

EATON COUNTY BOARD OF COMMISSIONERS
FEBRUARY 21, 2018

The Eaton County Board of Commissioners met in regular session at the County Facilities, in the City of Charlotte, Wednesday, February 21, 2018.

Chairman Mulder called the meeting to order at 7:00 p.m.

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

Chairman Mulder gave the invocation.

Roll call. Commissioners present: Christine Barnes, Blake Mulder, Terrance Augustine, Howard T. Spence, Jeanne Pearl-Wright, Jane M. Whitacre, Glenn Freeman, Joseph Brehler, Brian Droscha, Roger Eakin, Wayne Ridge, Brian Lautzenheiser, Heather Wood and Barbara Rogers. Commissioners absent: Kent Austin

Commissioner Eakin moved the agenda be approved as presented. Seconded by Commissioner Lautzenheiser. Carried.

Commissioner Freeman moved the minutes of January 2, 2018 and January 17, 2018 be approved as presented. Seconded by Commissioner Ridge. Carried.

Communications: County Treasurer Bob Robinson presented the Treasurer's 2017 4th quarter financial report. (on file)

Chairman Mulder moved the approval of #18-2-13 Resolution of Appreciation for John Malusek Corrections Deputy Sheriff's Office.

WHEREAS, John Malusek retired from Eaton County on February 15, 2018 after 23 years, 9 months of service; and

WHEREAS, John worked for the Sheriff's Office from March 1, 1993 until May 13, 1995. He returned to Eaton County on August 11, 1996, where he worked until his retirement; and

WHEREAS, John has provided dedicated and honorable service to the residents of Eaton County; and

WHEREAS, the Eaton County Board of Commissioners seeks to recognize and express appreciation for John's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank John for years of exceptional service to Eaton County and expresses its best wishes to him in the next chapter of his life; and

BE IT FURTHER RESOLVED, that this resolution of appreciation and support be duly recorded and attached to the permanent records of the County on this 21st day of the month of February in the year 2018.

Seconded by Commissioner Augustine. Carried.

Chairman Mulder moved the approval of #18-2-14 Resolution of Appreciation for Jody Peterson Corrections Deputy Sheriff's Office.

WHEREAS, Jody Peterson retired from Eaton County on February 14, 2018 after 25 years of service; and

WHEREAS, Jody worked for the Sheriff's Office from March 01, 1993 until his retirement; and

WHEREAS, Jody has provided dedicated and honorable service to the residents of Eaton County; and

WHEREAS, the Eaton County Board of Commissioners seeks to recognize and express appreciation for Jody's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank Jody for years of exceptional service to Eaton County and expresses its best wishes to him in the next chapter of his life; and

BE IT FURTHER RESOLVED, that this resolution of appreciation and support be duly recorded and attached to the permanent records of the County on this 21st day of the month of February in the year 2018.

Seconded by Commissioner Lautzenheiser. Carried.

Chairman Mulder moved the approval of #18-2-15 Resolution of Appreciation Jon Vancore Sheriff Deputy Sheriff's Office.

WHEREAS, Jon retired from Eaton County on February 16, 2018 after 25 years of service; and

WHEREAS, Jon worked for the Sheriff's Office from March 01, 1993 until his retirement; and

WHEREAS, Jon has provided dedicated and honorable service to the residents of Eaton County; and

WHEREAS, the Eaton County Board of Commissioners seeks to recognize and express appreciation for Jon's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank Jon for years of exceptional service to Eaton County and expresses its best wishes to him in the next chapter of his life; and

BE IT FURTHER RESOLVED, that this resolution of appreciation and support be duly recorded and attached to the permanent records of the County on this 21st day of the month of February in the year 2018.

Seconded by Commissioner Ridge. Carried.

Chairman Mulder moved the approval of #18-2-16 Resolution of Appreciation for Don Haga Corrections Deputy Sheriff's Office.

WHEREAS, Don Haga retired from Eaton County on February 17, 2018 after 25 years of service; and

WHEREAS, Don worked for the Sheriff's Office from March 01, 1993 until his retirement; and

WHEREAS, Don has provided dedicated and honorable service to the residents of Eaton County; and
WHEREAS, the Eaton County Board of Commissioners seeks to recognize and express appreciation for Don's years of public service.
NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank Don for years of exceptional service to Eaton County and expresses its best wishes to him in the next chapter of his life; and
BE IT FURTHER RESOLVED, that this resolution of appreciation and support be duly recorded and attached to the permanent records of the County on this 21st day of the month of February in the year 2018.
Seconded by Commissioner Lautzenheiser. Carried.

Presentation from Miguel Rodriguez, Executive Director Capital Area Community Services. (on file)

Commissioner Spence moved the approval of #18-2-17 Resolution to Proclaim February as Black History Month in Eaton County.

WHEREAS, the original celebration of Black History Month, also known as African American Heritage Month, began in 1926 through the efforts of Dr. Carter G. Woodson; and,
WHEREAS, black Americans have a rich heritage and Black History Month is an opportunity to reflect on and commemorate the countless accomplishments and contributions of black Americans throughout the history of this country; and,
WHEREAS, black Americans have made and continue to make breakthroughs in areas from medicine, education, and public service to music, art, and human rights, moving our state forward and helping to fulfill Michigan's tremendous potential; and,
WHEREAS, this year's theme, "African Americans in Times of War," calls our attention to the heroic contributions of African Americans during our Nation's military conflicts, from the Revolutionary War to present-day operations; and
WHEREAS, during this month, we encourage citizens throughout Michigan to recognize, honor and remember the courageous black Americans who sacrificed much and rose above injustice to enrich our society;
NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners, do hereby proclaim February 2018 as Black History Month in Eaton County
Seconded by Commissioner Freeman. Carried.

Public Comments: Chris Stewart, candidate for 71st District State Representative introduced himself to the Board.

Robert Sepeter, 7290 Island Highway, spoke regarding flooding on Canal Road.

Cheyenne Risner of Capital Area United Way, spoke regarding Walk for Warmth on February 24th at 11:00 a.m. in downtown Charlotte.

Commissioner Ridge spoke regarding a six month pilot to provide audio recording capability for the Commission meetings.

Commissioner Lautzenheiser stated that two positions had been filled: Troy Stowell has accepted the Parks Director position and Jeffrey Krcmarik has accepted the Resource Recovery Coordinator position.

Commissioner Eakin moved the approval of the 2018/2019 Budget Schedule. Seconded by Commissioner Freeman. Carried. (on file)

Commissioner Eakin moved the approval of claims as audited by the Ways and Means Committee in the amount of \$316,059.25 and to accept the report of previously authorized payments. Seconded by Commissioner Barnes. Carried.

Commissioner Eakin moved the approval of #18-2-18 Resolution to Approve Appraisal Services Contract Renewal.

WHEREAS, the Equalization Department has utilized an independent contractor to provide appraisal services to assist in completing the required annual appraisal of property within the County during the equalization process; and

WHEREAS, the Department wishes to continue to utilize these services and is requesting authorization to enter into a renewal agreement with Accurate; and

WHEREAS, the Ways and Means Committee has reviewed and is recommending the approval of the appraisal services contract renewal (attached) for a one year period commencing February 21, 2018; and

WHEREAS, the proposed contract is for the maximum not-to-exceed amount of \$20,350.

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners approves the contract for appraisal services with Accurate; and

BE IT FURTHER RESOLVED, the Equalization Director is authorized to execute the contract renewal agreement on behalf of the County.

Seconded by Commissioner Pearl-Wright. Carried.

Public Comment: None

Commissioner Comments:

Commissioner Barnes stated the Planning Commission meeting scheduled for March 6th which will include discussion regarding a text amendment to the zoning ordinance concerning solar energy production development. She also stated that the Tri-County Regional Planning Commission Board meeting will be held February 28th to consider Board Policy amendments and a director search. Commissioner Barnes noted that the Eaton Conservation District's Annual Meeting was held on January 31, 2018.

Commissioner Eakin stated that he will address the concerns made during public comment regarding flooding on Canal Road with the Road Commission.

Commissioner Augustine stated the Grand Ledge St. Patrick's Day festivities will begin March 16th and the parade will be held Saturday, March 17th.

Commissioner Spence stated that Delta Side Business Association is hosting their Annual Community Expo on Saturday, March 3, 2018, in the Lansing Mall (5330 West Saginaw Highway).

There was no Unfinished Business.

Old Business: Chairman's Financial Stability Workgroup Preliminary Progress Report. Commissioners Eakin, Augustine, Brehler and Wood presented and discussed the progress report, developed for further discussion by the Board during the budget process.

New Business:

Commissioner Brehler moved the approval of #18-2-19 Resolution Declaring that the Unlawful Distribution of Prescription Controlled Substances has Created a Public Nuisance and a Serious Public Health and Safety Crisis for the Citizens of Eaton County.

WHEREAS, the Board of County Commissioners is the policy-determining body of the County; and

WHEREAS, the Board of County Commissioners has the authority to take action to protect the public health, safety, and welfare of the citizens of Eaton County; and

WHEREAS, there exists a serious public health and safety crisis involving opioid/opiate abuse, addiction, morbidity, and mortality in Eaton County; and

WHEREAS, the diversion of legally produced controlled substances into the illicit market causes or contributes to the serious public health and safety crisis involving opioid/opiate abuse, addiction, morbidity, and mortality in Eaton County; and

WHEREAS, the violation of any laws of Michigan or of the United States of America controlling the distribution of a controlled substance is inimical, harmful, and adverse to the public welfare of the citizens of Eaton County and constitutes a public nuisance; and

WHEREAS, the Board of County Commissioners has the authority to abate, or cause to be abated, any public nuisance including those acts that significantly interfere with the public health, safety, and welfare of the citizens of Eaton County; and

WHEREAS, the Board of County Commissioners has expended, is expending, and will continue to expend in the future County public funds to respond to the serious public health and safety crisis involving opioid/opiate abuse, addiction, morbidity, and mortality in Eaton County; and

WHEREAS, the Board of County Commissioners may sue to obtain any money due the County; and

WHEREAS, the Board of County Commissioners has received information that indicates that the manufacturers and wholesale distributors of controlled substances who dispensed or otherwise caused opioids to be diverted into Eaton County may have violated federal and state laws and regulations that were enacted to prevent the diversion of legally produced controlled substances into the illicit market; and

WHEREAS, the citizens of Eaton County will benefit from the retention of special outside counsel to investigate and pursue, if appropriate, County claims against the manufacturers and/or wholesale distributors of controlled substances in Eaton County, on a contingent fee basis, wherein there is no attorney fee or reimbursement of litigation expenses if there is no recovery; and NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Eaton County, Michigan with at least two-thirds of its members thereto concurring as follows

SECTION I

That the Board of County Commissioners hereby declares that opiate/opioid abuse, addiction, morbidity and mortality has created a serious public health and safety crisis in Eaton County, Michigan, and is a public nuisance; and

SECTION II

That the Board of County Commissioners of Eaton County, Michigan, hereby retains the firm of Sommers Schwartz, P.C., 1 Towne Square, Suite 1700, Southfield, MI 48076, and such other legal counsel as needed, as Special Counsel to represent the Board of County Commissioners, to investigate and, if appropriate, pursue all civil remedies which may be afforded under law as against the manufacturers and/or wholesale distributors in the chain of distribution of controlled substances who have caused or contributed to the public nuisance and serious public health and safety crisis involving opioid/opiate abuse, addiction, morbidity, and mortality in Eaton County, with the compensation therefore on a contingent fee basis, in concert with the contingent fee agreement that is designated as "Authority to Represent" and for which all members of the Board of County Commissioners are authorized to execute the afore stated contingent fee agreement, the same of which is identified as Exhibit A and attached hereto and made a part hereof in its entirety.

SECTION III

That the Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of the Board and its Committees, if any, which resulted in formal action, were taken in meetings

open to the public, in full compliance with all applicable legal requirements. Seconded by Commissioner Barnes. Roll call vote: Ayes: Barnes, Augustine, Pearl-Wright, Whitacre, Freeman, Brehler, Droscha, Eakin, Ridge, Lautzenheiser, Wood and Rogers. Nays: Mulder. Abstain: Spence. Carried.

Chairman Mulder adjourned the meeting to Wednesday, March 21, 2018 at 7:00 p.m.


Chairman of the Board of Commissioners


Clerk of the Board of Commissioners

EATON COUNTY BOARD OF COMMISSIONERS

**RESOLUTION OF APPRECIATION FOR
JOHN MALUSEK
CORRECTIONS DEPUTY
SHERIFF'S OFFICE**

FEBRUARY 21, 2018

Introduced by Commissioner Blake Mulder

Chairman Mulder moved for the approval of the following resolution. Seconded by Commissioner Augustine.

WHEREAS, John Malusek retired from Eaton County on February 15, 2018 after 23 years, 9 months of service; and

WHEREAS, John worked for the Sheriff's Office from March 1, 1993 until May 13, 1995. He returned to Eaton County on August 11, 1996, where he worked until his retirement; and

WHEREAS, John has provided dedicated and honorable service to the residents of Eaton County; and

WHEREAS, the Eaton County Board of Commissioners seeks to recognize and express appreciation for John's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank John for years of exceptional service to Eaton County and expresses its best wishes to him in the next chapter of his life; and

BE IT FURTHER RESOLVED, that this resolution of appreciation and support be duly recorded and attached to the permanent records of the County on this 21st day of the month of February in the year 2018. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

**RESOLUTION OF APPRECIATION FOR
JODY PETERSON
CORRECTIONS DEPUTY
SHERIFF'S OFFICE**

FEBRUARY 21, 2018

Introduced by Commissioner Blake Mulder

Chairman Mulder moved for the approval of the following resolution. Seconded by Commissioner Lautzenheiser.

WHEREAS, Jody Peterson retired from Eaton County on February 14, 2018 after 25 years of service; and

WHEREAS, Jody worked for the Sheriff's Office from March 01, 1993 until his retirement; and

WHEREAS, Jody has provided dedicated and honorable service to the residents of Eaton County; and

WHEREAS, the Eaton County Board of Commissioners seeks to recognize and express appreciation for Jody's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank Jody for years of exceptional service to Eaton County and expresses its best wishes to him in the next chapter of his life; and

BE IT FURTHER RESOLVED, that this resolution of appreciation and support be duly recorded and attached to the permanent records of the County on this 21st day of the month of February in the year 2018. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

**RESOLUTION OF APPRECIATION FOR
JON VANCORE
SHERIFF DEPUTY
SHERIFF'S OFFICE**

FEBRUARY 21, 2018

Introduced by Commissioner Blake Mulder

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

WHEREAS, Jon Vancore retired from Eaton County on February 16, 2018 after 25 years of service; and

WHEREAS, Jon worked for the Sheriff's Office from March 01, 1993 until his retirement; and

WHEREAS, Jon has provided dedicated and honorable service to the residents of Eaton County; and

WHEREAS, the Eaton County Board of Commissioners seeks to recognize and express appreciation for Jon's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank Jon for years of exceptional service to Eaton County and expresses its best wishes to him in the next chapter of his life; and

BE IT FURTHER RESOLVED, that this resolution of appreciation and support be duly recorded and attached to the permanent records of the County on this 21st day of the month of February in the year 2018. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

**RESOLUTION OF APPRECIATION FOR
DON HAGA
CORRECTIONS DEPUTY
SHERIFF'S OFFICE**

FEBRUARY 21, 2018

Introduced by Commissioner Blake Mulder

Chairman Mulder moved for the approval of the following resolution. Seconded by Commissioner Lautzenheiser.

WHEREAS, Don Haga retired from Eaton County on February 17, 2018 after 25 years of service; and

WHEREAS, Don worked for the Sheriff's Office from March 01, 1993 until his retirement; and

WHEREAS, Don has provided dedicated and honorable service to the residents of Eaton County; and

WHEREAS, the Eaton County Board of Commissioners seeks to recognize and express appreciation for Don's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank Don for years of exceptional service to Eaton County and expresses its best wishes to him in the next chapter of his life; and

BE IT FURTHER RESOLVED, that this resolution of appreciation and support be duly recorded and attached to the permanent records of the County on this 21st day of the month of February in the year 2018.

EATON COUNTY BOARD OF COMMISSIONERS

February 21, 2018

**RESOLUTION TO PROCLAIM FEBRUARY 2018 AS BLACK HISTORY MONTH
IN EATON COUNTY**

Introduced by Commissioner Blake Mulder

Commissioner Spence moved for the approval of the following resolution. Seconded by Commissioner Freeman.

WHEREAS, the original celebration of Black History Month, also known as African American Heritage Month, began in 1926 through the efforts of Dr. Carter G. Woodson; and,

WHEREAS, black Americans have a rich heritage and Black History Month is an opportunity to reflect on and commemorate the countless accomplishments and contributions of black Americans throughout the history of this country; and,

WHEREAS, black Americans have made and continue to make breakthroughs in areas from medicine, education, and public service to music, art, and human rights, moving our state forward and helping to fulfill Michigan's tremendous potential; and,

WHEREAS, this year's theme, "African Americans in Times of War," calls our attention to the heroic contributions of African Americans during our Nation's military conflicts, from the Revolutionary War to present-day operations; and

WHEREAS, during this month, we encourage citizens throughout Michigan to recognize, honor and remember the courageous black Americans who sacrificed much and rose above injustice to enrich our society;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners, do hereby proclaim February 2018 as Black History Month in Eaton County. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

February 21, 2018

RESOLUTION TO APPROVE APPRAISAL SERVICES CONTRACT RENEWAL

Introduced by the Ways and Means Committee

Commissioner Eakin moved for the approval of the following resolution. Seconded by Commissioner Pearl-Wright.

WHEREAS, the Equalization Department has utilized an independent contractor to provide appraisal services to assist in completing the required annual appraisal of property within the County during the equalization process; and

WHEREAS, the Department wishes to continue to utilize these services and is requesting authorization to enter into a renewal agreement with Accurate; and

WHEREAS, the Ways and Means Committee has reviewed and is recommending the approval of the appraisal services contract renewal (attached) for a one year period commencing February 21, 2018; and

WHEREAS, the proposed contract is for the maximum not-to-exceed amount of \$20,350.

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners approves the contract for appraisal services with Accurate; and

BE IT FURTHER RESOLVED, the Equalization Director is authorized to execute the contract renewal agreement on behalf of the County. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

February 21, 2018

**RESOLUTION DECLARING THAT THE UNLAWFUL DISTRIBUTION OF
PRESCRIPTION CONTROLLED SUBSTANCES HAS CREATED A PUBLIC
NUISANCE AND A SERIOUS PUBLIC HEALTH AND SAFETY CRISIS FOR THE
CITIZENS OF EATON COUNTY**

Introduced by Commissioner Joseph Brehler

Commissioner Brehler moved for the approval of the following resolution. Seconded by Commissioner Barnes.

WHEREAS, the Board of County Commissioners is the policy-determining body of the County; and

WHEREAS, the Board of County Commissioners has the authority to take action to protect the public health, safety, and welfare of the citizens of Eaton County; and

WHEREAS, there exists a serious public health and safety crisis involving opioid/opiate abuse, addiction, morbidity, and mortality in Eaton County; and

WHEREAS, the diversion of legally produced controlled substances into the illicit market causes or contributes to the serious public health and safety crisis involving opioid/opiate abuse, addiction, morbidity, and mortality in Eaton County; and

WHEREAS, the violation of any laws of Michigan or of the United States of America controlling the distribution of a controlled substance is inimical, harmful, and adverse to the public welfare of the citizens of Eaton County and constitutes a public nuisance; and

WHEREAS, the Board of County Commissioners has the authority to abate, or cause to be abated, any public nuisance including those acts that significantly interfere with the public health, safety, and welfare of the citizens of Eaton County; and

WHEREAS, the Board of County Commissioners has expended, is expending, and will continue to expend in the future County public funds to respond to the serious public health and safety crisis involving opioid/opiate abuse, addiction, morbidity, and mortality in Eaton County; and

WHEREAS, the Board of County Commissioners may sue to obtain any money due the County; and

WHEREAS, the Board of County Commissioners has received information that indicates that the manufacturers and wholesale distributors of controlled substances who dispensed or otherwise caused opioids to be diverted into Eaton County may have violated federal and state

laws and regulations that were enacted to prevent the diversion of legally produced controlled substances into the illicit market; and

WHEREAS, the citizens of Eaton County will benefit from the retention of special outside counsel to investigate and pursue, if appropriate, County claims against the manufacturers and/or wholesale distributors of controlled substances in Eaton County, on a contingent fee basis, wherein there is no attorney fee or reimbursement of litigation expenses if there is no recovery; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Eaton County, Michigan with at least two-thirds of its members thereto concurring as follows

SECTION I

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SECTION II

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SECTION III

That the Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of the Board and its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with all applicable legal requirements. Roll call vote: Ayes: Barnes, Augustine, Pearl-Wright, Whitacre, Freeman, Brehler, Droscha, Eakin, Ridge, Lautzenheiser, Wood and Rogers. Nays: Mulder. Abstain: Spence. Carried.