

EATON COUNTY BOARD OF COMMISSIONERS

JULY 20, 2011

The Eaton County Board of Commissioners met in regular session at the County Facilities, in the City of Charlotte, Wednesday, July 20, 2011.

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

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

Commissioner Boles 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 #9 Resolution to approve Gettysburg Drain disclosure agreement and item #10 approval of charitable gaming license to the Ways and Means Committee report.

Hearing no further amendments the agenda stood as amended.

Commissioner Barr moved the minutes of June 7th and 15, 2011 be approved as presented. Seconded by Commissioner Boles. Commissioner Osieczonek requested the minutes of June 15, 2011 be amended to note his concern regarding the number of costly special drain assessments and the financial impact they have on our residents. Minutes carried as amended.

There were no Communications.

Public Comment. Rod Schultz, 1303 Montgomery St, Eaton Rapids spoke about problems he encountered at the Health Department with well and septic inspections and his feeling the time of sale transfer program (TOST) needs to be reviewed.

Commissioner Hoffman moved the approval of Resolution #11-7-59, to Approve the Tri-County Office on Aging Implementation Plan.
WHEREAS, the Tri-County Aging Consortium, known as Tri-County Office on Aging, produced the Annual Implementation Plan Fiscal Year 2012 as required by the Older Americans Act and the Older Michiganians Act; and
WHEREAS, the Health and Human Services Committee has reviewed the Tri-County Office on Aging's Annual Implementation Plan Fiscal Year 2012 and is recommending its approval.
NOW THEREFORE BE IT RESOLVED, that the Eaton County Board of Commissioners approve said document as presented. Seconded by Commissioner Hosey. Carried.

Commissioner Baker moved the approval of Resolution #11-7-60, to Accept April 2011 Eaton County Master Plan.
WHEREAS, the Eaton County Planning Commission provided notice explaining their intent to amend the Eaton County Comprehensive Development Plan (the "Master Plan"); and
WHEREAS, each local unit of government under the jurisdiction of the Eaton County Planning Commission has participated in the consideration and preparation of the draft Master Plan; and
WHEREAS, The Eaton County Community Development Department held a visioning workshop in the County for the purpose of gathering public input on development goals and objectives; and
WHEREAS, a draft Master Plan was created per the Michigan Planning Enabling Act, PA 33 of 2008, as amended; and
WHEREAS, the Eaton County Board of Commissioners had opportunity to review and comment on the draft Master Plan and approved its distribution for public comment; and
WHEREAS, the draft Master Plan was distributed for public comment followed by a public hearing duly noticed and held by the Eaton County Planning Commission on July 12, 2011 to receive comments ; and
WHEREAS, the Planning Commission adopted the Eaton County Master Plan on July 12, 2011.
NOW THEREFORE BE IT RESOLVED that:
1. The Eaton County Board of Commissioners officially endorses this resolution of acceptance and supports the Eaton County Planning Commission to begin implementation of the Master Plan, including the land use plan, accompanying maps, and descriptive text as provided for in Act 33 of the Public Acts of 2008, as amended.
All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded. Seconded by Commissioner Ridge. Carried.

Commissioner Baker moved the approval of Resolution #11-7-61, to Approve 2011-2012 Solid Waste Alternatives Grant Program Recommendations.

WHEREAS, the Eaton County Department of Resource Recovery has implemented a Solid Waste Alternatives Grant Program for the municipal and non-profit recycling programs throughout Eaton County; and

WHEREAS, a number of grant applications were submitted to Eaton County Department of Resource Recovery for review and recommendation; and

WHEREAS, Eaton County Department of Resource Recovery prepared recommendations for the allocation of available grant funds; and

WHEREAS, the Public Works and Planning Committee reviewed the recommended grant funds, at its regular meeting held on July 13, 2011.

NOW, THEREFORE, BE IT RESOLVED, that the Public Works and Planning Committee is recommending that the following grant funds be approved for the period of October 1, 2011 through September 30, 2012.

Grant Applicant	Requested Grant Funds	Recommended Grant Funds
<i>Village of Bellevue, Bellevue Township, Walton Township, & the City of Olivet</i>	\$8,180.00	\$8,000.00
<i>Charlotte Area Recycling Authority</i>	\$30,000.00	\$25,000.00
<i>Delta Township Recycling Center</i>	\$30,000.00	\$20,000.00
<i>City of Eaton Rapids Recycling</i>	\$13,000.00	\$13,000.00
<i>City of Grand Ledge Recycling</i>	\$28,310.00	\$22,000.00
<i>Village of Mulliken</i>	\$1,580.00	\$1,000.00
<i>City of Potterville</i>	\$41,056.00	\$6,000.00
<i>Sunfield Township</i>	\$26,000.00	\$5,000.00
TOTAL	\$178,126.00	\$100,000.00

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners be authorized to sign the necessary grant agreements; and

BE IT FURTHER RESOLVED, that the Controller's Office is authorized to reimburse the grantees based upon submission of documented expenses that are consistent with the approved grant budget; and

BE IT FURTHER RESOLVED, that the Controller be authorized to approve any line item transfer within a grant program budget and also be authorized to transfer funds between grants received by a single grant applicant up to a maximum amount of \$2,500.00. All other budget amendments must be approved by the Public Works and Planning Committee before going to the Board of Commissioners for final approval. Seconded by Commissioner Brehler. Carried.

Commissioner Baker moved Anthony Eldridge be appointed to fill an unexpired term on the Construction Board of Appeals as an alternate representing the plumbing trade. Seconded by Commissioner Barr. Carried.

Commissioner Mulder moved the approval of Resolution #11-7-62, to approve Farmland Agreement application.

WHEREAS, Armon J & Cynthia A Southworth filed a Farmland and Open Space Application for property located in Roxand Township with the Eaton County Clerk's Office in April of 2011; and

WHEREAS, this application includes 55.1 acres; and

WHEREAS, the applicant is requesting a 40 year agreement; and

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

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

THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners at its regularly scheduled meeting on July 20, 2011 does hereby approve the Farmland and Open Space Application filed by Armon J & Cynthia A Southworth for property located in Roxand Township. Seconded by Commissioner Eakin. Carried.

Commissioner Mulder moved the approval of Resolution #11-7-63, to Authorize Application for Title I-Part D Neglected, Delinquent or At-Risk Youth Funding.

WHEREAS, the United States Department of Education has funds available through the Elementary and Secondary Education Act of 1965 for at-risk youth; and

WHEREAS, the Youth Facility has identified at least 80% of youth ordered to be placed in the facility have reported having a history of substance abuse by themselves or a family member; and

WHEREAS, the Youth Facility is requesting to access these funds through an agreement with the Charlotte Public Schools to provide substance abuse counseling to at-risk youth with the purpose of successfully transitioning facility residents back into their school district; and

WHEREAS, the funding would allow the Youth Facility to hire or contract for a full-time on-site substance abuse counselor and fund the cost of educational assistants working through the Charlotte Public School system.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize the Youth Facility to submit an application for full funding of a substance abuse counselor and educational assistants beginning the start of the 2011/2012 school year for a twelve month period; and

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

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

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners be authorized to sign any necessary documents. Seconded by Commissioner Barr. Carried.

Commissioner Mulder moved the approval of Resolution #11-7-64, to Authorize Application for Byrne-Adult Drug Court Grant Renewal.

WHEREAS, the Office of Drug Control Policy has Byrne Memorial Grant funds available through an inter-agency agreement with the Michigan State Court Administrative Office; and

WHEREAS, the Community Corrections Department has operated an Adult Drug Court since 2007/2008 fiscal year which has been grant funded; and

WHEREAS, the grant would provide funding to continue the Adult Circuit Court Drug Court; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize the Community Corrections Department to submit a grant application in an amount not to exceed \$119,308 for the period of October 1, 2011 to September 30, 2012; and

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

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

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners be authorized to sign any necessary documents. Seconded by Commissioner Eakin. Carried.

Commissioner Mulder moved the approval of Resolution #11-7-65, to Authorize Application for Drug Court Grant Under the State Court Administrative Offices.

WHEREAS, the Eaton County Circuit Court through the Eaton County Community Corrections Department, has operated a priority drug court grant since 2007; and

WHEREAS, the State of Michigan is making grant funds available for the period of October 1, 2011 to September 30, 2012; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize the Community Corrections Department to submit a grant application in an amount not to exceed \$119,308; and

BE IT FURTHER RESOLVED, that if the grant is not continued or requires a County appropriation, the continuation of the grant funded positions will be reviewed by the appropriate committees to determine the necessity of the General Fund commitment; and

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

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners or his designee be authorized to sign any necessary contracts or documents. Seconded by Commissioner Baker. Carried.

Commissioner Mulder moved the approval of Resolution #11-7-66, to approve 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>ANIMAL CONTROL - 430</u>		
Increase	Salaries - Temporary		\$ 5,500
Increase	Fringe Benefits	\$ 450	
	<u>SHERIFF CORRECTIONS - 302</u>		
Decrease	Food Supplies		\$ 5,950

To increase the Animal Control budget for cost of temporary part-time Animal Control census position for 2010/2011 budget.

TRANSFERS-OUT - 999

Decrease	Transfers-Out Computer Fund	\$ 26,990
Decrease	Fund Balance Carryover	\$ 26,990

To decrease the General Fund appropriation to the Computer Fund for the following projects: Storage Area Network, Server Virtualization and Fiber Optic Cabling Project for the portion funded by the Register of Deeds Technology Fund.

EMERGENCY SERVICES - 426

Decrease	Salary and Fringe	\$106,524
Decrease	Supplies and Other Services	\$ 15,692
Increase	Transfers-Out	\$122,216

To increase budget for transfer of Emergency Services budget to Central Dispatch. Seconded by Commissioner Ridge. Carried.

Commissioner Mulder moved the approval of Resolution #11-7-67, to approve 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:

REGISTER OF DEEDS TECHNOLOGY FUND - 257

Increase	Fund Balance Carryover	\$ 26,990
Increase	Transfers-Out	\$ 26,990

To increase Transfers-Out to the General Fund for the following projects: Storage Area Network, Server Virtualization and Fiber Optic Cabling Project for the portion funded by the Register of Deeds Technology Fund.

COMPUTER FUND - 298

Increase	Computer Equipment	\$ 2,000
Increase	Transfers-In	\$ 2,000

To increase budget for the BS&A tax software program training and installation with a transfer from the Delinquent Tax Fund.

CENTRAL DISPATCH - 261

Increase	Salary and Fringe	\$106,524
Increase	Supplies and Other Services	\$ 15,692
Increase	Transfers-In	\$122,216

To increase budget for transfer of Emergency Services budget to Central Dispatch. Seconded by Commissioner Eakin. Carried.

Commissioner Mulder moved to approve payment of the 2012 Michigan Association of Counties Membership Dues in the amount of \$13,238.59. Seconded by Commissioner Hoffman. Carried. Nay; Commissioner Hosey.

Commissioner Mulder moved the approval of claims as audited by the Ways and Means Committee in the amount of \$413,523.34 and to accept the report of previously authorized payments. Seconded by Commissioner Eakin. Carried.

Commissioner Mulder moved the approval of Resolution #11-7-68, to approve Continuing Disclosure Agreement for the Gettysburg Drain.

WHEREAS, the Eaton County Drain Commissioner has undertaken proceedings for the improvement of the Gettysburg Drain under the provisions of Chapter 8 of the Drain Code of 1956, as amended, being Act 40 of the Public Acts of Michigan of 1956, as amended ("Act 40"), pursuant to a petition filed with the Eaton County Drain Commissioner; and

WHEREAS, the Drain Commissioner intends to authorize and provide, by order (the "Bond Authorizing Order"), for the issuance by the Gettysburg Drain Drainage District (the "Drainage District") of bonds (the "Bonds") in the aggregate principal amount of \$2,950,000, in anticipation of the collection of an equal amount of special assessments against property and public corporations in the Drainage District; said special assessments having been duly confirmed as provided in Act 40; and

WHEREAS, by prior resolution of this Board of Commissioners, the County has consented to the pledge of the County's full faith and credit of the County for repayment of the Bonds; and

WHEREAS, in conjunction with the issuance of the Bonds by the Drain Commissioner for the Drainage District and the County's full faith and credit pledge for the Bonds, it is necessary that the County enter into a written undertaking in accordance with SEC Rule 15c2-12 (the "Rule"); and

WHEREAS, in evidence thereof a proposed Continuing Disclosure Agreement (Obligated Person) (the "Undertaking"), in the form attached hereto as Exhibit A, has been presented to the Board of Commissioners.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1.The County, acting by and through its Board of Commissioners, hereby covenants and agrees, for the benefit of the holders of the Bonds, to execute the Undertaking in substantially the form attached hereto as Exhibit A, as the written undertaking of the County required by the Rule and to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. This Undertaking shall be enforceable by the holders of the Bonds in the manner set forth therein and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds.

2.The Undertaking is hereby approved in the form presented to the Board of Commissioners, and the County Treasurer is hereby authorized and directed to execute the Undertaking and deliver the same for and on behalf of the County in conjunction with the delivery of the Bonds in accordance with the Bond Authorizing Order, together with such additions and deletions as said officer deems to be appropriate and in the best interest of the County (in such number of counterparts as may be desirable).

3.The Undertaking, as presented to the Board of Commissioners on this date, shall be kept on file at the office of the County Clerk for public inspection together with a certified copy of this resolution.

4.All resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded. Seconded by Commissioner Baker. Carried. (copy of Attachment A on file)

Commissioner Mulder moved the approval of Resolution #11-7-69, for charitable gaming license. That the request from Michigan Council for Exceptional Children, Delta Township, County of Eaton, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses, be considered for approval. Seconded by Commissioner Ridge. Carried.

Public Comment. Claudine Hannold, Director of Community Development thanked the Board for their approval of the 2011 Eaton County Master Plan.

Drain Commissioner Mike Atayan reported that only one drain petition has been approved under his administration and MDOT was the petitioner. No petitions have been received for consideration to establish new drainage districts as this time.

Commissioner Comment. Commissioner Barr invited all Commissioners to the 15th Annual Olivet Fireman's Day, July 30th. Commissioner Whittum noted his concern regarding parking lot repaving that was approved by the Ways and Means Committee during difficult times with the county budget. Commissioner Hoffman thanked the Ways and Means Committee and Department Heads who are addressing budget issues and recommends the board prepare a strategic plan for the future. Commissioner Baker welcomed all commissioners to attend the Ways and Means Committee meetings. Commissioner Mulder commented that he would also like to consider strategic planning. Commissioner Mulder added the county's infrastructure, namely the parking lot needs to be maintained before more deterioration occurs. Commissioner Hosey invited everyone to the Sunfield Farmers Picnic in August. Chairman Forell indicated the Health Department is looking into issues that have arisen regarding TOST. He also stressed the importance of all new Commissioners being educated on how the county budget and programs operate to be better able to identify areas of need and make better decisions regarding the budgeting process. Commissioner Hoffman feels the county needs to broaden the budgeting process to determine what the county can afford.

There was no Unfinished Business and Old Business.

New Business. Chairman Forell noted the Parks Commission received declarations from the Michigan House of Representatives and Michigan Senate declaring July 2011 as Parks and Recreation Month in the State of Michigan.

Commissioner Eakin moved the meeting adjourn to Wednesday, August 17, 2011 at 7:00 PM. Seconded by Commissioner Barr. Carried.

Chairman of the Board of Commissioners

Clerk of the Board of Commissioners