (1) or more elderly persons
3. Senior Housing: A facility offering housing to primarily elderly persons, and often located close to or in cooperation with care oriented facilities.
4. Extended Care Facility: A facility, often in combination with senior type housing, that provides twenty-four (24) hour (or less) medical care to residents.
5. Adult Day Care Facility: A private home or facility in which one (1) or more persons 18 years or older are given care and supervision for twenty-four (24) hours a day, for four (4) or more days a week, for two (2) or more consecutive weeks.

**14.16.2 Regulations and Conditions:**

- A. Lot area shall be at least two (2) acres and front on a major street as defined by *Section 5.3.13M* of this Ordinance.
- B. The emergency entrance, the delivery area and the refuse disposal container area shall be obscured from the general view.
- C. No building shall be any closer than seventy-five (75) feet to any property line or road right-of-way.
- D. All signs shall be in compliance with the provisions of *Article 11* of this Ordinance.
- E. All off-street parking shall be in compliance with *Article 10* of this Ordinance.

**2. Changing the allowable accessory building sizes in Residential Districts to allow for larger buildings and less restrictions for larger parcels of land.**

Low Density Residential (R-1), Section 7.4 A. 2. A.: Accessory Buildings and Accessory Uses customarily incidental to the dwelling uses, such as the following:

1. A private garage having not more than eight hundred and fifty (850) square feet of usable floor area, to be used for the storage of noncommercial motor vehicles and not more than one (1) commercial vehicle of not more than one-ton capacity; there shall be no public shop or services in connection therewith. Provided, however, a parcel in excess of ~~two (2)~~ **one (1)** acres may be permitted by the Community Development Director to have a larger accessory building in accord with the following table:

Parcel Size	Maximum Possible Building Area
<b>1.01 -2 Acres (no more than one (1) accessory building)</b>	<b>1,200 square feet*</b>
<del>2.01 - 4 Acres</del>	<del>1,250 square feet *</del>
<del>4.01 - 5 Acres</del>	<del>1,600 square feet *</del>
<del>5.01 Acres or more</del>	<del>2,000 square feet *</del>
<b>2.01-4 Acres</b>	<b>1,600 square feet*</b>
<b>4.01 Acres or more</b>	<b>No restrictions</b>

\*This is the maximum possible, a lesser building area may be required if necessary to preserve the character of the neighborhood.

Medium Density Residential (R-2), Section 7.4 B.2 A.: Accessory Buildings and Accessory Uses customarily incidental to the above permitted uses such as the following:

1. ~~A private garage~~ **Not more than one (1) detached private garage or accessory building** having not more than eight hundred and fifty (850) square feet of usable floor area, to be used for the storage of noncommercial motor vehicles and not more than one (1) commercial vehicle of not more than one-ton capacity; there shall be no public shop or services in connection therewith.

High Density Residential (R-3), Section 7.4C.2 A.: Accessory Buildings and Accessory Uses customarily incidental to the above permitted uses such as the following:

1. ~~A private garage~~ **Not more than one (1) detached private garage or accessory building** having not more than eight hundred and fifty (850) square feet of usable floor area, to be used for the storage of noncommercial motor vehicles and not more than one (1) commercial vehicle of not more than one-ton capacity; there shall be no public shop or services in connection therewith.

#### **Article 14, Specific Provisions and Requirements:**

3. Requiring a \$2,000.00 cash bond at the time of application to ensure the expert review is paid for by the applicant prior processing the application for review by the consultant and/or Planning Commission. Payment of the expert review has recently become a problem.

#### **SECTION 14.27 RADIO, TELEVISION AND COMMUNICATION TOWERS**

**14.27.1 Definition:** A tall framework or structure used for transmitting, receiving or relaying radio, television, cellular phone signals, or any transmitting or relay structure as licensed by the Federal Communications Commission (FCC).

#### **14.27.2 Application Requirements:**

Applicants must provide copies of announcements sent to all other tower owners within a five (5) mile radius of the applicant's site stating their citing needs and assuring capabilities of the proposed structure. A current copy of the certified mail receipt must accompany the copy of the announcement.

A record must be provided to document why an existing tower located within a five-mile radius of the applicant's proposed built site cannot be used for co-location:

1. Record must be given to the Eaton County Community Development Department verifying that an existing structure will not support the proposed load.
2. Record must be given to the Eaton County Community Development Department verifying that the applicant is currently co-located on an existing structure within a five-mile radius of the applicant's site.
3. Record of propagation predictions must be given to the Eaton County Community Development Department verifying that an existing structure within a five (5) mile radius of the applicant's site will not provide coverage for the applicant's system. The propagation maps must include a signal strength color legend, the scale and the operating parameters of each of the sites, scale and the operating parameters of each of the sites, scale and minimum required signal.
  - A. A Site Plan scaled as per article 17.3, showing the property boundaries, tower, guy wire anchors, "safe fall" zone, existing structures, proposed transmission buildings and/or other accessory uses, access, parking, fences, landscape plan, and existing land uses

around the site.

- B. A report from a professional engineer which describes the tower height and design including a cross-section of the structure; demonstrates the tower's compliance with applicable structural standards; and describes the tower's capacity, including the number and type of antennas that it can accommodate.
- C. A photocopy of the Federal Aviation Administration (FAA) "Determination of No Hazard", a photocopy of the Federal Communications Commission (FCC) license and a photocopy of the Michigan Aeronautics Commission (MAC) "Tall Structure Permit" must be submitted with the application. Reference Copies will not be accepted. All towers must also comply with the Tall Structures Act, P.A. 259 of 1959, when applicable.
- D. A letter of intent committing the tower owner and his or her successors to allow shared use of the tower if a future applicant agrees in writing to pay any reasonable charge for shared use. Said letter of intent shall be filed in the office of the Eaton County Community Development Department prior to any building permit being issued. If the future applicant's request for co-location is denied, the tower owner must demonstrate to the Planning commission why co-location is not feasible at the requested site.
- E. Written authorization from the owner of the site to apply for the Conditional Use Permit.
- F. ***A minimum cash bond of \$2,000.00 shall be submitted to the Eaton County Community Development Department at the time of application to be used for payment of the expert review per Section 14.27.3 F. Monies not used for the expert review will be refunded to the applicant after the Planning Commission renders a final decision on the application.***

**EATON COUNTY BOARD OF COMMISSIONERS**

**AUGUST 17, 2011**

**RESOLUTION DECLARING  
INTERNATIONAL HOUSEKEEPERS WEEK**

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

**WHEREAS**, the Eaton County Board of Commissioners has recognized the Eaton County custodial crew for International Housekeepers Week for the last five years,

**WHEREAS**, we recognize the Eaton County Custodial staff are an important element of protecting the public and staff at Eaton County by way of sanitation as well as maintaining a clean environment and professional appearance,

**WHEREAS**, in 1981 Oneita Dease and Doug Slingerland came up with the idea to recognize the "doers" in the housekeeping field naming it National Housekeepers week and then National Housekeepers Week became International Housekeepers week on July of 1996

**NOW, THEREFORE, BE IT RESOLVED**, the Eaton County Board of Commissioners does hereby declare September 11, 2011 through September 17, 2011 International Housekeepers Week.

**BE IT FURTHER RESOLVED**, this Resolution shall be signed by the Chairman of the Board of Commissioners, the Clerk of the County and shall bear the seal of the County. A copy of this resolution will be attached to the permanent records of Eaton County.  
Carried.

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

  
\_\_\_\_\_  
John Forell, Chairman  
Eaton County Board of Commissioners

**EATON COUNTY BOARD OF COMMISSIONERS**

**AUGUST 17, 2011**

**RESOLUTION TO ENTER INTO MUNICIPAL PROSECUTION  
SERVICES CONTRACTS**

**Introduced by the Ways & Means Committee**

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

**WHEREAS**, The Prosecuting Attorney is interested in providing municipal prosecution services to Delta Township for the prosecution of municipal ordinance violations; and

**WHEREAS**, the township is interested in entering into such an agreement, as a collaborative and cost-savings measure; and

**WHEREAS**, the contract provides for the Prosecuting Attorney to receive the revenue generated through the prosecution of municipal ordinance violations; and

**WHEREAS**, the initial contractual term shall commence on September 1, 2011 and continue through September 30, 2012; and

**WHEREAS**, the Ways & Means Committee has reviewed and is recommending approval of the contract to provide municipal prosecution services.

**NOW THEREFORE BE IT RESOLVED**, that the Board of Commissioners approves the contract for municipal prosecution services with the Delta Township; and

**BE IT FURTHER RESOLVED**, that the Chairman of the Board of Commissioners is authorized to sign the contracts, subject to the approval by the Delta Township Board. Carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**AUGUST 17, 2011**

**RESOLUTION TO APPROVE  
2010/2011 GENERAL FUND BUDGET AMENDMENTS**

**Introduced by the Ways and Means Committee**

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

**WHEREAS**, the Eaton County 2010/2011 Appropriations Act of September 16, 2010 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 2010/2011 Eaton County Budget:

**CONVENTION FACILITY - 631**

Increase	Revenue	\$ 30,454
Increase	Expense	\$ 30,454

To increase budget for revenue received and the portion distributed to Mid-South Substance Abuse (50%). Carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**AUGUST 17, 2011**

**RESOLUTION TO APPROVE  
2010/2011 SPECIAL REVENUE FUND BUDGET AMENDMENTS**

**Introduced by the Ways and Means Committee**

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

**WHEREAS**, the Eaton County 2010/2011 Appropriations Act of September 15, 2010 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 2010/2011 Eaton County Budget:

**RESOURCE RECOVERY FUND - 228**

Increase	Fund Balance Carryover	\$ 6,004
Increase	Transfers-Out	\$ 6,004

**ENERGY EFFICIENCY GRANT - 287**

Decrease	Grant Revenue	\$ 6,004
Increase	Transfers-In	\$ 6,004

To transfer funds from Resource Recovery budget to Energy Efficiency Grant budget for the grant match intended to come from in-kind salary match, however hours were not identified.  
Carried.

Commissioner Mulder moved the following persons be appointed to attend the MERS annual meeting. Seconded by Commissioner Barr.



## Officer and Employee Delegate Certification Form

MERS 65<sup>th</sup> Annual Meeting | September 27 – 29, 2011 | Grand Traverse Resort | Acme, Michigan

[see reverse for information]

**IMPORTANT:** Complete and return this form. Your registration is not confirmed until this form has been received by MERS.

In order to be your municipality's (including a court) delegate representative to MERS Annual Meeting, you must be a member of MERS. A member of MERS is defined as an individual on payroll who is enrolled in MERS Defined Benefit Plan (including Hybrid) or Defined Contribution Plan. Please refer to "Delegate Information" on the back for specific requirements.

### OFFICER (ALTERNATE) DELEGATE INFORMATION

The officer delegate (or alternate) shall be an officer member who holds a department head position or above, exercises management responsibilities, and is directly responsible to the legislative, executive, or judicial branch of government.

Please type or print:

Officer Delegate John Forell

Officer Alternate \_\_\_\_\_

### OFFICER DELEGATE APPOINTMENT

By official action of the governing body (or chief judge for a participating court) on August 17, 2011, the officer delegate and alternate listed above were appointed to serve at the 2011 MERS Annual Meeting. Carried.

### EMPLOYEE (ALTERNATE) DELEGATE INFORMATION

The employee delegate (or alternate) shall be an employee member who is not responsible for management decisions, receives direction from management and, in general, is not directly responsible to the legislative, executive, or judicial branch of government.

Please type or print:

Employee Delegate Heather Hicks

Employee Alternate Mary Beth Souza

### EMPLOYEE DELEGATE ELECTION

By secret ballot election conducted by an authorized officer on August 17, 2011, the employee delegate and alternate listed above were elected to serve at the 2011 MERS Annual Meeting.

### CERTIFICATION

**NOTE:** Certification should be signed by a member of the governing body (or municipality's chief administrative officer), or the chief judge for a participating court, and municipality number provided in space at the bottom of certification box.

I certify that the officer delegate and alternate selections are true and correct, and the secret ballot election results for employee delegate and alternate are true and correct.

Name (Signature): [Signature]

Name (Please Print): John B. Forell

Official Title: Chairman, Board of Commissioners

Date: 8-17-11

**NOTE:** Municipality Number Required for Certification

Municipality Number: 2302

Email address: msouza@eatoncounty.org

Municipality: Eaton County

Municipality Mailing Address: 1045 Independence Blvd, Charlotte, MI 48813

**EATON COUNTY BOARD OF COMMISSIONERS**

**AUGUST 17, 2011**

**RESOLUTION TO APPROVE 2011 PERSONNEL POLICY REVISIONS**

**Introduced by the Ways & Means Committee**

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

**WHEREAS**, the Board of Commissioners has adopted a Personnel Policy for employees; and

**WHEREAS**, Article 14, Travel Allowance states that employees will be reimbursed for travel based on the most current allowable rate set by the Internal Revenue Service; and

**WHEREAS**, on July 1, 2011, the Internal Revenue Service increased the mileage rate from \$.51 per mile to \$.55 per mile; and

**WHEREAS**, the Ways & Means Committee reviewed and is recommending the mileage rate remain at \$.51 per mile; and

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Commissioners approves the revision to the Personnel Policy, Article 14, Travel Allowance to require approval by the Ways and Means Committee for the mileage rate and that the rate remain at \$.51 per mile retroactive to July 1, 2011. Carried.