

STATE OF MICHIGAN  
 COUNTY OF EATON ROLL CALL AND VOTES IN BOARD OF COMMISSIONER'S  
 October 19 SESSION A.D. 2011

ROLL CALL

			ON MOTION TO		ON MOTION TO		ON MOTION TO	
			Duane Eldred	Winkler	PA 152 of 2011			
A.M.	P.M.	COMMISSIONERS	AYE	NAY	AYE	NAY	AYE	NAY
	✓	MICHAEL HOSEY	✓		✓			
	✓	BLAKE MULDER		✓	✓			
	✓	SUSAN HOFFMAN		abstained	abstained			
	✓	LARRY BRUNETTE		✓	✓			
	✓	JAMES OSIECZONEK		✓	✓			
	✓	JOHN BOLES		✓	✓			
	✓	GLENN H. FREEMAN III	✓		✓			
	✓	JOSEPH C. BREHLER	✓		✓			
		ROGER EAKIN						
	✓	WAYNE RIDGE	✓		abstain			
	✓	L. DARYL BAKER	✓		✓			
	✓	DALE BARR	✓		✓			
	✓	JEREMY WHITTUM	✓		✓			
	✓	BEN COLESTOCK		✓	✓			
	✓	JOHN FORELL	✓		✓			
			8	5	12	0		

EATON COUNTY BOARD OF COMMISSIONERS

OCTOBER 19, 2011

The Eaton County Board of Commissioners met in regular session at the County Facilities, in the City of Charlotte, Wednesday, October 19, 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, Wayne Ridge, L. Daryl Baker, Dale Barr, Jeremy Whittum, Ben Colestock, John Forell. Commissioners absent; Roger Eakin.

Chairman Forell asked for additions or corrections to the agenda. Commissioner Freeman noted the need to appoint a member to a FEMA Program Board. Chairman Forell placed the appointment under New Business as item #3.

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

Commissioner Baker moved the minutes of September 6 and 21, 2011 be approved as presented. Seconded by Commissioner Ridge. Carried.

Communications.

1/ Letter from Judge Thomas Eveland recommending Mardelle Weymouth be reappointed to the Jury Board.

2/ Letter from Jacky Tennis, Chair of the County Democratic Party recommending the reappointment of Shirley Rapelje to the Board of Canvassers.

3/ Letter from Barb Rogers, Chair of the County Republican Party recommending the appointment of Norma Jean Morton to the Board of Canvassers.

4/ Letter from Blair Miller requesting his name be removed from consideration for appointment to the Planning Commission. Chairman Forell referred the appointment back to committee.

5/ Letter from Marilyn Rutter requesting she be considered for reappointment to the Planning Commission.

Public Comment.

Bill Siarny, Library Director of the Charlotte Community Library spoke about the reallocation of penal fines and the effect on libraries.

Commissioner Hoffman moved Leonard Peters be re-appointed to the Department of Human Services for a 3-year term of office expiring December 31, 2014. Seconded by Commissioner Barr. Carried.

Commissioner Hoffman moved Gloria Kovnot be re-appointed to the Tri-County Aging consortium Advisory Council for a 3-year term of office expiring December 31, 2014. Seconded by Commissioner Boles. Carried.

Commissioner Hoffman moved the approval of Resolution #11-10-87, Recognizing Homeless Awareness Week.

WHEREAS, statistics maintained by the Michigan Coalition Against Homelessness and the Michigan State Housing Development Authority recorded more than 100,000 homeless people in Michigan in 2009; and

WHEREAS, more than 500 households in Eaton County have experienced a housing crisis during the past year; and

WHEREAS, the Eaton County Continuum of Care, a committee of the Eaton County Human Services Collaborative Council, works to coordinate services to the homeless in Eaton County; and

WHEREAS, despite efforts to shorten shelter stays and promote the rapid re-housing of the homeless, the Eaton County Continuum of Care continues to see an increase in the number of households seeking emergency assistance; and

WHEREAS, Homeless Awareness Week is recognized nationally as the week of November 12 – 20, 2011.

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners hereby designates November 12-20, 2011 as Homeless Awareness Week in Eaton County, and encourages all residents to join in the effort to end homelessness in Michigan in the next several years.

Seconded by Commissioner Osieczonek. Carried.

Commissioner Baker moved Clyde Swanson be appointed to the Construction Code Board of Appeals –to a 3-year term expiring December 31, 2014. Seconded by Commissioner Ridge. Carried.

Commissioner Baker moved Edward Seifert be appointed to the Construction Code Board of Appeals –to a 3-year term expiring December 31, 2014. Seconded by Commissioner Whittum. Carried.

Commissioner Baker moved Donald Colestock be appointed to the Brownfield Redevelopment Authority –to a 3-year term expiring December 31, 2014. Seconded by Commissioner Whittum. Carried.

Commissioner Baker moved Sheryl Smith be appointed to the Purchase of Development Rights Selection Committee –to a 3-year term expiring December 31, 2014. Seconded by Commissioner Hosey. Carried.

Commissioner Baker moved Barbara Rogers be appointed to the Purchase of Development Rights Selection Committee –to a 3-year term expiring December 31, 2014. Seconded by Commissioner Barr. Carried.

Commissioner Baker moved Allen Krizek be appointed to the Purchase of Development Rights Selection Committee –to a 3-year term expiring December 31, 2014. Seconded by Commissioner Whittum. Carried.

Commissioner Baker moved Charamy Cleary be appointed to the Zoning Board of Appeals –to 3-year term expiring December 31, 2014. Seconded by Commissioner Hosey. Carried.

Commissioner Baker moved Charlene Wagner be appointed to the Eaton County Transportation Authority (EATRAN) –to a 3-year term expiring December 31, 2014. Seconded by Commissioner Ridge. Carried.

Commissioner Baker moved Robert McConnell be appointed to the Parks & Recreation Commission –to a 3-year term expiring December 31, 2014. Seconded by Commissioner Barr. Carried.

Commissioner Baker moved the names of Duane Eldred and Edward Winkler be presented as nominees for appointment to the Road Commission and requested a voice vote. Seconded by Commissioner Brehler. Discussion was held. Voice vote was tallied and carried with Commissioner Hoffman abstaining. Roll call results, Duane Eldred received the appointment for a 6-year term expiring December 31, 2017.

Commissioner Baker moved Jeana Rohrs be appointed to the Planning Commission –to a 3-year term expiring December 31, 2014. Seconded by Commissioner Boles. Carried.

Commissioner Baker moved Ronald Wilson be appointed to the Planning Commission –to a 3-year term expiring December 31, 2014. Seconded by Commissioner Hosey. Carried. Nay: Whittum.

Commissioner Baker moved the approval of Resolution #11-10-88, approving a Regional Brownfield's Redevelopment Coalition.

WHEREAS the mid-Michigan region of Clinton, Eaton and Ingham Counties in Michigan is host to a variety of previously used and/or contaminated development sites and shares many common concerns and challenges in the identification, assessment, and successful redevelopment of previously used and potentially contaminated sites, and

WHEREAS, Eaton County has identified a need to identify, assess, and implement the cleanup and redevelopment or reuse of brownfield's in our region in order to encourage economic development, and

WHEREAS together in a Brownfield's Redevelopment Coalition we can improve and expand our regional economy while protecting our region's rural farmlands and undeveloped areas by encouraging and supporting the reuse and redevelopment of existing sites throughout our three county region, and

WHEREAS participating in a regional Brownfield's redevelopment coalition does not preclude or limit the activities of our existing brownfield's redevelopment and economic development initiatives but does capitalize on our cooperation and offers us economies and efficiencies that can enhance our effectiveness on a regional basis.

NOW THEREFORE BE IT RESOLVED that Eaton County hereby resolves to join the Regional Brownfield Redevelopment Coalition and establish it for the purpose of developing and implementing brownfield site assessment and redevelopment education and projects in our region.

AND BE IT FURTHER RESOLVED that the Coalition will apply for USEPA grants and funding to facilitate conducting environmental assessments for development properties that will reduce risk and increase successful job creation and retention while supporting brownfield's site assessments, cleanups and developments in our region.

AND, BE IT FURTHER RESOLVED that the Coalition will apply to USEPA for a Hazardous Materials Assessment grant of \$600,000 as well as a USEPA Petroleum Site Assessment grant for \$375,000 in funding. In order to provide education and to conduct environmental assessments to facilitate the cleanup and reuse of brownfield sites that will reduce risk and increase successful job creation and retention while supporting brownfield's site assessments, cleanups and developments in our region.

Seconded by Commissioner Whittum. Carried.

Commissioner Mulder moved JoeAnn Nehmer and Joyce Miller be appointed to the Historical Commission for 3-year terms of office expiring December 31, 2014. Seconded by Commissioner Hosey. Carried.

Commissioner Mulder moved the approval of Resolution #11-10-89, to adopt the 2011 Apportionment Report.

WHEREAS, The Michigan Compiled Laws, Section 211.37, as amended, requires the Eaton County Board of Commissioners to approve the Apportionment Report at their annual session in October; and

WHEREAS, The apportionment report contains the 2011 Certified Millage Rates authorizing monies to be raised for the county, townships, cities, villages, schools, and authorities; and

WHEREAS, all copies of statements and certificates have been filed regarding monies to be raised, which are authorized by law.

NOW, THEREFORE, BE IT RESOLVED, That the attached list of millage rates are presented for adoption as the levies to be apportioned to the various taxing units in Eaton County for 2011.

Seconded by Commissioner Baker. Carried. (Copy of attachment on file)

Commissioner Mulder moved the approval of Resolution #11-10-90, to approve Farmland Agreements for John and Denise Forell.

WHEREAS, John & Denise Forell both as Trustees of the John Forell Trust & Denise Forell Trust filed 20 Farmland and Open Space Applications for properties located in Sunfield, Roxand, Chester & Benton Townships with the Eaton County Clerk's Office in August of 2011; and  
WHEREAS, these applications include a total of 32 parcels of which total 1,683.28 acres; and  
WHEREAS, the applicant is requesting a 30 year agreements; and  
WHEREAS, a copy of these applications were sent to all reviewing agencies as required by the act; and  
WHEREAS, the Eaton County Ways & Means Committee has reviewed these applications and is recommending approval.

THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners at its regularly scheduled meeting on October 19, 2011 does hereby approve the Farmland and Open Space Applications filed by John & Denise Forell Trustees for properties located in Sunfield, Roxand, Chester & Benton Township. See attached Addendum A.

Seconded by Commissioner Hosey. Carried. Abstained; Chairman Forell. (Addendum A on file)

Commissioner Mulder moved the approval of Resolution #11-10-91, to approve Farmland Agreements for Brian and Debbra Henney.

WHEREAS, Brian & Debbra Henney filed 3 Farmland and Open Space Applications for property located in Sunfield and Vermontville Townships with the Eaton County Clerk's Office in September of 2011; and

WHEREAS, these applications include a total of 4 parcels of which total 318.61 acres; and

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

WHEREAS, a copy of these applications were sent to all reviewing agencies as required by the act; and

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

THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners at its regularly scheduled meeting on October 19, 2011 does hereby approve the Farmland and Open Space Applications filed by Brian & Debbra Henney for properties located in Sunfield and Vermontville Townships as amended on October 6, 2011. See attached Addendum A.

Seconded by Commissioner Ridge. Carried. (Addendum A on file)

Commissioner Mulder moved the approval of Resolution #11-10-92, to approve a Farmland Agreement for Stephen J. and Vikki E. Spitzley.

WHEREAS, Stephen J & Vikki E Spitzley filed a Farmland and Open Space Application for property located in Sunfield Township with the Eaton County Clerk's Office in July of 2011; and

WHEREAS, this application includes 37.15 acres; and

WHEREAS, the applicant is requesting a 20 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 October 19, 2011 does hereby approve the Farmland and Open Space Application filed by Stephen J & Vikki E Spitzley for property located in Sunfield Township.

Seconded by Commissioner Hosey. Carried.

Commissioner Mulder moved the approval of Resolution #11-10-93, to Approve Delinquent Tax Note Bond Counsel.

WHEREAS, the County Treasurer has prepared and distributed bid packages for Delinquent Tax Note Bond services for a three year period; and

WHEREAS, the Ways and Means Committee has reviewed the bids received.

NOW, THEREFORE, BE IT RESOLVED, that the Thrun law firm be awarded the designation of County Delinquent Tax Bond Counsel for the three year period ending December 31, 2014; and

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners or his designee be authorized to sign the necessary Agreement.

Seconded by Commissioner Hoffman. Carried.

Commissioner Mulder moved the approval of Resolution #11-10-94, to Approve Medical Care Facility Refunding Bond Counsel.

WHEREAS, the Board of Commissioners approved a Full Faith and Credit Policy on September 21, 2011; and

WHEREAS, that Policy provides for the services of a Project Bond Counsel for any project that is requesting the full faith and credit of the County; and

WHEREAS, the County Treasurer has prepared and distributed bid packages for Bond Counsel services for the Medical Care Facility Bond Refunding; and

WHEREAS, these bids were received and have been reviewed by the Ways and Means Committee.

NOW, THEREFORE, BE IT RESOLVED, that the following firm be awarded the Bond Counsel designation for the Medical Care Facility Bond Refunding:

- The Dykema Gossett Law Firm (in the amount of \$12,500); and

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners or his designee be authorized to sign any necessary agreements.

Seconded by Commissioner Ridge. Carried.

Commissioner Mulder moved the approval of Resolution #11-10-95, to approve County Bond Financial Consultant for Delinquent Tax Notes.

WHEREAS, the Board of Commissioners approved a Full Faith and Credit Policy on September 21, 2011; and

WHEREAS, that Policy provides for the services of a Financial Consultant; and

WHEREAS, the County Treasurer has proposed Stauder Barch as the financial consultant for the Delinquent Tax Notes; and

WHEREAS, the Ways and Means Committee has reviewed this proposal.

NOW, THEREFORE, BE IT RESOLVED, that the firm of Stauder Barch be awarded the designation of Financial Consultant for the Delinquent Tax Notes for a three year period ending December 31, 2014; and

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners or his designee be authorized to sign the necessary Agreement.

Seconded by Commissioner Hosey. Carried.

Commissioner Mulder moved the approval of Resolution #11-10-96, to Approve County Bond Financial Consultant for Medical Care Facility Bond Refunding.

WHEREAS, the Board of Commissioners approved a Full Faith and Credit Policy on September 21, 2011; and

WHEREAS, that Policy provides for the services of a Financial Consultant; and

WHEREAS, the County Treasurer has proposed Public Financial Management (PFM) as the financial consultant for the Medical Care Facility Bond Refunding; and

WHEREAS, the Ways and Means Committee has reviewed this proposal.

NOW, THEREFORE, BE IT RESOLVED, that the firm of Public Financial Management (PFM) be awarded the designation of Financial Consultant for the Medical Care Facility Bond Refunding; and

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners or his designee be authorized to sign the necessary Agreement.

Seconded by Commissioner Brehler. Carried.

Commissioner Mulder moved the approval of the 2012 holiday schedule. Seconded by Commissioner Barr. Carried. (Copy on file)

Commissioner Mulder moved the approval of Resolution #11-10-97, to exempt Eaton County from the Provisions of 2011 PA 152 for calendar year 2012.

WHEREAS, on September 27, 2011, 2011 P.A. 152, an act to limit a public employer's expenditures for employee medical benefit plans, became immediately effective; and

WHEREAS, previously, on September 21, 2011, Eaton County's Budget for Fiscal Year 2011 - 2012 was adopted by the Eaton County Board of Commissioners; and

WHEREAS, the adopted Eaton County Budget for Fiscal Years 2011 - 2012 is balanced, maintains responsible recommended general fund equity balances and funds current employee medical benefit plans within existing revenues; and

WHEREAS, for the health plan currently available to Eaton County employees, employees currently contribute 5% of the 2012 illustrative rates and contribute increased out of pocket expenses and higher deductibles to reduce county expenditures; and

WHEREAS, vigorous challenges to the legality of Act 152 are expected and the costs associated with litigation required to support the validity of Act 152 will likely be substantial; and

WHEREAS, Section 8 of Act 152 authorizes a local unit of government, defined to include a county government, upon a 2/3 vote of the governing body, to exempt itself from the requirement of the act for the next succeeding year; and

WHEREAS, by exempting itself under Section 8 of Act 152 for calendar year 2012, Eaton County can avoid costs of litigation, avoid the expense of conducting a new "open enrollment" selection process allowing the County to continue making changes over time that yield significant reductions in health care costs in a manner that is fair to both taxpayers and employees; and

WHEREAS, exempting Eaton County from Act 152 for calendar year 2012 is equitable considering that Eaton County's employees have already demonstrated by their actions a continuing willingness to fairly share in the burden of meeting the significant economic challenges associated with Michigan's long recession; and

WHEREAS, in addition to sharing the burden of health care costs by all employees contributing over \$2.7 million since 1997, Eaton County's non - 312 eligible employees made significant wage and salary concessions by accepting a salary freeze since fiscal year 2008 - 2009.

WHEREAS, the equitable nature of a 2012 exemption for Eaton County employees is further demonstrated by the fact that the State of Michigan, as the employer of some 45,000 workers, effectively exempted itself from the mandate of Act 152 by refusing to place the question of applying Act 152's limitations to state workers on the ballot.

NOW, THEREFORE, BE IT RESOLVED, that acting pursuant to the authority granted a county under Section 8 of Act 152, the Eaton County Board of Commissioners hereby exempts Eaton County from the requirements of 2011 P.A. 152 for calendar year 2012.

Seconded by Commissioner Brehler. Discussion held. Roll Call Vote. Ayes; Hosey, Mulder, Brunette, Osieczonek, Boles, Freeman, Brehler, Baker, Barr, Whittum, Colestock, Forell. Nays; None. Abstained; Hoffman, Ridge. Absent; Eakin. Carried.

Commissioner Mulder moved to exclude temporary employees from membership in MERS under plan document section 3(2). Seconded by Commissioner Barr. Carried. Nays; Brehler, Hosey.

Commissioner Mulder moved to accept the ratification of a facilitation settlement, discussed at Ways and Means Committee as recommended by legal counsel. Seconded by Commissioner Boles. Carried. Nays; Brehler, Whittum.

Commissioner Mulder moved the approval of Resolution #11-10-98, to Approve 2011/2012 Special Revenue Fund Budget Amendments.

WHEREAS, the Eaton County 2011/2012 Appropriations Act of September 21, 2011 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 2011/2012 Eaton County Budget:

<u>ELECTIONS - 191</u>		
Increase	Contractual	\$15,000
Decrease	Contingency	\$15,000
To increase budget for contractual elections programming.		

Seconded by Commissioner Baker. Carried.

Commissioner Mulder moved the approval of the following 2011/2012 General Fund Budget Amendment.

PUBLIC IMPROVEMENT - 245

Increase	Capital Outlay	\$285,825
Increase	Fund Balance Carryover	\$285,825

To increase budget for 2010/2011 carryover from projects in progress - Jail Roof, Rear Parking Repaving and 551 Building Carpet.  
Seconded by Commissioner Hosey. Carried.

Commissioner Mulder moved the approval of the following 2011/2012 General Fund Budget Amendment.

PUBLIC IMPROVEMENT - 245

Increase	Capital Outlay	\$ 18,000
Increase	Fund Balance Carryover	\$ 18,000

To increase budget for the replacement of 3 humidifiers located in Central Dispatch, Health Department and DHS.  
Seconded by Commissioner Ridge. Carried.

Commissioner Mulder moved the approval of the following 2011/2012 General Fund Budget Amendment.

JUVENILE MILLAGE - 296

Estimated (will be based on actual spent from 2010/11 - invoice not submitted)

Increase	Contractual - SIREN	\$ 7,000
Increase	Fund Balance Carryover	\$ 7,000

To increase budget for 2010/2011 carryover of funds as recommended by the Health and Human Services Committee.  
Seconded by Commissioner Barr. Carried.

Commissioner Mulder moved the approval of claims as audited by the Ways and Means Committee in the amount of \$550,175.75 and to accept the report of previously authorized payments. Seconded by Commissioner Baker. Carried.

Public Comments. Duane Eldred thanked Commissioners for re-appointing him to the Road Commission.

County Drain Commissioner Mike Atayan welcomed all appointees and re-appointees and invited them to Drain Office if they have drain issues.

Commissioner Comment.

Commissioner Whittum requested further explanation of the use of penal fines from Bill Siarny, Director of the Charlotte Community Library. Mr. Siarny explained that under the current county budget, the Prosecutor would be receiving funds that previously were distributed to local libraries, to fund an attorney and staff from his office to cover additional work that will be performed for Delta Township. The township adopted the Uniform Traffic Code as a municipal ordinance. This action by the township, changed the distribution of the fines associated with such violations. This will cause a reduction in funds which are distributed to libraries for operating costs.

Commissioner Barr requested Board members consider Marilyn Rutter for re-appointment to the Planning Commission.

Commissioner Osieczonek would like to see the savings that will be generated due to the refunding of bonds at a lower interest rate for the Medical Care Facility go back to the citizens of the county, if the bonds being refunded are supported by the current millage. He also expressed concern over the Board not accepting the Public Works and Planning Committee's recommendation in the Road Commission appointment. His position is that this is one of the purposes of the committee structure.

Commissioner Hoffman clarified the reconstruction bond for the Medical Care Facility is not supported by the current millage, which is being levied to retire the debt related to the facility expansion. The refunding bonds would retire the Medical Care Facility reconstruction bonds which are supported with operating revenues, not the current millage.

Commissioner Brehler recommended re-appointing Marilyn Rutter to the Planning Commission.

There was no Unfinished Business or Old Business.

New Business. Chairperson Forell explained ballots will be distributed with names of nominees for consideration and appointment to the Board of Canvassers, one from each political party. To meet the requirements of the Open Meetings Act, Commissioners need to sign their ballot and vote for their 2 choices. Once collected, Clerk Fuller will read each ballot noting the commissioner's name and the names of their choices.

The ballots were distributed, collected and tallied.

Commissioner Baker moved to approve the re-appointment of Shirley Rapelje, representing the Democratic Party and the appointment of Jean Morton representing the Republican Party to the Board of Canvassers for 4 year terms of office to expire on November 1, 2015. Seconded by Commissioner Barr. Carried.

Commissioner Mulder moved Mardelle Weymouth be reappointed to the Jury Board for a 6 year term of office expiring April 30, 2017. Seconded by Commissioner Brehler. Carried.

Chairman Forell appointed Commissioner Hoffman to the FEMA Emergency Food and Shelter Program Board representing Eaton County. Seconded by Commissioner Baker. Carried.

Chairman Forell introduced his wife Denise who was in the audience.

Chairman Baker adjourned the meeting to Wednesday, November 16, 2011 at 7:00 PM. Seconded by Commissioner Boles. 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**

**OCTOBER 19, 2011**

**RESOLUTION TO RECOGNIZE  
HOMELESS AWARENESS WEEK,  
NOVEMBER 12-20, 2011 IN EATON COUNTY**

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

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

**WHEREAS**, statistics maintained by the Michigan Coalition Against Homelessness and the Michigan State Housing Development Authority recorded more than 100,000 homeless people in Michigan in 2009; and

**WHEREAS**, more than 500 households in Eaton County have experienced a housing crisis during the past year; and

**WHEREAS**, the Eaton County Continuum of Care, a committee of the Eaton County Human Services Collaborative Council, works to coordinate services to the homeless in Eaton County; and

**WHEREAS**, despite efforts to shorten shelter stays and promote the rapid re-housing of the homeless, the Eaton County Continuum of Care continues to see an increase in the number of households seeking emergency assistance; and

**WHEREAS**, Homeless Awareness Week is recognized nationally as the week of November 12 – 20, 2011.

**NOW, THEREFORE, BE IT RESOLVED**, that the Eaton County Board of Commissioners hereby designates November 12-20, 2011 as Homeless Awareness Week in Eaton County, and encourages all residents to join in the effort to end homelessness in Michigan in the next several years. Carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO APPROVE JOINING WITH INGHAM AND CLINTON COUNTIES TO FORM  
A REGIONAL BROWNFIELDS REDEVELOPMENT COALITION  
FOR THE PURPOSES OF APPLYING FOR GRANT FUNDS  
FROM THE US ENVIRONMENTAL PROTECTION AGENCY**

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

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

**WHEREAS** the mid-Michigan region of Clinton, Eaton and Ingham Counties in Michigan is host to a variety of previously used and/or contaminated development sites and shares many common concerns and challenges in the identification, assessment, and successful redevelopment of previously used and potentially contaminated sites, and

**WHEREAS**, Eaton County has identified a need to identify, assess, and implement the cleanup and redevelopment or reuse of brownfields in our region in order to encourage economic development, and

**WHEREAS** together in a Brownfields Redevelopment Coalition we can improve and expand our regional economy while protecting our region's rural farmlands and undeveloped areas by encouraging and supporting the reuse and redevelopment of existing sites throughout our three county region, and

**WHEREAS** participating in a regional brownfields redevelopment coalition does not preclude or limit the activities of our existing brownfields redevelopment and economic development initiatives but does capitalize on our cooperation and offers us economies and efficiencies that can enhance our effectiveness on a regional basis.

**NOW THEREFORE BE IT RESOLVED** that Eaton County hereby resolves to join the Regional Brownfield Redevelopment Coalition and establish it for the purpose of developing and implementing brownfield site assessment and redevelopment education and projects in our region.

**AND BE IT FURTHER RESOLVED** that the Coalition will apply for USEPA grants and funding to facilitate conducting environmental assessments for development properties that will reduce risk and increase successful job creation and retention while supporting brownfields site assessments, cleanups and developments in our region.

**AND, BE IT FURTHER RESOLVED** that the Coalition will apply to USEPA for a Hazardous Materials Assessment grant of \$600,000 as well as a USEPA Petroleum Site Assessment grant for \$375,000 in funding. In order to provide education and to conduct environmental assessments to facilitate the cleanup and reuse of brownfield sites that will reduce risk and increase successful job creation and retention while supporting brownfields site assessments, cleanups and developments in our region.

At the regular meeting of the Eaton County Board of Commissioners on **October 19, 2011** the Resolution regarding the approval of said request was adopted.

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

Those voting Nay: None

Abstention: None

Absent: Eakin

Motion carried.

  
\_\_\_\_\_  
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 **October 19, 2011** of the Eaton County Board of Commissioners.

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

Eaton County Board of Commissioners

October 19, 2011

Resolution to adopt the 2011

Apportionment Report

Introduced by the Ways & Means Committee

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

WHEREAS, The Michigan Compiled Laws, Section 211.37, as amended, requires the Eaton County Board of Commissioners to approve the Apportionment Report at their annual session in October; and

WHEREAS, The apportionment report contains the 2011 Certified Millage Rates authorizing monies to be raised for the county, townships, cities, villages, schools, and authorities; and

WHEREAS, all copies of statements and certificates have been filed regarding monies to be raised, which are authorized by law.

NOW, THEREFORE, BE IT RESOLVED, That the attached list of millage rates are presented for adoption as the levies to be apportioned to the various taxing units in Eaton County for 2011. Carried.



M. Frances Fuller

Clerk of the Board of Commissioners

**EATON COUNTY BOARD OF COMMISSIONERS**

**October 19, 2011**

**RESOLUTION TO APPROVE AN  
APPLICATION FOR A FARMLAND AND OPEN SPACE  
DEVELOPMENTAL RIGHTS AGREEMENT  
(PUBLIC ACT 116 OF 1974, AS AMENDED)**

**Introduced by the Ways & Means Committee**

Commissioner Mulder moved the approval of the following resolution. Seconded by Commissioner Hosey. Abstained: Chairman Forell.

WHEREAS, John & Denise Forell both as Trustees of the John Forell Trust & Denise Forell Trust filed 20 Farmland and Open Space Applications for properties located in Sunfield, Roxand, Chester & Benton Townships with the Eaton County Clerk's Office in August of 2011; and

WHEREAS, these applications include a total of 32 parcels of which total 1,683.28 acres; and

WHEREAS, the applicant is requesting a 30 year agreements; and

WHEREAS, a copy of these applications were sent to all reviewing agencies as required by the act; and

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

THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners at its regularly scheduled meeting on October 19, 2011 does hereby approve the Farmland and Open Space Applications filed by John & Denise Forell Trustees for properties located in Sunfield, Roxand, Chester & Benton Township. See attached Addendum A. Carried.

M. Frances Fuller  
M. Frances Fuller, County Clerk

October 20, 2011  
Date

**EATON COUNTY BOARD OF COMMISSIONERS**

**October 19, 2011**

**RESOLUTION TO APPROVE AN  
APPLICATION FOR A FARMLAND AND OPEN SPACE  
DEVELOPMENTAL RIGHTS AGREEMENT  
(PUBLIC ACT 116 OF 1974, AS AMENDED)**

**Introduced by the Ways & Means Committee**

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

WHEREAS, Brian & Debra Henney filed 3 Farmland and Open Space Applications for property located in Sunfield and Vermontville Townships with the Eaton County Clerk's Office in September of 2011; and

WHEREAS, these applications include a total of 4 parcels of which total 318.61 acres; and

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

WHEREAS, a copy of these applications were sent to all reviewing agencies as required by the act; and

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

THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners at its regularly scheduled meeting on October 19, 2011 does hereby approve the Farmland and Open Space Applications filed by Brian & Debra Henney for properties located in Sunfield and Vermontville Townships as amended on October 6, 2011. See attached Addendum A. Carried.

M. Frances Fuller  
M. Frances Fuller, County Clerk

October 20, 2011  
Date

**EATON COUNTY BOARD OF COMMISSIONERS**

**October 19, 2011**

**RESOLUTION TO APPROVE AN  
APPLICATION FOR A FARMLAND AND OPEN SPACE  
DEVELOPMENTAL RIGHTS AGREEMENT  
(PUBLIC ACT 116 OF 1974, AS AMENDED)**

**Introduced by the Ways & Means Committee**

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

WHEREAS, Stephen J & Vikki E Spitzley filed a Farmland and Open Space Application for property located in Sunfield Township with the Eaton County Clerk's Office in July of 2011; and

WHEREAS, this application includes 37.15 acres; and

WHEREAS, the applicant is requesting a 20 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 October 19, 2011 does hereby approve the Farmland and Open Space Application filed by Stephen J & Vikki E Spitzley for property located in Sunfield Township. Carried.

M. Frances Fuller  
M. Frances Fuller, County Clerk

October 20, 2011  
Date

**EATON COUNTY BOARD OF COMMISSIONERS**

**OCTOBER 19, 2011**

**RESOLUTION TO APPROVE  
DELINQUENT TAX NOTE BOND COUNSEL**

**Introduced by the Ways and Means Committee**

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

**WHEREAS**, the County Treasurer has prepared and distributed bid packages for Delinquent Tax Note Bond services for a three year period; and

**WHEREAS**, the Ways and Means Committee has reviewed the bids received.

**NOW, THEREFORE, BE IT RESOLVED**, that the Thrun law firm be awarded the designation of County Delinquent Tax Bond Counsel for the three year period ending December 31, 2014; and

**BE IT FURTHER RESOLVED**, that the Chairperson of the Board of Commissioners or his designee be authorized to sign the necessary Agreement. Carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**OCTOBER 19, 2011**

**RESOLUTION TO APPROVE  
MEDICAL CARE FACILITY REFUNDING BOND COUNSEL**

**Introduced by the Ways and Means Committee**

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

**WHEREAS**, the Board of Commissioners approved a Full Faith and Credit Policy on September 21, 2011; and

**WHEREAS**, that Policy provides for the services of a Project Bond Counsel for any project that is requesting the full faith and credit of the County; and

**WHEREAS**, the County Treasurer has prepared and distributed bid packages for Bond Counsel services for the Medical Care Facility Bond Refunding; and

**WHEREAS**, these bids were received and have been reviewed by the Ways and Means Committee.

**NOW, THEREFORE, BE IT RESOLVED**, that the following firm be awarded the Bond Counsel designation for the Medical Care Facility Bond Refunding:

- The Dykema Gossett Law Firm (in the amount of \$12,500); and

**BE IT FURTHER RESOLVED**, that the Chairperson of the Board of Commissioners or his designee be authorized to sign any necessary agreements. Carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**OCTOBER 19, 2011**

**RESOLUTION TO APPROVE  
COUNTY BOND FINANCIAL CONSULTANT  
FOR DELINQUENT TAX NOTES**

**Introduced by the Ways & Means Committee**

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

**WHEREAS**, the Board of Commissioners approved a Full Faith and Credit Policy on September 21, 2011; and

**WHEREAS**, that Policy provides for the services of a Financial Consultant; and

**WHEREAS**, the County Treasurer has proposed Stauder Barch as the financial consultant for the Delinquent Tax Notes; and

**WHEREAS**, the Ways and Means Committee has reviewed this proposal.

**NOW, THEREFORE, BE IT RESOLVED**, that the firm of Stauder Barch be awarded the designation of Financial Consultant for the Delinquent Tax Notes for a three year period ending December 31, 2014; and

**BE IT FURTHER RESOLVED**, that the Chairperson of the Board of Commissioners or his designee be authorized to sign the necessary Agreement. Carried.

**EATON COUNTY BOARD OF COMMISSIONERS**

**OCTOBER 19, 2011**

**RESOLUTION TO APPROVE  
COUNTY BOND FINANCIAL CONSULTANT  
FOR MEDICAL CARE FACILITY BOND REFUNDING**

**Introduced by the Ways & Means Committee**

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

**WHEREAS**, the Board of Commissioners approved a Full Faith and Credit Policy on September 21, 2011; and

**WHEREAS**, that Policy provides for the services of a Financial Consultant; and

**WHEREAS**, the County Treasurer has proposed Public Financial Management (PFM) as the financial consultant for the Medical Care Facility Bond Refunding; and

**WHEREAS**, the Ways and Means Committee has reviewed this proposal.

**NOW, THEREFORE, BE IT RESOLVED**, that the firm of Public Financial Management (PFM) be awarded the designation of Financial Consultant for the Medical Care Facility Bond Refunding; and

**BE IT FURTHER RESOLVED**, that the Chairperson of the Board of Commissioners or his designee be authorized to sign the necessary Agreement. Carried.

**GENERAL EMPLOYEES**

**2012 HOLIDAY SCHEDULE**

New Year's Day	Monday, January 2, 2012
Martin Luther King Day	Monday, January 16, 2012
President's Day	Monday, February 20, 2012
Memorial Day	Monday, May 28, 2012
Independence Day	Wednesday, July 4, 2012
Labor Day	Monday, September 3, 2012
Veteran's Day	Monday, November 12, 2012
Thanksgiving Day	Thursday, November 22, 2012
Day After Thanksgiving	Friday, November 23, 2012
Christmas Eve	Monday, December 24, 2012
Christmas Day	Tuesday, December 25, 2012
New Year's Eve	Monday, December 31, 2012

**EATON COUNTY BOARD OF COMMISSIONERS**

**OCTOBER 19, 2011**

**RESOLUTION TO EXEMPT EATON COUNTY FOR THE PROVISIONS OF 2011 P.A.  
152 FOR CALENDAR YEAR 2012**

**Introduced by the Ways and Means Committee**

Commissioner Mulder moved the approval of the following resolution. Seconded by Commissioner Brehler. Discussion was held. Roll Call Vote. Ayes; Hosey, Mulder, Brunette, Osieczonek, Boles, Freeman, Brehler, Baker, Barr, Whittum, Colestock, Forell. Nays; None. Abstained; Hoffman, Ridge. Absent; Eakin.

**WHEREAS**, on September 27, 2011, 2011 P.A. 152, an act to limit a public employer's expenditures for employee medical benefit plans, became immediately effective; and

**WHEREAS**, previously, on September 21, 2011, Eaton County's Budget for Fiscal Year 2011 – 2012 was adopted by the Eaton County Board of Commissioners; and

**WHEREAS**, the adopted Eaton County Budget for Fiscal Years 2011 – 2012 is balanced, maintains responsible recommended general fund equity balances and funds current employee medical benefit plans within existing revenues; and

**WHEREAS**, for the health plan currently available to Eaton County employees, employees currently contribute 5% of the 2012 illustrative rates and contribute increased out of pocket expenses and higher deductibles to reduce county expenditures; and

**WHEREAS**, vigorous challenges to the legality of Act 152 are expected and the costs associated with litigation required to support the validity of Act 152 will likely be substantial; and

**WHEREAS**, Section 8 of Act 152 authorizes a local unit of government, defined to include a county government, upon a 2/3 vote of the governing body, to exempt itself from the requirement of the act for the next succeeding year; and

**WHEREAS**, by exempting itself under Section 8 of Act 152 for calendar year 2012, Eaton County can avoid costs of litigation, avoid the expense of conducting a new "open enrollment" selection process allowing the County to continue making changes over time that yield significant reductions in health care costs in a manner that is fair to both taxpayers and employees; and

**WHEREAS**, exempting Eaton County from Act 152 for calendar year 2012 is equitable considering that Eaton County's employees have already demonstrated by their actions a continuing willingness to fairly share in the burden of meeting the significant economic challenges associated with Michigan's long recession; and

**WHEREAS**, in addition to sharing the burden of health care costs by all employees contributing over \$2.7 million since 1997, Eaton County's non – 312 eligible employees made significant wage and salary concessions by accepting a salary freeze since fiscal year 2008 - 2009.

**WHEREAS**, the equitable nature of a 2012 exemption for Eaton County employees is further demonstrated by the fact that the State of Michigan, as the employer of some 45,000 workers, effectively exempted itself from the mandate of Act 152 by refusing to place the question of applying Act 152's limitations to state workers on the ballot.

**NOW, THEREFORE, BE IT RESOLVED**, that acting pursuant to the authority granted a county under Section 8 of Act 152, the Eaton County Board of Commissioners hereby exempts Eaton County from the requirements of 2011 P.A. 152 for calendar year 2012. Carried.

RESOLUTION TO EXCLUDE TEMPORARY EMPLOYEES FROM  
MEMBERSHIP IN MERS UNDER PLAN DOCUMENT SECTION 3(2)



TEMPORARY EMPLOYEES who are employed in positions normally requiring not less than 6 or more than 12 whole months of work may be excluded by Resolution of the Governing Body from membership in the Municipal Employees' Retirement System (MERS). Temporary employees must be notified in writing by the participating municipality that they are excluded from membership. In accordance with Section 3(2) of the MERS Plan Document, the

Board of Commissioners of Eaton County 2302  
(Governing Body) (name of Participating Municipality) (Municipality #)

Formally elects to EXCLUDE effective January 1st\*, 19<sup>79</sup>~~20~~, all employees  
(Month) \*Effective date must be on the first (1st)  
in positions requiring less than 6 whole months in these Divisions:  
(specify number between 6 through 12)

All Divisions

OR

Divisions \_\_\_\_\_  
(specify by Division Name and Number)

I hereby certify that the above is a true copy of a Resolution adopted at the meeting  
of the governing body held on October 19, 2011.  
(Date)

*[Signature]*  
(Signature of Authorized Official)  
Chairman of the Board of Commissioners  
(Title)

**EATON COUNTY BOARD OF COMMISSIONERS**

**OCTOBER 19, 2011**

**RESOLUTION TO APPROVE  
2011/2012 SPECIAL REVENUE 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 2011/2012 Appropriations Act of September 21, 2011 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 2011/2012 Eaton County Budget:

**ELECTIONS - 191**

Increase	Contractual	\$15,000
Decrease	Contingency	\$15,000

To increase budget for contractual elections programming.  
Carried.