

EATON COUNTY BOARD OF COMMISSIONERS

JUNE 15, 2011

The Eaton County Board of Commissioners met in recessed session at the County Facilities, in the City of Charlotte, Wednesday, June 15, 2011.

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

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

Commissioner Barr 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 removed item #14 from the Ways and Means Committee report. Controller Fuentes added 2 items under New Business, approval of a gaming license and resolution regarding disposal of medications.

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

Commissioner Baker moved the minutes of May 18, 2011 be approved as presented. Seconded by Commissioner Boles. Carried.

Communications.

- 1/ Notice of the MTA picnic June 27th, 6:30 at Fox Park, Benton Township.
- 2/ Minutes of the MTA meeting of March 28, 2011.
- 3/ Email from Curt and Juana Brockhaus and family concerning a Community Mental Health home.
- 4/ Thank you from the family of former Commissioner Bob Johnson.
- 5/ Acknowledgement from Eaton Community Hospice for the donation in memory of Bob Johnson.

Public Comment. Robert Rice, 11072 Five Point Hwy, Nashville MI spoke about a delay until August in obtaining the zoning variance he needs to replace his home that burned.

Chairman Forell forwarded the concern to the Public Works and Planning Committee. Commissioners Ridge and Baker indicated they have been made aware of Mr. Rice's situation and will follow up.

Honorable Julie Reincke, Judge of District Court updated Commissioners on the great things happening in the District Court.

On behalf of the IMAGINE Association, Dr. Bob Sobie, County IT Director, presented a GIS for Everyone Award to Eric Daley, County GIS Manager. Eric won the award for the work he did converting the County Plat Book into an electronic format thereby saving the county \$13,000.

Commissioner Hoffman moved the approval of Resolution #11-6-44, Resolution to Change the Name of the Eaton County Medical Care Facility.

WHEREAS, the Department of Human Services Board has requested a name change be considered for the Eaton County Medical Care Facility; and

WHEREAS, the Health and Human Services Committee discussed this request at its June regular meeting and is recommending such a change.

NOW, THEREFORE BE IT RESOLVED, that the name of the Eaton County Medical Care Facility be changed to Eaton County Health and Rehabilitation Services, effective October 1, 2011.

Seconded by Commissioner Eakin. Discussion was held. Motion carried.

Commissioner Baker moved Edward R. Seifert be appointed to the Construction Code Board of Appeals for the citizen appointment to fill an unexpired term expiring on 12-31-13. Seconded by Commissioner Whittum. Carried.

Commissioner Mulder moved the approval of the Statement of Computations, 2011 tax limitation valuations for local school operating millage (all properties). Seconded by Commissioner Ridge. Carried. (Copy on file)

Commissioner Mulder moved the approval of Resolution #11-6-45, General Operating Millage for General County Operations.

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.

Seconded by Commissioner Barr. Carried.

Commissioner Mulder moved the approval of Resolution #11-6-46, Extra Voted Millage for the County Jail (Bonded Debt) and Operation of Same.

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.

Seconded by Commissioner Eakin. Carried.

Commissioner Mulder moved the approval of Resolution #11-6-47, Extra Voted Millage for the Operation of the 911 Emergency System.

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.

Seconded by Commissioner Baker. Carried.

Commissioner Mulder moved the approval of Resolution #11-6-48, Extra Voted Millage for Eaton County Juvenile Services.

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.

Seconded by Commissioner Eakin. Carried.

Commissioner Mulder moved the approval of Resolution #11-6-49, Extra Voted Millage for the Eaton County Medical Care Facility Debt Retirement.

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.

Seconded by Commissioner Baker. Carried.

Commissioner Mulder moved the approval of Resolution #11-6-50, Extra Voted Millage for the Eaton County Transportation Authority (EATRAN).

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

Seconded by Commissioner Baker. Carried.

Commissioner Mulder moved the approval of Resolution #11-6-51, Farmland Agreement for Aaron J. Southworth in Roxand Township.

WHEREAS, Aaron J 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 26.2 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 June 15, 2011 does hereby approve the Farmland and Open Space Application filed by Aaron J Southworth for property located in Roxand Township.

Seconded by Commissioner Hosey. Carried.

Commissioner Mulder moved the approval of Resolution #11-6-52, Farmland Agreement for Armon J. and Cynthia A. Southworth, Roxand Township.

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 67.0 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 June 15, 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 Hosey. Carried.

Commissioner Mulder moved the approval of Resolution #11-6-53, Farmland Agreement for Robert L. McElmurry, Eaton Rapids Township.

WHEREAS, Robert L McElmurry filed a Farmland and Open Space Application for property located in Eaton Rapids Township with the Eaton County Clerk's Office in April of 2011; and

WHEREAS, this application includes 80.00 acres; and

WHEREAS, the applicant is requesting a 22 year agreement; and

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

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

THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners at its regularly scheduled meeting on June 15, 2011 does hereby approve the Farmland and Open Space Application filed by Robert L McElmurry for property located in Eaton Rapids Township.

Seconded by Commissioner Whittum. Carried.

Commissioner Mulder moved the approval of Resolution #11-6-54, Farmland Agreement for Dan E. Winslow, Eaton Rapids Township.

WHEREAS, Dan E Winslow filed a Farmland and Open Space Application for property located in Eaton Rapids Township with the Eaton County Clerk's Office in April of 2011; and

WHEREAS, this application includes 17.99 acres; and

WHEREAS, the applicant is requesting a 10 year agreement; and

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

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

THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners at its regularly scheduled meeting on June 15, 2011 does hereby approve the Farmland and Open Space Application filed by Dan E Winslow for property located in Eaton Rapids Township.

Seconded by Commissioner Whittum. Carried.

Commissioner Mulder moved the approval of Resolution #11-6-55, Full Faith & Credit of Eaton County for the Prompt Repayment of Principal & Interest on the Gettysburg Drain Bonds.

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, for the issuance by the Gettysburg Drain Drainage District (the "Drainage District") of bonds (the "Bonds") in the aggregate principal amount not to exceed \$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, the proposed Bonds of the Drainage District are to be designated "Drainage Bonds, Series 2011," and will bear interest at a rate not exceeding 7% per annum; and

WHEREAS, the Drain Commissioner deems it advisable and necessary to obtain from this Board a resolution consenting to the pledge of the full faith and credit of the County on the Bonds; and

WHEREAS, the improvements to said Drain are necessary to protect and preserve the public health and therefore it is in the best interest of the County of Eaton that the Bonds be sold.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. Pursuant to the authorization provided in Section 276 of Act 40, and in accordance with the Eaton County Board of Commissioners' Full Faith and Credit Policy adopted by the Board of Commissioners, the County Board of Commissioners does hereby irrevocably pledge the full faith and credit of the County of Eaton for the prompt payment of the principal of and interest on the Bonds, and does agree that in the event that the property owners or public corporations in the County of Eaton shall fail or neglect to account to the County Treasurer of the County of Eaton for the amount of any special assessment installment and interest (in anticipation of which the Bonds are issued), when due, then the amount thereof shall be immediately advanced from County funds, and the County Treasurer is directed to immediately make such advancement to the extent necessary.

2. In the event that, pursuant to said pledge of full faith and credit, the County of Eaton advances out of County funds, all or any part of said installment and interest, it shall be the duty of the County Treasurer and the County Drain Commissioner, for and on behalf of the County of Eaton, to take all actions and proceedings and pursue all remedies permitted or authorized by law for the reimbursement of such sums so paid.

3. The County Controller and County Drain Commissioner are each hereby separately authorized and directed to execute and file on behalf of the County and/or Drainage District any necessary application or request for exception, necessary or required by Act 40 or the Revised Municipal Finance Act, Act 34 of the Public Acts of Michigan of 2001, as amended, for the issuance of the Bonds.

4. All resolutions and parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

Seconded by Commissioner Baker. Carried.

Commissioner Mulder moved the approval of Resolution #11-6-56, General Fund budget.

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:

EQUALIZATION - 225

Increase	Tax Revenue	\$ 17,250
Increase	Contractual	\$ 17,250

To increase the total budget for the cost and associated revenue of the personal property discovery program final invoice.

Seconded by Commissioner Hosey. Carried.

Commissioner Mulder moved the approval of claims as audited by the Ways and Means Committee in the amount of \$206,790.70 and to accept the report of previously authorized payments. Seconded by Commissioner Hosey. Carried.

There was no Public Comment.

Commissioner Comment. Commissioner Osieczonek announced former EATRAN board member Bob Carter passed away. Commissioner Baker invited all to the Celebrate Charlotte festival this weekend. Commissioner Hoffman congratulated Grand Ledge baseball coach Pat O'Keefe on winning the Diamond Classic. Commissioner Mulder invited Commissioners to the City of Grand Ledge's Yankee Doodle Days. Commissioner Hosey reminded everyone the 4H Fair is in July. Commissioner Whittum reported he was invited to spend the day with the police department of the City of Muskegon. Chairman Forell thanked those who attended the Employee Recognition picnic today.

There was no Unfinished Business or Old Business.

New Business.

Commissioner Forell moved the approval of Resolution #11-6-57, Charitable Gaming License.

That the request from Friends of the Delta Township District Library of 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 Boles. Carried.

Commissioner Forell moved the approval of Resolution #11-6-58, proclaiming July 2011 safe storage and disposal of medications month in Eaton County.

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 aren't safely stored and secured could be taken by our children and teens to get high; and

WHEREAS the 2010 Michigan Profile for Healthy Youth (MiPHY) results show that 15.1% of Eaton County 7th grade students and 9.9% of 11th grade students reported using a prescription drug like OxyContin, Codeine, Percocet or Tylenol 3 without a doctor's prescription 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, currently there is no method to capture these waste medicines through wastewater treatment or environmental clean-up; and,

WHEREAS, Eaton County Resource Recovery Department collected 892 pounds of medications so far in 2011 and has four scheduled medicine take-back opportunities in Delta Township, Eaton Rapids and Charlotte in 2011; and,

WHEREAS, the Eaton County Substance Abuse Advisory Group (ECSAAG), the General Federation of Women's Clubs-Charlotte, 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:

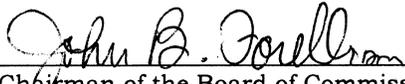
1. The Eaton County Board of Commissioners proclaims July 2011 as Safe Storage and Disposal of Medications in Eaton County Month

2. The Eaton County Board of Commissioners call upon all citizens, parents, youth, governmental agencies, public and private institutions, businesses and workplaces, and schools in Eaton County to support ECSAAG initiatives and other local efforts to safely store and dispose of medications to reduce deaths and poisoning and protect our environment from unused medications.

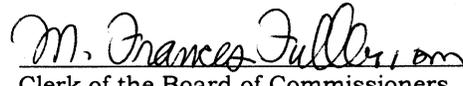
BE IT FURTHER RESOLVED, that the Clerk of Eaton County is requested to forward copies of this adopted resolution to the ECSAAG in support of their effort to safely store and dispose of medications in Eaton County.

Seconded by Commissioner Barr. Carried.

Commissioner Eakin moved the meeting adjourn to Wednesday, July 20, 2011 at 7:00 PM. Seconded by Commissioner Freeman. Carried.



Chairman of the Board of Commissioners



Clerk of the Board of Commissioners