



EATON COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 21, 2011

The Eaton County Board of Commissioners met in recessed session at the County Facilities, in the City of Charlotte, Wednesday, September 21, 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.

Chairman Forell asked for additions or corrections to the agenda and Commissioner Hoffman added a Resolution in Support of Domestic Violence Awareness Month, in Eaton County and the State of Michigan to New Business.

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

Commissioner Hosey moved the minutes of August 17, 2011 be approved as presented. Seconded by Commissioner Ridge. Carried.

Communications.

Notice of an MTA meeting Monday, September 26<sup>th</sup> at 7:00 PM at the Eaton Township Hall.

Public Comment.

1. Merrill Stewart, 375 Jane, spoke in support of the DCA resolution on the agenda.
2. Anthony Viglianco, 518 N Canal Rd, Eaton Rapids, spoke in regards to a letter he received from the State Tax Commission to raise his taxes.
3. JoAnne Nehmer, 547 N Main St, Vermontville, wanted to thank Commissioner Forell and other Commissioners for attending the Vermontville Township meeting. She spoke in support of the DCA Resolutions on the agenda.
4. Blair Miller, 10445 Nashville Hwy, Vermontville, spoke in support of the DCA resolutions on the agenda.
5. Mervin Hochstetler, 2948 N. Ionia Rd, Vermontville, spoke in support of the DCA resolution on the agenda.

Commissioner Baker moved the approval of Agreement #11-9-77, To Approve MSU Extension Memorandum. Seconded by Commissioner Brunette. Nay: Brehler. Carried. Copy on file.

Commissioner Baker moved the approval of Resolution #11-9-78, To Approve DCA 9-11-3. 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 update language to allow for an Automotive Body Shop as a use allowed in the Limited Agricultural Zoning district with a Conditional Use Permit. Amendments are proposed to the following: Article 14 Specific Provisions and Requirements (amend Section 14.37); and

WHEREAS, the Eaton County Planning Commission held a duly advertised and noticed public hearing on September 13, 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 September 13, 2011 to recommend the approval of the request for a comprehensive amendment to the Eaton County Land Development Code (zoning ordinance) to update language to allow for an Automotive Body Shop as a use allowed in the Limited Agricultural Zoning district with a Conditional Use Permit. Amendments are proposed to the following: Article 14 Specific Provisions and Requirements (amend Section 14.37)

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 update language to allow for an Automotive Body Shop as a use allowed in the Limited Agricultural Zoning district with a Conditional Use Permit. Amendments are proposed to the following: Article 14 Specific Provisions and Requirements (amend Section 14.37)

At the regular meeting of the Eaton County Board of Commissioners on September 21, 2011 the Resolution regarding the approval of said request was adopted.

Claudine Hannold, Head of Community Development, explained the difference between Auto Body repair and small engine repair. Discussion was held. Seconded by Commissioner Whittum.

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. Carried.

Commissioner Baker moved the approval of Resolution #11-9-79, To Approve DCA 9-11-4. PREAMBLE: The Eaton County Land Development Code, an Ordinance adopted by the Commissioners of the County of Eaton pursuant to Public Act 183 of 1943, and administered pursuant to Public Act 110 of 2006, as amended, may be amended from time to time by following procedures outlined in Article 13 of the Development Code.

WHEREAS, Mervin Hochstetler, initiated a petition to change the Land Development District (zoning) designation for a parcel at 2948 N. Ionia Road, Section 33, Vermontville Township from Limited Agricultural (LA) to Local Business (C-1); and

WHEREAS, the Eaton County Planning Commission held a duly advertised and noticed public hearing on September 13, 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 September 13, 2011 to recommend the approval of the request for change in the Land Development District designation.

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

APPROVES the request by Mervin Hochstetler, for a change in land use district classification in Section 7.1.2 of the Land Development Code to change a parcel of land at 2948 N. Ionia Road, Section 33, Vermontville Township from Limited Agricultural (LA) to Local Business (C-1);

COM. 16 RODS S OF N 1/4 POST, S 19 RODS, E 16 RODS, N 10 RODS, E 16 RODS, N 15 RODS, SWLY ABOUT 32 RODS TO BEG., EXCEPT COM. 16 RODS S OF N 1/4 POST. S 60 FEET, E 93 FEET PARALLEL WITH N SECTION LINE, N 60 FEET, W 93 FEET TO BEG. SEC. 33, T3N, R6W. VERMONTVILLE TOWNSHIP

At the regular meeting of the Eaton County Board of Commissioners on September 21, 2011 the Resolution regarding the approval of said request was adopted. Seconded by Commissioner Hosey 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. Carried.

Commissioner Mulder moved the approval of Resolution #11-9-80, To Amend Full Faith and Credit Policy.

WHEREAS, the Board of Commissioners approved a Full Faith and Credit Policy on February 16, 2005; and

WHEREAS, the County Treasurer is recommending an amendment to the policy; and

WHEREAS, the Ways and Means Committee has reviewed the amended policy.  
NOW, THEREFORE, BE IT RESOLVED, that the amended policy be adopted by the Board of Commissioners. Seconded by Commissioner Baker. Carried.

Commissioner Mulder moved the approval of Resolution #11-9-81, To Amend County Credit Card Policy.

WHEREAS, Public Act 266 of 1995 became effective January 8, 1996. The act authorizes the use of credit cards by local units of government for appropriate expenses.

WHEREAS, the County of Eaton previously approved a credit card policy on December 16, 2009, resolution #09-12-133; and

WHEREAS, the Controller's Office is recommending increasing the maximum credit card limit per departmental card; and

WHEREAS, the Ways and Means Committee has reviewed the attached Eaton County Credit Card Policy and is recommending approval.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners approves the Eaton County Credit Card Policy as amended; and

BE IT FURTHER RESOLVED that the County credit cards may be used for the purchase of goods and services necessary to carry out official business under the Eaton County General Appropriations Act.

BE IT FURTHER RESOLVED, that the Eaton County Controller or Assistant Controller is authorized to sign any necessary documents. Seconded by Commissioner Baker. Carried.

Commissioner Mulder moved the approval of Resolution #11-9-82, To Approve Separation Agreement.

WHEREAS, an employee has agreed to retire to otherwise avoid a lay-off situation in the Physical Plant department; and

WHEREAS, the employee continues to improve their retirement benefit while continuing to work, but is otherwise eligible to retire; and

WHEREAS, the Ways and Means Committee reviewed and discussed the attached separation agreement between the County and the employee.

NOW, THEREFORE, BE IT RESOLVED, that the separation agreement is approved; and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners is authorized to execute said agreement. Seconded by Commissioner Whittum. Carried.

Commissioner Mulder moved the approval of Resolution #11-9-83, to Adopt the 2011/2012 Eaton County Budget in the amount of \$31,530,168.

WHEREAS, the Uniform Budgeting and Accounting Act, Public Act 621 of 1978, as amended, indicates that the Legislative body shall adopt a balanced budget for all funds by passing an Appropriations Act; and

WHEREAS, the budget resolution can become the Appropriations Act by the inclusion of the wording in the budget resolution.

NOW, THEREFORE, BE IT RESOLVED, that the 2011/2012 Eaton County General Fund (#101) budget of \$31,530,168 be adopted by line-item; and

BE IT FURTHER RESOLVED, that the Eaton County Board of Commissioners approves a levy of 5.2149 mills for the County's general operations; and

BE IT FURTHER RESOLVED, that all other funds budgets (Special Revenue \$20,422,660 and Debt Service \$8,997,247) be adopted by line-item, for a total 2011/2012 budget of \$60,950,075; and

BE IT FURTHER RESOLVED, that any amendment to increase a salary and/or a Capital Outlay line-item in excess of \$2,500.00 shall be approved by the Board of Commissioners; and

BE IT FURTHER RESOLVED, that any amendment to increase the total budget of any fund or department in excess of \$2,500.00 shall be approved by the Board of Commissioners except that any amendment to decrease the General Fund Contingency shall be approved by the Board of Commissioners; and

BE IT FURTHER RESOLVED, that the Controller be authorized to make such other budget amendments as necessary with the exception of those specified in this resolution.

BE IT FURTHER RESOLVED, the approved Position Allocation List contained in this resolution shall limit the number of permanent employees who can be employed in all departments, offices, and the courts, and no funds are appropriated for any permanent position or employee not on the Approved Position List; and

BE IT FURTHER RESOLVED, that as vacancies occur during the budget year, they shall not be refilled, except by specific Ways and Means Committee authorization; and

BE IT FURTHER RESOLVED, that certain positions contained in the Position Allocation List which are supported in some part by a grant, cost sharing, reimbursement, or some other source of outside funding are only approved contingent upon the County receiving the budgeted revenues; and

BE IT FURTHER RESOLVED, that in the event that some outside funding is not received or the County is notified that it will not be received, said positions shall be considered not funded and removed from the approved Position Allocation List; and

BE IT FURTHER RESOLVED, that it is understood that revenues and expenditures may vary from those which are currently contemplated and may be changed from time to time by the Board of Commissioners during the 2011/2012 fiscal year, as deemed necessary. Consequently, there may be a need to increase or decrease various portions of the budget and/or impose layoffs due to unforeseen financial changes; therefore, the Board of Commissioners reserves the right to change the Approved Position Allocation List at any time. The County Elected Officials and County Department Heads shall abide by whatever changes are made by the Board of Commissioners, if any relative to the approved position and the number of employees stated in the Position Allocation List.

BE IT FURTHER RESOLVED, that the salaries of the County's Elected Officials are established according to the Elected Official Salary Schedule contained in this resolution.

BE IT FURTHER RESOLVED, the line-item appropriations which represent the estimated costs of operating the Courts in 2011/2012 are contingent upon reimbursements to Eaton County by the State of Michigan in accordance with MCL 600.151(b). County appropriations to the Courts, in accordance with P.A. 374 and 375 of 1996, are made contingent upon conformance to all county policies and procedures regarding court personnel and the expenditure of funds; and

BE IT FURTHER RESOLVED that all County Elected Officials and County Department Heads shall abide by all applicable policies set by the Board of Commissioners including but not limited to budgets, purchasing, travel, and per diems; as well as the Eaton County Personnel Policies, and that budgeted funds for these purposes are appropriated contingent upon compliance with all County policies.

BE IT FURTHER RESOLVED that the Eaton County Personnel Policy shall apply to all employees and elected officials who are not covered under a collective bargaining agreement or who function under a policy manual which has been jointly approved by the County Board of Commissioners and an Elected Official who has co-employer status.

BE IT FURTHER RESOLVED, that the County Controller shall be authorized to make year-end transfers of up to \$20,000 between Departments or Funds or with such amounts that may be available in the Contingency of the General Fund, as may be necessary to ensure that departments do not end the 2011/2012 fiscal year in a deficit condition. Any such transfer will be reported to the Ways and Means Committee at their next regularly scheduled meeting. Seconded by Commissioner Baker. Roll Call Vote. Ayes; Hosey, Mulder, Hoffman, Brunette, Osieczonek, Boles, Freeman, Brehler, Eakin, Ridge, Baker, Barr, Whittum, Colestock, Forell. Nays; None. Commissioners absent, None. Carried.

Commissioner Mulder moved the approval of Resolution #11-9-84, 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:

PHYSICAL PLANT - 265

Increase	Utilities	\$ 17,500
Decrease	Contingency	\$ 17,500
To increase building utilities line-items due to increased costs for an amount up to \$17,500.		

DRAIN COMMISSIONER - 275

Increase	Health Insurance	\$ 9,800
Decrease	Contingency	\$ 9,800

To increase health insurance line-item due to increased employee cost for an amount up to \$9,800.

DRAIN COMMISSIONER - 275

Increase	Storm Water Fee Expense	\$ 4,000
Increase	Storm Water Revenue	\$ 4,000

To increase storm water fee revenue and expense for increased activity.

CAPITAL OUTLAY - 901

Increase	Sheriff - Vehicle	\$ 15,000
Increase	Sale of Fixed Assets	\$ 15,000

To increase the Capital Outlay budget for the purchase of a detective vehicle with the proceeds from the sale of an abandoned vehicle.

TRANSFERS - OUT - 999

Increase	Transfers-Out Child Care Fund	\$ 250,000
Decrease	Contingency	\$ 250,000

To increase transfers-out to the Child Care Fund for an amount up to \$250,000 as necessary for deficit reduction. Seconded by Commissioner Hoffman. Carried.

Commissioner Mulder moved the approval of Resolution #11-9-85, 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:

CHILD CARE FUND - 292

Increase	Transfers-In	\$ 250,000
Increase	Expenditures	\$ 250,000

To increase transfers-in to the Child Care Fund for an amount up to \$250,000 as necessary for deficit reduction. Seconded by Commissioner Baker. Carried.

Commissioner Mulder moved the approval of claims as audited by the Ways and Means Committee in the amount of \$429,910.83 and to accept the report of previously authorized payments. Seconded by Commissioner Eakin. Carried.

Public Comments.

Blair Miller, thanked the Commissioners for passing the DCA resolutions tonight.

Commissioner Comment.

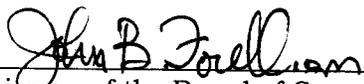
Commissioner Osieczonek spoke regarding the positive feedback he has received regarding the the Gettysburg Drain project and commended the Drain Commissioner's staff, and particularly, Richard Brown for his professionalism representing the Drain Office.

There was no Unfinished Business or Old Business.

New Business.

Commissioner Hoffman moved the approval of Resolution #11-9-86, Resolution in Support of Domestic Violence Awareness Month, in Eaton County and the State of Michigan. Commissioner Boles seconded the resolution. Carried.

Chairman Forell adjourned the meeting to Wednesday, October 19, 2011 at 7:00 PM. Seconded by Commissioner Barr.



Chairman of the Board of Commissioners



Clerk of the Board of Commissioners