

EATON COUNTY BOARD OF COMMISSIONERS
JULY 20, 2016

The Eaton County Board of Commissioners met in regular session at the County Facilities, in the City of Charlotte, Wednesday, July 20, 2016

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: Michael Hosey, Blake Mulder, Terrance Augustine, Howard T. Spence, James Osieczonek, Jane M. Whitacre, Joseph Brehler, Walter Miars, Roger Eakin, Wayne Ridge, Brian Lautzenheiser, Kent C. Austin, Jeremy Whittum. Commissioners absent: Glenn Freeman, Barbara Rogers

Commissioner Whitaker requested an addition to the Agenda under New Business, Resolution to Support Eaton County Breastfeeding Week August 1-7, 2016.

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

Commissioner Miars moved the minutes of June 15, 2016 be approved as presented. Seconded by Commissioner Augustine. Carried.

Communications:

Resolution from Eaton Rapids Township in support of Eaton County's Acquisition of the Crandell Lake property. (on file).

Resolution from City of Charlotte in support of Eaton County's Acquisition of the Crandell Lake property. (on file).

Chairman Mulder moved the approval of #16-7-53 Resolution Honoring the Retirement of the Honorable Harvey J. Hoffman, Eaton County District Court Judge.

WHEREAS, The Honorable Harvey J. Hoffman has selflessly and proudly served the People of Eaton County for the past 19 years as Judge of the District Court; and

WHEREAS, Judge Hoffman is retiring to spend more time with his wife, Sue, his family and to enjoy traveling; and to continue to serve the public through his expertise and dedication to treatment courts; and

WHEREAS, Judge Hoffman retires leaving an enduring legacy to the legal community to which he has dedicated his entire career, in private practice and as Judge, in ensuring fair and thoughtful justice by being firm yet balanced, sensitive, and just; and

WHEREAS, Judge Hoffman designed and implemented the first DWI/Sobriety Court in the State of Michigan in 1997 which is still in use today. He has been active in the drug court movement as President of the Michigan Association of Drug Court Professionals, and played a vital role in the development of legislation by serving in various organizations such as the National Association of Drug Court Professionals Congress, Executive Committee of NADCP Board of Directors, Traffic Injury Research Foundation National Working Group and the National Drug Court Institute as well as serving as Chairman NADCP DWI Committee and as NADCP Senior Judicial Fellow for DWI Courts; and

WHEREAS, he has served as the longest serving DWI Court Judge in the United States; was the primary author of both the Michigan Drug Treatment Court statute and the Michigan DWI Court/Restricted License Interlock Legislation and received the following awards: 2001 Michigan Judge of the Year - Michigan District Judges Association; 2003 William G. Schma Award - MADCP; 2003 Leadership Award - Congress of State Drug Courts; 2004 President's Special Recognition Award - Executive Office of the President; 2007 National President's Award for Criminal Justice - Mothers Against Drunk Driving; 2008 Distinguished Service Award - National Committee for the Prevention of Alcoholism and Drug Dependency and the 2008 Distinguished Board Service Award - NADCP; and

WHEREAS, Judge Hoffman has left an indelible mark on the legal justice system, in which, every member of our community has benefitted from his years of exemplary service and involvement in the community; and

WHEREAS, the Eaton County District Court staff have long benefitted from his leadership and mentorship and find great benefit of his establishment of the drug treatment courts he has tirelessly committed to maintaining in Eaton County; and

WHEREAS, Judge Hoffman's limitless energy, heart and passion for life and justice have truly made Eaton County a better place; and

WHEREAS, the Eaton County Board of Commissioners and the people of Eaton County owe a great debt of gratitude for the public service that Judge Hoffman has given the citizens of Eaton County.

NOW, THEREFORE BE IT RESOLVED, the Eaton County Board of Commissioners, meeting in regular session this 20th day of July, 2016, wishes to express its appreciation to The Honorable Harvey J. Hoffman for a job well done. We wish him well and Godspeed in his new endeavors; and

BE IT FURTHER RESOLVED, that this resolution bear the Seal of Eaton County and the signature of the Chairman of the Eaton County Board of Commissioners and a copy of this resolution be attached to the permanent records of the County. Seconded by Commissioner Augustine.

Chairman Mulder moved the approval of #16-7-54 Resolution of Appreciation for April Heinze, Central Dispatch Director.

WHEREAS, April Heinze resigned from Eaton County effective July 28, 2016 after 24 years of service; and

WHEREAS, April started employment with Eaton County as a temporary employee in 1990 and began her dispatch career in June of 1992 as a Dispatcher. April received several promotions during her career and has been the Central Dispatch Director since June of 2013; and

WHEREAS, April 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 April's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank April for years of exceptional service to Eaton County and expresses its best wishes to her in the next chapter of her 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 20th day of the month of July in the year 2016. Seconded by Commissioner Whittum.

Chairman Mulder moved the approval of #16-7-55 Resolution of Appreciation for Michael Rooney, Maintenance Worker-Physical Plant.

WHEREAS, Michael Rooney will retire from Eaton County on July 31, 2016 after 25 years and 7 months of service; and

WHEREAS, Mike worked in the Physical Plant Department from January 3, 1991 to July 31, 2016, until his retirement; and

WHEREAS, Mike 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 Mike's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank Mike for years of exceptional service to Eaton County and expresses caring thoughts to him and his family; 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 20th day of the month of July in the year 2016. Seconded by Commissioner Hosey.

Public Hearing:

Chairman Mulder opened the Final Amendment to the Eaton County 9-1-1 Service Plan at 7:19 p.m. and asked for public comment.

Public comment: none.

Commissioner Mulder closed the Public Hearing at 7:20 p.m.

Public Comment:

Mayor Tim Lewis read the City of Charlotte Resolution #2016-77 in support of Eaton County's Acquisition of the Crandell Lake Property.

Justin Vanderstelt, 1145 Carlisle Highway, Russ Hicks, 7900 Columbia Highway, Marta Ford, 706 Drahner Drive, Chris Freiburger, 1116 W. Broadway, Riley Spayde, 1037 Gretchen, Ida Dennis, 5608 E. Clinton Trail, Dana Ball, 3017 Bellevue Hwy, Blair Miller, 10445 Nashville Highway, Phil Bombrys, Supervisor Hamlin Township, Daryl Baker 406 E. Third Street, Rob South 302 S. River Street, Dee Cassidy, 1415 Water Street, spoke favorably regarding the potential acquisition of Crandell Lake Property.

Jeana Rohrs, 2990 N. Stewart Road raised budgetary concerns regarding the potential acquisition of Crandell Lake Property.

Commissioner Whittum moved the approval of #16-7-56 Resolution to Adopt the Eaton County 9-1-1 Service Plan.

WHEREAS, Eaton County ("County") has adopted a Final 911 Service Plan ("Plan") pursuant to the Emergency Telephone Service Enabling Act, 1986 PA 32, as amended ("Act");

WHEREAS, Eaton County has amended the Plan at least once without republishing the entire plan so that ascertaining the language of the current Plan is currently difficult to do;

WHEREAS, the Act requires the Plan to accurately identify all public service answering points ("PSAPs") for all 911 calls in the County;

WHEREAS, the County is preparing to transition from landline trunks to internet connections for the delivery of 911 calls to the PSAP. This transition, called "NextGen 911," holds the prospect for dramatically increasing the information that can be pushed to the PSAP regarding the emergency or individuals involved therein that precipitated the 911 call;

WHEREAS, the attached Plan attached hereto as Exhibit A accomplishes the following purposes that are in the best interests of the Eaton County public:

- (A.) Republishes the Plan to reflect prior amendments, so that the entire Plan is in one document, not many;
- (B.) Facilitates consolidated dispatch throughout the County by the Eaton County Central Dispatch Department;
- (C.) Streamlines the process for updating service supplier and public agency information;
- (D.) Provides for the possibility of enforcement mechanism if individuals or entities fail to perform their obligations under the Act and Plan; and

(E.) Obligates service suppliers to use the IP address and internet provider that the Eaton County Central Dispatch Department designates for NextGen 911 service.

WHEREAS, the Board approved Exhibit A as a tentative 911 Plan by resolution on March 16, 2016, and the Eaton County Clerk has issued the requisite notices to the local units of government and published the requisite notices in the newspaper and the Board has held the requisite public hearing on the final approval of the tentative 911 Plan;

NOW, THEREFORE, BE IT RESOLVED that the Plan attached as Exhibit A is adopted by the Board of Commissioners as its final 911 Service Plan under MCL §484.1310; Seconded by Commissioner Austin. Carried. (on file).

Commissioner Miars moved the approval of #16-7-57 Resolution to Approve 2016/2017 Solid Waste Alternatives Grant Program Recommendations.

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

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

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

WHEREAS, the Public Works and Planning Committee reviewed the recommended grant funds, at its regular meeting held on July 13, 2016.

NOW, THEREFORE, BE IT RESOLVED, that the Public Works and Planning Committee is recommending that the following grant funds be approved for the period of October 1, 2016 through September 30, 2017; and

Grant Applicant	2014-2015 Grant Allocation	2015-2016 Grant Request	Recommended Grant Funds
<i>Village of Bellevue, Bellevue Township, Walton Township, & the City of Olivet</i>	\$14,560.00	\$18,602.32	\$14,560.00
<i>Charlotte Area Recycling Authority</i>	\$20,000.00	\$47,000.00	\$29,000.00
<i>Delta Township Recycling Center</i>	\$24,000.00	\$39,708.00	\$28,784.00
<i>City of Eaton Rapids Recycling</i>	\$16,000.00	\$17,000.00	\$16,000.00
<i>City of Grand Ledge Recycling</i>	\$20,000.00	\$26,689.50	\$21,000.00
<i>Village of Mulliken</i>	\$0.00	\$21,000.00	\$6,000.00
<i>City of Potterville</i>	\$10,125.00	\$17,899.87	\$10,125.00
<i>Sunfield Township</i>	\$5,000.00	\$10,250.00	\$6,000.00
TOTAL	\$109,685.00	\$198,149.69	\$131,469.00

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

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

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

Commissioner Miars moved the approval of #16-7-58 Resolution to Accept Michigan Department of Natural Resources Trust Fund Grant.

WHEREAS, Eaton County was previously awarded a Michigan Department of Natural Resources Trust Fund Grant (TF12-020); and

WHEREAS, the County has made an offer to acquire the property, commonly referred to as "the M-50 site," based on the recently obtained appraisal; and

WHEREAS, the property owner has agreed, in principal, to accept the County's offer to purchase the property for seventy-five (75) per cent of the appraised value; and

WHEREAS, the remaining twenty-five (25) per cent of the appraised value will represent the required local match as an in-kind contribution; and

WHEREAS, the Public Works and Planning Committee recommended at its meeting on July 13, 2016, the County accept Michigan Department of Natural Resources Trust Fund Grant (TF12-020).

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize Parks staff to complete the necessary steps to complete the grant acceptance and the Controller/Administrator to negotiate the final terms of a buy/sell agreement with the property owner; and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners is authorized to sign all necessary documents to accept MDNRTF Grant #TF12-020; and

BE IT FURTHER RESOLVED, the Board of Commissioners will receive the final proposed buy/sell agreement between the parties for its approval upon the completion of negotiations of the its terms. Seconded by Commissioner Spence. Discussion held.

Commissioners Brehler, Spence, Augustine, Whittum, and Eakin offered favorable comments regarding the acquisition of the Crandell Lake property and their support for the resolution.

Commissioner Hosey noted that he would abstain from voting on this issue due to a conflict of interest.

Commissioner Austin raised budgetary concerns regarding potential future operating costs of the park. He spoke of the need for fiscal responsibility and questioned the likelihood of opening the park to the public within the required 90-day period.

Motion Carried. Roll call vote. Ayes: Mulder, Augustine, Spence, Osieczonek, Whitacre, Brehler, Miars, Eakin, Ridge, Lautzenheiser, Whittum. Nays: Austin. Abstain: Hosey.

Commissioner Miars moved the approval of the following resolutions:

#16-7-59 Resolution to Amend Eaton County Building Code Ordinance.

#16-7-60 Resolution to Amend Eaton County Mechanical Code Ordinance.

#16-7-61 Resolution to Amend Eaton County Plumbing Code Ordinance.

#16-7-62 Resolution to Amend Eaton County Rehabilitation Code Ordinance.

#16-7-63 Resolution to Amend Eaton County Electrical Code Ordinance.

#16-7-64 Resolution to Amend Eaton County Residential Code Ordinance.

#16-7-65 Resolution to Amend Eaton County Property Maintenance Code Ordinance.

Seconded by Commissioner Augustine. Roll call vote. Ayes: Hosey, Mulder, Augustine, Spence, Osieczonek, Whitacre, Brehler, Miars, Eakin, Ridge, Lautzenheiser, Austin, Whittum. Nays: none. (on file).

Commissioner Eakin moved the approval of #16-7-66 Resolution to Approve Jail Physician Services Agreement.

WHEREAS, the Jail Accreditation Organization requires that the jail have a written agreement for the provision of necessary medical services for the jail inmates in place; and

WHEREAS, the language for such annual Agreement has been previously reviewed and approved by the Public Safety Committee and the Board of Commissioners; and

WHEREAS, such Agreement provides for a \$4,200.00 annual retainer, reimbursement for services rendered at an hourly rate of \$150 and requires the County to provide medical malpractice insurance.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners enter into an Agreement with Dr. Ted Coy for a period of August 1, 2016 through July 31, 2017 for the provision of necessary inmate medical services at the Eaton County Jail; and

BE IT FURTHER RESOLVED, that the Chairperson be authorized to sign the Agreement. Seconded Commissioner Whittum. Carried.

Commissioner Eakin moved the approval of #16-7-67 Resolution to Approve the Tri-County Office on Aging's Area Plan for Fiscal Years 2017-2019.

WHEREAS, the Tri-County Aging Consortium, known as Tri-County Office on Aging, produced the Area Plan for Fiscal Years 2017-2019 as required by the Older Americans Act and the Older Michiganians Act; and

WHEREAS, the Health and Human Services Committee has reviewed the Tri-County Office on Aging's Area Plan for Fiscal Years 2017-2019 and is recommending its approval.

NOW THEREFORE BE IT RESOLVED, that the Eaton County Board of Commissioners approve said document as presented. Seconded by Commissioner Hosey. Carried. (on file).

Commissioner Eakin moved the approval of #16-7-68 Resolution to Approve 2015/2016 Budget Amendments.

WHEREAS, the Eaton County 2015/2016 Appropriations Act of September 16, 2015 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 2015/2016 Eaton County Budget:

GENERAL FUND

COUNTY CLERK

Increase	Health Insurance	\$ 7,000
Decrease	Contingency	\$ 7,000

To increase total departmental budget for Health Insurance due to a change in employee coverage eligibility.

SPECIAL REVENUE FUND

REGISTER OF DEEDS TECHNOLOGY FUND

Increase	Transfers-Out – Computer Fund	\$ 10,176
Increase	Contractual	\$112,682
Increase	Fund Balance Carryover	\$122,858

To increase the total budget to create archival and searchable Register of Deeds records.

COMPUTER FUND

Increase	Capital Outlay	\$ 10,176
Increase	Transfers-In	\$ 10,176

To increase the Computer Fund budget to increase the storage capacity for the Register of Deeds archival project. Seconded by Commissioner Whittum. Carried.

Commissioner Eakin moved the approval of claims as audited by the Ways and Means Committee in the amount of \$323,465.82 and to accept the report of previously authorized payments. Seconded by Commissioner Brehler. Carried.

Public Comments:

Rob South, 302 S. River Street, Eaton Rapids, John Gillespie, 2335 Hartel Road, William Schneider, 191 Glass Drive, Russ Hicks, Phil Bombrys and Robert McConnell, Eaton Country Parks Commissioner, spoke regarding the approval of the acquisition of the Crandell Lake property.

Lisa Dodge, 223 N. Main Street, Eaton Rapids, daughter of former Commissioner Roger Harris, on behalf of her family, thanked the Commissioners for voting to approve the Crandell Lake purchase.

Commissioner Comments: Commissioner Ridge read a statement addressing the negative comments made related to his re-election campaign, which alleged nepotism, changes to his committee assignments, and criticism for his support of the County's Diversity and Inclusion policy.

Commissioner Spence spoke regarding the County Diversity and Inclusion policy.

Commissioner Augustine spoke regarding community engagement and citizen volunteers at county parks.

Commissioner Osieczonek spoke regarding contentious campaign tactics.

Commissioner Lautzenheizer spoke of the need for collaboration with community groups and citizens regarding the Crandell Lake Project and his feeling that current efforts in the Charlotte area are supportive of this need.

There was no Unfinished Business, Old Business.

New Business: Commissioner Whitaker moved the approval of #16-7-69 Resolution to Approve Eaton County Breastfeeding Week August 1-7, 2016.

WHEREAS, breastfeeding is a proven strategy, protecting infants and mothers from chronic and acute diseases, helps build a foundation for life-long health; and saves our nation millions of dollars in healthcare costs; and

WHEREAS, our community encourages public health and businesses working collaboratively to protect, promote, and support breastfeeding; and strives to make breastfeeding the norm for infants and children; and

WHEREAS, a Community Forum addressing Breastfeeding Benefits sponsored by the Barry-Eaton District Health Department on August 15, 2016 to consider establishing an Eaton County Breastfeeding Coalition of community leaders and parents; and

WHEREAS, Michigan law protects a mothers right to breastfeed ANYTIME/ANYWHERE; and

WHEREAS, The Surgeon General's Call to Action to Support Breastfeeding, calls on health care providers, employers, insurers, policymakers, researchers, and the community at large to support mothers in reaching breastfeeding goals; and

WHEREAS, effective March 23, 2013, federal law requires employers to provide break time and a place for most hourly wage-earning and some salaried employees (nonexempt workers) to express breast milk at work; and

WHEREAS, Governor Rick Snyder signed Michigan's BREASTFEEDING ANTIDISCRIMINATION ACT 197 of 2014 into law.

NOW, THEREFORE, BE IT RESOLVED, the Eaton County Board of Commissioners hereby names the week of August 1-7, 2016 as Eaton County Breastfeeding Week, to coincide yearly with "World Breastfeeding Week and National Breastfeeding Week" - always the first week in August.

Seconded by Commissioner Augustine. Carried.

Chairman Mulder adjourned the meeting to Wednesday, August 17, 2016 at 7:00 p.m.

Chairman of the Board of Commissioners

Clerk of the Board of Commissioners

EATON COUNTY BOARD OF COMMISSIONERS

JULY 20, 2016

**RESOLUTION HONORING THE RETIREMENT OF
THE HONORABLE HARVEY J. HOFFMAN
EATON COUNTY DISTRICT COURT JUDGE**

Introduced by Commissioner Blake Mulder

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

WHEREAS, The Honorable Harvey J. Hoffman has selflessly and proudly served the People of Eaton County for the past 19 years as Judge of the District Court; and

WHEREAS, Judge Hoffman is retiring to spend more time with his wife, Sue, his family and to enjoy traveling; and to continue to serve the public through his expertise and dedication to treatment courts; and

WHEREAS, Judge Hoffman retires leaving an enduring legacy to the legal community to which he has dedicated his entire career, in private practice and as Judge, in ensuring fair and thoughtful justice by being firm yet balanced, sensitive, and just; and

WHEREAS, Judge Hoffman designed and implemented the first DWI/Sobriety Court in the State of Michigan in 1997 which is still in use today. He has been active in the drug court movement as President of the Michigan Association of Drug Court Professionals, and played a vital role in the development of legislation by serving in various organizations such as the National Association of Drug Court Professionals Congress, Executive Committee of NADCP Board of Directors, Traffic Injury Research Foundation National Working Group and the National Drug Court Institute as well as serving as Chairman NADCP DWI Committee and as NADCP Senior Judicial Fellow for DWI Courts; and

WHEREAS, he has served as the longest serving DWI Court Judge in the United States; was the primary author of both the Michigan Drug Treatment Court statute and the Michigan DWI Court/Restricted License Interlock Legislation and received the following awards: 2001 Michigan Judge of the Year – Michigan District Judges Association; 2003 William G. Schma Award - MADCP; 2003 Leadership Award – Congress of State Drug Courts; 2004 President’s Special Recognition Award – Executive Office of the President; 2007 National President’s Award for Criminal Justice – Mothers Against Drunk Driving; 2008 Distinguished Service Award – National Committee for the Prevention of Alcoholism and Drug Dependency and the 2008 Distinguished Board Service Award – NADCP; and

WHEREAS, Judge Hoffman has left an indelible mark on the legal justice system, in which, every member of our community has benefitted from his years of exemplary service and involvement in the community; and

WHEREAS, the Eaton County District Court staff have long benefitted from his leadership and mentorship and find great benefit of his establishment of the drug treatment courts he has tirelessly committed to maintaining in Eaton County; and

WHEREAS, Judge Hoffman's limitless energy, heart and passion for life and justice have truly made Eaton County a better place; and

WHEREAS, the Eaton County Board of Commissioners and the people of Eaton County owe a great debt of gratitude for the public service that Judge Hoffman has given the citizens of Eaton County.

NOW, THEREFORE BE IT RESOLVED, the Eaton County Board of Commissioners, meeting in regular session this 20th day of July, 2016, wishes to express its appreciation to The Honorable Harvey J. Hoffman for a job well done. We wish him well and Godspeed in his new endeavors; and

BE IT FURTHER RESOLVED, that this resolution bear the Seal of Eaton County and the signature of the Chairman of the Eaton County Board of Commissioners and a copy of this resolution be attached to the permanent records of the County. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

**RESOLUTION OF APPRECIATION FOR
APRIL HEINZE
CENTRAL DISPATCH DIRECTOR**

JULY 20, 2016

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

WHEREAS, April Heinze resigned from Eaton County effective July 28, 2016 after 24 years of service; and

WHEREAS, April started employment with Eaton County as a temporary employee in 1990 and began her dispatch career in June of 1992 as a Dispatcher. April received several promotions during her career and has been the Central Dispatch Director since June of 2013; and

WHEREAS, April 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 April's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank April for years of exceptional service to Eaton County and expresses its best wishes to her in the next chapter of her 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 20th day of the month of July in the year 2016. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

**RESOLUTION OF APPRECIATION FOR
MICHAEL ROONEY
MAINTENANCE WORKER-PHYSICAL PLANT**

JULY 20, 2016

Introduced by Commissioner Blake Mulder

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

WHEREAS, Michael Rooney will retire from Eaton County on July 31, 2016 after 25 years and 7 months of service; and

WHEREAS, Mike worked in the Physical Plant Department from January 3, 1991 to July 31, 2016, until his retirement; and

WHEREAS, Mike 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 Mike's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank Mike for years of exceptional service to Eaton County and expresses caring thoughts to him and his family; 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 20th day of the month of July in the year 2016. Carried.

STATE OF MICHIGAN

COUNTY OF EATON

RESOLUTION

At a regular meeting of the Eaton County Board of Commissioners held in the City of Charlotte, Michigan on July 20, 2016, at 7:00 p.m.

PRESENT: Hosey, Augustine, Spence, Osieczonek, Whitacre, Brehler, Miars, Eakin, Ridge, Lautzenheiser, Austin, Whittum, and Mulder.

ABSENT: Freeman and Rogers

The following resolution was offered by Commissioner Whittum and supported by Commissioner Austin:

WHEREAS, Eaton County ("County") has adopted a Final 911 Service Plan ("Plan") pursuant to the Emergency Telephone Service Enabling Act, 1986 PA 32, as amended ("Act");

WHEREAS, Eaton County has amended the Plan at least once without republishing the entire plan so that ascertaining the language of the current Plan is currently difficult to do;

WHEREAS, the Act requires the Plan to accurately identify all public service answering points ("PSAPs") for all 911 calls in the County;

WHEREAS, the County is preparing to transition from landline trunks to internet connections for the delivery of 911 calls to the PSAP. This transition, called "NextGen 911," holds the prospect for dramatically increasing the information that can be pushed to the PSAP regarding the emergency or individuals involved therein that precipitated the 911 call;

WHEREAS, the attached Plan attached hereto as Exhibit A accomplishes the following purposes that are in the best interests of the Eaton County public:

- (A.) Republishes the Plan to reflect prior amendments, so that the entire Plan is in one document, not many;
- (B.) Facilitates consolidated dispatch throughout the County by the Eaton County Central Dispatch Department;
- (C.) Streamlines the process for updating service supplier and public agency information;
- (D.) Provides for the possibility of enforcement mechanism if individuals or entities fail to perform their obligations under the Act and Plan; and
- (E.) Obligates service suppliers to use the IP address and internet provider that the Eaton County Central Dispatch Department designates for NextGen 911 service.

WHEREAS, the Board approved Exhibit A as a tentative 911 Plan by resolution on March 16, 2016, and the Eaton County Clerk has issued the requisite notices to the local units of government and published the requisite notices in the newspaper and the Board has held the requisite public hearing on the final approval of the tentative 911 Plan;

NOW, THEREFORE, BE IT RESOLVED that the Plan attached as Exhibit A is adopted by the Board of Commissioners as its final 911 Service Plan under MCL §484.1310;

YEAS: Hosey, Augustine, Spence, Osieczonek, Whitacre, Brehler, Miars, Eakin, Ridge, Lautzenheiser, Austin, Whittum, and Mulder.

NAYS: None

RESOLUTION ADOPTED

EATON COUNTY BOARD OF COMMISSIONERS
JULY 20, 2016
RESOLUTION TO APPROVE
2016-2017 SOLID WASTE ALTERNATIVES GRANT PROGRAM RECOMMENDATIONS
Introduced by the Public Works and Planning Committee

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

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

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

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

WHEREAS, the Public Works and Planning Committee reviewed the recommended grant funds, at its regular meeting held on July 13, 2016.

NOW, THEREFORE, BE IT RESOLVED, that the Public Works and Planning Committee is recommending that the following grant funds be approved for the period of October 1, 2016 through September 30, 2017.

Grant Applicant	2014-2015 Grant Allocation	2015-2016 Grant Request	Recommended Grant Funds
<i>Village of Bellevue, Bellevue Township, Walton Township, & the City of Olivet</i>	\$14,560.00	\$18,602.32	\$14,560.00
<i>Charlotte Area Recycling Authority</i>	\$20,000.00	\$47,000.00	\$29,000.00
<i>Delta Township Recycling Center</i>	\$24,000.00	\$39,708.00	\$28,784.00
<i>City of Eaton Rapids Recycling</i>	\$16,000.00	\$17,000.00	\$16,000.00
<i>City of Grand Ledge Recycling</i>	\$20,000.00	\$26,689.50	\$21,000.00
<i>Village of Mulliken</i>	\$0.00	\$21,000.00	\$6,000.00
<i>City of Potterville</i>	\$10,125.00	\$17,899.87	\$10,125.00
<i>Sunfield Township</i>	\$5,000.00	\$10,250.00	\$6,000.00
TOTAL	\$109,685.00	\$198,149.69	\$131,469.00

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

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

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

EATON COUNTY BOARD OF COMMISSIONERS

July 20, 2016

**RESOLUTION TO ACCEPT MICHIGAN DEPARTMENT OF NATURAL RESOURCES
TRUST FUND GRANT**

Introduced by the Public Works & Planning Committee

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

WHEREAS, Eaton County was previously awarded a Michigan Department of Natural Resources Trust Fund Grant (TF12-020); and

WHEREAS, the County has made an offer to acquire the property, commonly referred to as “the M-50 site,” based on the recently obtained appraisal; and

WHEREAS, the property owner has agreed, in principal, to accept the County’s offer to purchase the property for seventy-five (75) per cent of the appraised value; and

WHEREAS, the remaining twenty-five (25) per cent of the appraised value will represent the required local match as an in-kind contribution; and

WHEREAS, the Public Works and Planning Committee recommended at its meeting on July 13, 2016, the County accept Michigan Department of Natural Resources Trust Fund Grant (TF12-020); and

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize Parks staff to complete the necessary steps to complete the grant acceptance and the Controller/Administrator to negotiate the final terms of a buy/sell agreement with the property owner; and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners is authorized to sign all necessary documents to accept MDNRTF Grant #TF12-020; and

BE IT FURTHER RESOLVED, the Board of Commissioners will receive the final proposed buy/sell agreement between the parties for its approval upon the completion of negotiations of the its terms. Roll call vote. Ayes: Mulder, Augustine, Spence, Osieczonek, Whitacre, Brehler, Miars, Eakin, Ridge, Lautzenheiser, Whittum. Nays: Austin. Motion carried.

EATON COUNTY, MICHIGANOrdinance No. 2016-1

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

ORDINANCE TO AMEND THE 2012 MICHIGAN BUILDING CODE, AS AMENDED, TO PROVIDE FOR VIOLATIONS OF SAID ORDINANCE TO BE MUNICIPAL CIVIL INFRACTIONS; TO DESIGNATE AUTHORIZED LOCAL OFFICIALS RESPONSIBLE TO ENFORCE MUNICIPAL CIVIL INFRACTION VIOLATIONS OF THE 2012 MICHIGAN BUILDING CODE; TO PLACE THE VIOLATIONS BUREAU AT THE DEPARTMENT OF CONSTRUCTION CODES; TO ADOPT A SAVINGS CLAUSE; AND TO PROVIDE AN EFFECTIVE DATE.

THE COUNTY OF EATON ORDAINS:

SECTION 1. ADDITION OF SUBSECTION 114.3 OF THE 2012 MICHIGAN BUILDING CODE, AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA), BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.

The 2012 Michigan Building Code is amended to add a new subsection 114.3 to read as follows:

Section 114.3 Violation penalties:

- A. Any violation of any provision of any subsection of the 2012 Michigan Building Code or any exception granted thereunder, shall be a municipal civil infraction. A violation includes any act, which is prohibited or made or declared, to be unlawful or an offense and any omission or failure to act where the act is required by the 2012 Michigan Building Code.
- B. The sanction for any violation of any subsection of the 2012 Michigan Building Code which are municipal civil infractions shall be a civil fine as provided in subsection 114.5 plus any costs, damages, expenses and other sanctions, as authorized under Chapter 87 of Act No. 236 of Public Acts of 1961, as amended, and other applicable laws.
- C. The Director of the Eaton County Department of Construction Codes and Eaton County Department of Construction Codes Building Inspectors are authorized to issue municipal civil infraction citations and municipal civil infraction violation notices for violations of any subsection of the 2012 Michigan Building Code.
- D. In addition to enforcement of violations as municipal civil infractions, enforcement of violations of any subsection of the 2012 Michigan Building Code may be accomplished by civil action, along with any other remedies provided by law. Violation of the Ordinance is hereby declared a nuisance, per se, and adjudication of responsibility for a municipal civil infraction violation of any subsections of the 2012 Michigan Building Code shall not preclude other civil proceedings to abate such nuisance.
- E. Each day that a violation exists constitutes a separate infraction.

SECTION 2. ADDITION OF SUBSECTION 114.5 TO THE 2012 MICHIGAN BUILDING CODE, AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA), BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.

The 2012 Michigan Building code is amended to add a new subsection 114.5 to read as follows:

Section 114.5 Schedule of Fines

A. General; Fines for Municipal Civil Infraction Citations.

1. A person, corporation or firm who violates any provision of any subsection of the 2012 Michigan Building Code and is found responsible at the District Court for a municipal civil infraction citation, shall pay civil fines of not less than \$100.00 nor more than \$500.00, plus costs and other sanctions, for each infraction.
2. Repeat offenses shall be subject to increased fines as set forth below. As used in this subsection, "repeat offense", means a second (or any subsequent) municipal civil infraction of the same requirement or provision of a subsection of the 2012 Michigan Building Code committed by a corporation, person or firm within any 36 month period and, for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under any subsection shall be as follows:
 - (i) The fine for any offense that is a repeat offense shall be no less than \$200 plus costs and other sanctions.
 - (ii) The fine for any offense that is a second repeat offense shall be no less than \$350 plus cost and other sanctions.
 - (iii) The fine for any offense that is a third or subsequent repeat offense shall be no less than \$500 plus costs and other sanctions.

B. Fines for Violation Notices

A person, corporation or firm who, as a result of violating any provision of a subsection of the 2012 Michigan Building Code that receives a municipal civil infraction violation notice, upon a determination of responsibility thereon, shall pay an initial civil fine at the Eaton County Department of Construction Codes Civil Infraction Violations Bureau of \$100.00.

- (i) In the case of another offense within two years of the date of the initial infraction, the civil fine shall be \$200.00. (This shall be known as the second offense).
- (ii) In the case of another offense within two years of the date of the second offense, the civil fine shall be \$350.00. (This shall be known as the third offense).
- (iii) In the case of another offense within two years of the date of the third offense, the civil fine shall be \$500.00. (This shall be known as the fourth offense). All subsequent offenses shall be subject to a civil fine of \$500.00.

SECTION 3. ADDITION OF SUBSECTION 114.6 TO THE 2012 MICHIGAN BUILDING

CODE, AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA), BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.

The 2012 Michigan Building code is amended to add a new subsection 114.6 to read as follows:
Section 114.6 Location of Violations Bureau

The Municipal Civil Infraction Violations Bureau, for disposition of violation notices issued under the 2012 Michigan Building Code, shall be located at the Department of Construction Codes Office in the Eaton County Courthouse, 1045 Independence Boulevard, Charlotte, MI 48813.

SECTION 4. REPEALER.

All ordinances in conflict are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 5. SEVERABILITY.

The various parts, sections and clauses of this ordinance are hereby declared to be severable. Should any part, clause, sentence, paragraph or section of this ordinance be found invalid or unconstitutional for any reason by any court of competent jurisdiction, any such decision shall not affect the validity of the remainder of this ordinance.

SECTION 6. SAVINGS CLAUSE.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

SECTION 7. EFFECTIVE DATE.

The provisions of this ordinance are ordered to take effect after publication.

I, Diana Bosworth, Eaton County Clerk, certify that this ordinance was adopted by the Eaton County Board of Commissioners and published on July 30, 2016. Roll call vote. Ayes: Hosey, Mulder, Augustine, Spence, Osieczonek, Whitacre, Brehler, Miars, Eakin, Ridge, Lautzenheiser, Austin, Whittum. Nays: None. Carried.

Diana Bosworth, Eaton County Clerk

EATON COUNTY, MICHIGAN

Ordinance No. 2016-2

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

AN ORDINANCE TO AMEND THE 2012 MICHIGAN MECHANICAL CODE, AS AMENDED, TO PROVIDE FOR VIOLATIONS OF SAID ORDINANCE TO BE MUNICIPAL CIVIL INFRACTIONS; TO DESIGNATE AUTHORIZED LOCAL OFFICIALS RESPONSIBLE TO ENFORCE MUNICIPAL CIVIL INFRACTION VIOLATIONS OF THE 2012 MICHIGAN MECHANICAL CODE; TO PLACE THE VIOLATIONS BUREAU AT THE DEPARTMENT OF CONSTRUCTION CODES; TO ADOPT A SAVINGS CLAUSE; AND TO PROVIDE AN EFFECTIVE DATE.

THE COUNTY OF EATON ORDAINS:

SECTION 1. ADDITION OF SUBSECTION 108.8 OF THE 2012 MICHIGAN MECHANICAL CODE, AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA), BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.

The 2012 Michigan Mechanical Code is amended to add a new subsection 108.8 to read as follows:

Section 108.8 Violation penalties:

- A. Any violation of any provision of any subsection of the 2012 Michigan Mechanical Code or any exception granted thereunder, shall be a municipal civil infraction. A violation includes any act, which is prohibited or made or declared, to be unlawful or an offense and any omission or failure to act where the act is required by the 2012 Michigan Mechanical Code.

- B. The sanction for any violation of any subsection of the 2012 Michigan Mechanical Code which are municipal civil infractions shall be a civil fine as provided in subsection 108.9 plus any costs, damages, expenses and other sanctions, as authorized under Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended, and other applicable laws.

- C. The Director of the Eaton County Department of Construction Codes and Eaton County Department of Construction Codes Mechanical Inspectors are authorized to issue municipal civil infraction citations and municipal civil infraction violation notices for violations of any subsection of the 2012 Michigan Mechanical Code.
- D. In addition to enforcement of violations as municipal civil infractions, enforcement of violations of any subsection of the 2012 Michigan Mechanical Code may be accomplished by civil action, along with any other remedies provided by law. Violation of the Ordinance is hereby declared a nuisance, per se, and adjudication of responsibility for a municipal civil infraction violation of any subsections of the 2012 Michigan Mechanical Code shall not preclude other civil proceedings to abate such nuisance.
- E. Each day that a violation exists constitutes a separate infraction.

SECTION 2. ADDITION OF SUBSECTION 108.9 TO THE 2012 MICHIGAN MECHANICAL CODE, AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA), BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.

The 2012 Michigan Mechanical code is amended to add a new subsection 108.9 to read as follows:

Section 108.9 Schedule of Fines

- A. General; Fines for Municipal Civil Infraction Citations.
 - 1. A person, corporation or firm who violates any provisions of any subsection of the 2012 Michigan Mechanical Code and is found responsible at the District Court for a municipal civil infraction citation, shall pay civil fines of not less than \$100.00 nor more than \$500.00, plus costs and other sanctions, for each infraction.
 - 2. Repeat offenses shall be subject to increased fines as set forth below. As used in this subsection, "repeat offense", means a second (or any subsequent) municipal civil infraction of the same requirement or provision of a subsection of the 2012 Michigan Mechanical Code committed by a corporation, person or firm within any 36 months period and, for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under any subsection shall be as follows:
 - (i) The fine for any offense that is a repeat offense shall be no less than \$200 plus costs and other sanctions.
 - (ii) The fine for any offense that is a second repeat offense shall be no less than \$350 plus cost and other sanctions.
 - (iii) The fine for any offense that is a third or subsequent repeat offense shall be no less than \$500 plus costs and other sanctions.

B. Fines for violation Notices

A person, corporation or firm who, as a result of violating any provision of a subsection of the 2012 Michigan Mechanical Code that receives a municipal civil infraction violation notice, upon a determination of responsibility thereon, shall pay an initial civil fine at the Eaton County Department of Construction Codes Civil Infraction Violations Bureau of \$100.00.

- (i) In the case of another offense within two years of the date of the initial infraction, the civil fine shall be \$200.00. (This shall be known as the second offense).
- (ii) In the case of another offense within two years of the date of the second offense, the civil fine shall be \$350.00. (This shall be known as the third offense).
- (iii) In the case of another offense within two years of the date of the third offense, the civil fine shall be \$500.00. (This shall be known as the fourth offense). All subsequent offenses shall be subject to a civil fine of \$500.00.

SECTION 3. ADDITION OF SUBSECTION 108.10 TO THE 2012 MICHIGAN MECHANICAL CODE, AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA), BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.

The 2012 Michigan Mechanical Code is amended to add a new subsection 108.10 to read as follows:

Section 108.10 Location of Violations Bureau

The Municipal Civil Infraction Violations Bureau, for disposition of violation notices issued under the 2012 Michigan Mechanical Code, shall be located at the Department of Construction Codes Office in the Eaton County Courthouse, 1045 Independence Boulevard, Charlotte, Michigan 48813.

SECTION 4. REPEALER.

All ordinances in conflict are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 5. SEVERABILITY.

The various parts, sections and clauses of this ordinance are hereby declared to be severable. Should any part, clause, sentence, paragraph or section of this ordinance be found invalid or unconstitutional for any reason by any court of competent jurisdiction, any such decision shall not affect the validity of the remainder of this ordinance.

SECTION 6. SAVINGS CLAUSE.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

SECTION 7. EFFECTIVE DATE.

The provisions of this ordinance are ordered to take effect after publication.

I, Diana Bosworth, Eaton County Clerk, certify that this ordinance was adopted by the Eaton County Board of Commissioners and published on July 30, 2016. Roll call vote. Ayes: Hosey, Mulder, Augustine, Spence, Osieczonek, Whitacre, Brehler, Miars, Eakin, Ridge, Lautzenheiser, Austin, Whittum. Nays: None. Carried.

Diana Bosworth, Eaton County Clerk

EATON COUNTY, MICHIGAN

Ordinance No. 2016-3

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

AN ORDINANCE TO AMEND THE 2012 MICHIGAN PLUMBING CODE, AS AMENDED, TO PROVIDE FOR VIOLATIONS OF SAID ORDINANCE TO BE MUNICIPAL CIVIL INFRACTIONS; TO DESIGNATE AUTHORIZED LOCAL OFFICIALS RESPONSIBLE TO ENFORCE MUNICIPAL CIVIL INFRACTION VIOLATIONS OF THE 2012 MICHIGAN PLUMBING CODE; TO PLACE THE VIOLATIONS BUREAU AT THE DEPARTMENT OF CONSTRUCTION CODES; TO ADOPT A SAVINGS CLAUSE; AND TO PROVIDE AN EFFECTIVE DATE.

THE COUNTY OF EATON ORDAINS:

SECTION 1. ADDITION OF SUBSECTION 108.8 OF THE 2012 MICHIGAN PLUMBING CODE, AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA), BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.

The 2012 Michigan Plumbing Code is amended to add a new subsection 108.8 to read as follows:

Section 108.8 Violation penalties:

- A. Any violation of any provision of any subsection of the 2012 Michigan Plumbing Code or any exception granted thereunder, shall be a municipal civil infraction. A violation includes any act, which is prohibited or made or declared, to be unlawful or an offense and any omission or failure to act where the act is required by the 2012 Michigan Plumbing Code.
- B. The sanction for any violation of any subsection of the 2012 Michigan Plumbing Code which are municipal civil infractions shall be a civil fine as provided in subsection 108.9 plus any costs, damages, expenses and other sanctions, as authorized under Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended, and other applicable laws.
- C. The Director of the Eaton County Department of Construction Codes and Eaton County Department of Construction Codes Plumbing Inspectors are authorized to issue municipal civil infraction citations and municipal civil infraction violation notices for violations of any subsection of the 2012 Michigan Plumbing Code.
- D. In addition to enforcement of violations as municipal civil infractions, enforcement of violations of any subsection of the 2012 Michigan Plumbing Code may be accomplished by civil action, along with any other remedies provided by law. Violation of the Ordinance is hereby declared a nuisance, per se, and adjudication of responsibility for a municipal civil infraction violation of any subsection of the 2012 Michigan Plumbing Code listed above shall not preclude other civil proceedings to abate such nuisance.
- E. Each day that a violation exists constitutes a separate infraction.

SECTION 2. ADDITION OF SUBSECTION 108.9 TO THE 2012 MICHIGAN PLUMBING CODE, AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OF THE

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA),
BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.**

The 2012 Michigan Plumbing Code is amended to add a new subsection 108.9 to read as follows:

Section 108.9 Schedule of Fines

A. General; Fines for Municipal Civil Infraction Citations.

1. A person, corporation or firm who violates any provisions of any subsection of the 2012 Michigan Plumbing Code and is found responsible at the District Court for a municipal civil infraction citation, shall pay civil fines of not less than \$100.00 nor more than \$500.00, plus costs and other sanctions, for each infraction.
2. Repeat offenses shall be subject to increased fines as set forth below. As used in this subsection, "repeat offense", means a second (or any subsequent) municipal civil infraction of the same requirement or provision of a subsection of the 2012 Michigan Plumbing Code committed by a corporation, person or firm within any 36 month period and, for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under any subsection shall be as follows:
 - (i) The fine for any offense that is a repeat offense shall be no less than \$200 plus costs and other sanctions.
 - (ii) The fine for any offense that is a second repeat offense shall be no less than \$350 plus cost and other sanctions.
 - (iii) The fine for any offense that is a third or subsequent repeat offense shall be no less than \$500 plus costs and other sanctions.

B. Fines for Violation Notices

1. A person, corporation or firm who, as a result of violating any provision of a subsection of the 2012 Michigan Plumbing Code that receives a municipal civil infraction violation notice, upon a determination of responsibility thereon, shall pay an initial civil fine at the Eaton County Department of Construction Codes Civil Infraction Violations Bureau of \$100.00.
 - (i) In the case of another offense within two years of the date of the initial infraction, the civil fine shall be \$200.00. (This shall be known as the second offense).
 - (ii) In the case of another offense within two years of the date of the second offense, the civil fine shall be \$350.00. (This shall be known as the third offense).
 - (iii) In the case of another offense within two years of the date of the third offense, the civil fine shall be \$500.00. (This shall be known as the fourth offense). All subsequent offenses shall be subject to a civil fine of \$500.00.

SECTION 3. ADDITION OF SUBSECTION 108.10 TO THE 2012 MICHIGAN PLUMBING CODE, AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA), BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.

The 2012 Michigan Plumbing Code is amended to add a new subsection 108.10 to read as follows:

Section 108.10 Location of Violations Bureau

The Municipal Civil Infraction Violations Bureau, for disposition of violation notices issued under the 2012 Michigan Plumbing Code, shall be located at the Department of Construction Codes Office in the Eaton County Courthouse, 1045 Independence Boulevard, Charlotte, Michigan 48813.

SECTION 4. REPEALER.

All ordinances in conflict are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 5. SEVERABILITY

The various parts, sections and clauses of this ordinance are hereby declared to be severable. Should any part, clause, sentence, paragraph or section of this ordinance be found invalid or unconstitutional for any reason by any court of competent jurisdiction, any such decision shall not affect the validity of the remainder of this ordinance.

SECTION 6. SAVINGS CLAUSE.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

SECTION 7. EFFECTIVE DATE.

The provisions of this ordinance are ordered to take effect after publication.

I, Diana Bosworth, Eaton County Clerk, certify that this ordinance was adopted by the Eaton County Board of Commissioners and published on July 30, 2016. Roll call vote. Ayes: Hosey, Mulder, Augustine, Spence, Osieczonek, Whitacre, Brehler, Miars, Eakin, Ridge, Lautzenheiser, Austin, Whittum. Nays: None. Carried.

Diana Bosworth, Eaton County Clerk

EATON COUNTY, MICHIGANOrdinance No. 2016-4

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

AN ORDINANCE TO AMEND THE 2012 MICHIGAN REHABILITATION CODE FOR EXISTING BUILDINGS, AS AMENDED, TO PROVIDE FOR VIOLATIONS OF SAID ORDINANCE TO BE MUNICIPAL CIVIL INFRACTIONS; TO DESIGNATE AUTHORIZED LOCAL OFFICIALS RESPONSIBLE TO ENFORCE MUNICIPAL CIVIL INFRACTION VIOLATIONS OF THE 2012 MICHIGAN REHABILITATION CODE FOR EXISTING BUILDINGS; TO PLACE THE VIOLATIONS BUREAU AT THE DEPARTMENT OF CONSTRUCTION CODES; TO ADOPT A SAVINGS CLAUSE; AND TO PROVIDE AN EFFECTIVE DATE.

THE COUNTY OF EATON ORDAINS:

SECTION 1. ADDITION OF SUBSECTION 113.5 OF THE 2012 MICHIGAN REHABILITATION CODE FOR EXISTING BUILDINGS, AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OF THE MICHIGAN DEPARTMENT OF GROWTH LICENSING AND REGULATORY AFFAIRS (LARA), BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.

The 2012 Michigan Rehabilitation Code for Existing Buildings is amended to add a new subsection 113.5 to read as follows:

Section 113.5. Violation penalties:

- A. Any violation of any provision of any subsection of the 2012 Michigan Rehabilitation Code for Existing Buildings or any exception granted thereunder, shall be a municipal civil infraction. A violation includes any act, which is prohibited or made or declared, to be unlawful or an offense and any omission or failure to act where the act is required by the 2012 Michigan Rehabilitation Code for Existing Buildings.
- B. The sanction for any violation of any subsection of the 2012 Michigan Rehabilitation Code for Existing Buildings which are municipal civil infractions shall be a civil fine as provided in subsection 113.6 plus an costs, damages, expenses and other sanctions, as authorized under Chapter 87 of Act No. 236 of the Pulbic Acts of 1961, as amended, and other applicable laws.
- C. The Director of the Eaton County Department of Construction Codes and Eaton County Department of Construction Codes Building Inspectors are authorized to issue municipal civil infraction citations and municipal civil infraction violation notices for violations of any subsection of the 2012 Michigan Rehabilitation Code for Existing Buildings.

SECTION 2. ADDITION OF SUBSECTION 113.6 TO THE 2012 MICHIGAN REHABILITATION CODE FOR EXISTING BUILDINGS, AS AMENDED, AS ADOPTED AND

ENFORCEABLE THROUGH RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA), BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.

The 2012 Michigan Rehabilitation Code for Existing Buildings is amended to add a new subsection 113.6 to read as follows:

Section R113.6 Schedule of Fines:

A. General Fines for Municipal Civil Infraction Citations

1. A person, corporation or firm who violates any provisions of any subsection of the 2012 Michigan Rehabilitation Code for Existing Buildings and is found responsible at District Court for a municipal civil infraction citation, shall pay civil fines of not less than \$100.00 nor more than \$500.00, plus costs and other sanctions, for each infraction.

2. Repeat offenses shall be subject to increased fines as set forth below. As used in this subsection, "repeat offense", means a second (or any subsequent) municipal civil infraction of the same requirement or provision of a subsection of the 2012 Michigan Rehabilitation Code for Existing Buildings committed by a corporation, person or firm within any 36 month period and, for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under any subsection shall be as follows:
 - (i) The fine for any offense that is a repeat offense shall be no less than \$200 plus costs and other sanctions.
 - (ii) The fine for any offense that is a second repeat offense shall be no less than \$350 plus costs and other sanctions.
 - (iii) The fine for any offense that is a third or subsequent repeat offense shall be no less than \$500 plus costs and other sanctions.

B. Fines for Violation Notices

1. A person, corporation or firm who, as a result of violating any provision of a subsection of the 2012 Michigan Rehabilitation Code for Existing Buildings that receives a municipal civil infraction violation notice, upon a determination of responsibility thereon, shall pay an initial civil fine at the Eaton County Department of Construction Codes Civil Infraction Violations Bureau of \$100.00.
 - (i) In the case of another offense within two years of the date of the date of the initial infraction, the civil fine shall be \$200.00. (This shall be known as the second offense)
 - (ii) In the case of another offense within two years of the date of the second offense, the civil fine shall be \$350.00. (This shall be known as the third offense)

- (iii) In the case of another offense within the two years of the date of the third offense, the civil fine will be \$500.00. (This shall be known as the fourth offense). All subsequent offenses shall be subject to a civil fine of \$500.00.

SECTION 3. ADDITION OF SUBSECTION 113.7 TO THE 2012 MICHIGAN REHABILITATION CODE FOR EXISTING BUILDINGS, AS AMENDED, AS ADOPTED AND ENFORCABLE THROUGH RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA), BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.

The 2012 Michigan Rehabilitation Code for Existing Buildings is amended to add a new subsection 113.7 to read as follows:

Section 113.7 Location of Violations Bureau

The Municipal Civil Infraction Violations Bureau, for disposition of violation notices issued under the 2012 Michigan Rehabilitation Code for Existing Buildings, shall be located at the Department of Construction Codes office in the Eaton County Courthouse, 1045 Independence Boulevard, Charlotte, MI 48813.

SECTION 4. REPEALER.

All ordinances in conflict are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 5. SEVERABILITY.

The various parts, sections and clauses of this ordinance are hereby declared to be severable. Should any part, clause, sentence, paragraph or section of this ordinance be found invalid or unconstitutional for any reason by any court of competent jurisdiction, any such decision shall not affect the validity of the remainder of this ordinance.

SECTION 6. SAVINGS CLAUSE.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

SECTION 7. EFFECTIVE DATED.

The provisions of this ordinance are ordered to take effect after publication.

I Diana Bosworth, Eaton County Clerk, certify that this ordinance was adapted by the Eaton County Board of Commissioners and published on July 30, 2016. Roll call vote. Ayes: Hosey, Mulder, Augustine, Spence, Osieczonek, Whitacre, Brehler, Miars, Eakin, Ridge, Lautzenheiser, Austin, Whittum. Nays: None. Carried.

Diana Bosworth, Eaton County Clerk

EATON COUNTY, MICHIGAN

Ordinance No. 2016-5

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

AN ORDINANCE TO AMEND THE 2014 MICHIGAN ELECTRIC CODE, AS AMENDED, TO PROVIDE FOR VIOLATIONS OF SAID ORDINANCE TO BE MUNICIPAL CIVIL INFRACTIONS; TO DESIGNATE AUTHORIZED LOCAL OFFICIALS RESPONSIBLE TO ENFORCE MUNICIPAL CIVIL INFRACTION VIOLATIONS OF THE 2014 MICHIGAN ELECTRIC CODE; TO PLACE THE VIOLATIONS BUREAU AT THE DEPARTMENT OF CONSTRUCTION CODES; TO ADOPT A SAVINGS CLAUSE; AND TO PROVIDE AN EFFECTIVE DATE.

THE COUNTY OF EATON ORDAINS:

SECTION 1. ADDITION OF ARTICLE 80.27 OF THE 2014 MICHIGAN ELECTRICAL CODE, AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA), BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.

The 2014 Michigan Electrical Code is amended to add a new article 80.27 to read as follows:

Article 80.27 Municipal Civil Infraction:

- A. Any violation of any provision of any article of the 2014 Michigan Electric Code or any exception granted thereunder, shall be a municipal civil infraction. A violation includes any act, which is prohibited or made or declared, to be unlawful or an offense and any omission or failure to act where the act is required by the 2014 Michigan Electrical Code.
- B. The sanction for any violation of any article of the 2014 Michigan Electrical Code which are municipal civil infractions shall be a civil fine as provided in article 80.28, plus any costs, damages, expenses and other sanctions, as authorized under Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended, and other applicable laws.
- C. The Director of the Eaton County Department of Construction Codes and Eaton County Department of Construction Codes Electrical Inspectors are authorized to issue municipal civil infraction citations and municipal civil infraction violation notices for violations of any article of the 2014 Michigan Electrical Code.
- D. In addition to enforcement of violations as municipal civil infractions, enforcement of violations of any article of the 2014 Michigan Electrical Code may be accomplished by civil action, along with any other remedies provided by law. Violation of the ordinance is hereby declared a nuisance, per se, and adjudication of responsibility for a municipal civil infraction violation of any article of the 2014 Michigan Electrical Code shall not preclude other civil proceedings to abate such nuisance.
- E. Each day that a violation exists constitutes a separate infraction.

SECTION 2. ADDITION OF ARTICLE 80.28 TO THE 2014 MICHIGAN ELECTRICAL CODE, AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA), BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.

The 2014 Michigan Electrical Code is amended to add a new article 80.28 to read as follows:

Article 80.28 Schedule of Fines

A. General; Fines for Municipal Civil Infraction Citations.

1. A person, corporation or firm who violates any provision of any article of the 2014 Michigan Electrical Code and is found responsible at the District Court for a municipal civil infraction citation, shall pay civil fines of not less than \$100.00 nor more than \$500.00, plus costs and other sanctions, for each infraction.
2. Repeat offenses shall be subject to increased fines as set forth below. As used in this article, "repeat offense", means a second (or any subsequent) municipal civil infraction of the same requirement or provision of any article of the 2014 Michigan Electrical Code committed by a corporation, person or firm within any 36 month period and, for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under any article shall be as follows:
 - (i) The fine for any offense that is a repeat offense shall be no less than \$200 plus costs and other sanctions.
 - (ii) The fine for any offense that is a second repeat offense shall be no less than \$350 plus cost and other sanctions.
 - (iii) The fine for any offense that is a third or subsequent repeat offense shall be no less than \$500 plus costs and other sanctions.

B. Fines for Violation Notices

A person, corporation or firm who, as a result of violating any provision of any article of the 2014 Michigan Electrical Code that receives a municipal civil infraction violation notice, upon a determination of responsibility thereon, shall pay an initial civil fine at the Eaton County Department of Construction Codes Civil Infraction Violations Bureau of \$100.00.

- (i) In the case of another offense within two years of the date of the initial infraction, the civil fine shall be \$200.00. (This shall be known as the second offense).
- (ii) In the case of another offense within two years of the date of the second offense, the civil fine shall be \$350.00. (This shall be known as the third offense).
- (iii) In the case of another offense within two years of the date of the third offense, the civil fine shall be \$500.00. (This shall be known as the fourth offense). All subsequent offenses shall be subject to a civil fine of \$500.00.

SECTION 3. ADDITION OF ARTICLE 80.29 TO THE 2014 MICHIGAN ELECTRICAL CODE, AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA), BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.

The 2014 Michigan Electrical Code is amended to add a new article 80.29 to read as follows:

Article 80.29 Location of Violations Bureau

The Municipal Civil Infraction Violations Bureau, for disposition of violation notices issued under the 2014 Michigan Electrical Code, shall be located at the Department of Construction Codes Office in the Eaton County Courthouse, 1045 Independence Boulevard, Charlotte, Michigan 48813.

SECTION 4. REPEALER.

All ordinances in conflict are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 5. SEVERABILITY.

The various parts, articles and clauses of this ordinance are hereby declared to be severable. Should any part, clause, sentence, paragraph or section of this ordinance be found invalid or unconstitutional for any reason by any court of competent jurisdiction, any such decision shall not affect the validity of the remainder of this ordinance.

SECTION 6. SAVINGS CLAUSE.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

SECTION 7. EFFECTIVE DATE.

The provisions of this ordinance are ordered to take effect after publication. I, Diana Bosworth, Eaton County Clerk, certify that this ordinance was adopted by the Eaton County Board of Commissioners and published on July 30, 2016. Roll call vote. Ayes: Hosey, Mulder, Augustine, Spence, Osieczonek, Whitacre, Brehler, Miars, Eakin, Ridge, Lautzenheiser, Austin, Whittum. Nays: None. Carried.

Diana Bosworth, Eaton County Clerk

EATON COUNTY, MICHIGAN

Ordinance No. 2016-6

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

AN ORDINANCE TO AMEND THE 2015 MICHIGAN RESIDENTIAL CODE, AS AMENDED, TO PROVIDE FOR VIOLATIONS OF SAID ORDINANCE TO BE MUNICIPAL CIVIL INFRACTIONS; TO DESIGNATE AUTHORIZED LOCAL OFFICIALS RESPONSIBLE TO ENFORCE MUNICIPAL CIVIL INFRACTION VIOLATIONS OF THE 2015 MICHIGAN RESIDENTIAL CODE; TO PLACE THE VIOLATIONS BUREAU AT THE DEPARTMENT OF CONSTRUCTION CODES; TO ADOPT A SAVINGS CLAUSE; AND TO PROVIDE AN EFFECTIVE DATE.

THE COUNTY OF EATON ORDAINS:

SECTION 1. ADDITION OF SUBSECTION R113.5 OF THE 2015 MICHIGAN RESIDENTIAL CODE, AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA), BEURAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.

The 2015 Michigan Residential Code is amended to add a new subsection R113.5 to read as follows:

Section R113.5 Violation penalties:

- A. Any violation of any provision of any subsection of the 2015 Michigan Residential Code or any exception granted thereunder, shall be a municipal civil infraction. A violation includes any act, which is prohibited or made or declared, to be unlawful or an offense and any omission or failure to act where the act is required by the 2015 Michigan Residential Code.
- B. The sanction for any violation of any subsection of the 2015 Michigan Residential Code which are municipal civil infractions shall be a civil fine as provided in subsection R113.6 plus any costs, damages, expenses and other sanctions, as authorized under Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended, and other applicable laws.
- C. The Director of Eaton County Department of Construction Codes and Eaton County Department of Construction Codes Building, Electrical, Mechanical and Plumbing Inspectors are authorized to issue municipal civil infraction citations and municipal civil infraction violation notices for violations of any subsection of the 2015 Michigan Residential Code.
- D. In addition to the enforcement of violations as municipal civil infractions, enforcement of violations of any subsection of the 2015 Michigan Residential Code may be accomplished by civil action, along with any other remedies provided by law. Violation of the Ordinance is hereby declared a nuisance, per se, and adjudication of responsibility for a municipal civil infraction violation of any subsections of the 2015 Michigan Residential Code shall not preclude other civil proceedings to abate such nuisance.
- E. Each day that a violation exists constitutes a separate infraction.

SECTION 2. ADDITION OF SUBSECTION R113.6 TO THE 2015 MICHGIAN RESIDENTIAL CODE, AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OF THE

**MICHIGIAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA),
BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.**

The 2015 Michigan Residential Code is amended to add a new subsection R113.6 to read as follows:

Sections R113.6 Schedule of Fines

A. General; Fines for Municipal Civil Infraction Citations.

1. A person, corporation or firm who violates any provisions of any subsection of the 2015 Michigan Residential Code and is found responsible at the District Court for a municipal civil infraction citation, shall pay civil fines of not less than \$100.00 nor more than \$500.00, plus costs and other sanctions, for each infraction.
2. Repeat offenses shall be subject to increased fines as set forth below. As used in this subsection, "repeat offense", means a second (or any subsequent) municipal civil infraction of the same requirement or provision of a subsection of the 2009 Michigan Residential Code committed by a corporation, person or firm within any 36 month period and, for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under any subsection shall be as follows:
 - (i) The fine for any offense that is a repeat offense shall be shall be no less than \$200 plus costs and other sanctions.
 - (ii) The fine for any offense that is a second repeat offense shall be no less than \$350 plus cost and other sanctions.
 - (iii) The fine for any offense that is a third or subsequent repeat offense shall be no less than \$500 plus costs and other sanctions.

B. Fines for Violation Notices

1. A person, corporation or firm who, as a result of violating any provision of a subsection of the 2015 Michigan Residential Code that receives a municipal civil infraction violation notice, upon a determination of responsibility thereon, shall pay an initial civil fine at the Eaton County Department of Construction Codes Civil Infraction Violations Bureau of \$100.00.
 - (i) In the case of another offense within two years of the date of the initial infraction, the civil fine shall be \$200.00. (This shall be known as the second offense).
 - (ii) In the case of another offense within two years of the date of the second offense, the civil fine shall be \$350.00. (This shall be known as the third offense).

- (iii) In the case of another offense within two years of the date of the third offense, the civil fine shall be \$500.00. (This shall be known as the fourth offense). All subsequent offenses shall be subject to a civil fine of \$500.00.

SECTION 4. ADDITION OF SUBSECTION R113.7 TO THE 2015 MICHIGAN RESIDENTIAL CODE, AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA), BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.

The 2015 Michigan Residential code is amended to add a new subsection R113.7 to read as follows:

Sections R113.7 Location of Violations Bureau

The Municipal Civil Infraction Violations Bureau, for disposition of violation notices issued under the 2015 Michigan Residential Code, shall be located at the Department of Construction Codes Office in the Eaton County Courthouse, 1045 Independence Boulevard, Charlotte, MI 48813.

SECTION 5. REPEALER.

All ordinances in conflict are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 6. SEVERABILITY.

The various parts, sections and clauses of this ordinance are hereby declared to be severable. Should any part, clause, sentence, paragraph or section of this ordinance be found invalid or unconstitutional for any reason by any court of competent jurisdiction, any such decision shall not affect the validity of the remainder of this ordinance.

SECTION 7. SAVINGS CLAUSE.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

SECTION 8. EFFECTIVE DATE.

The provisions of this ordinance are ordered to take effect after publication.

I, Diana Bosworth, Eaton County Clerk, certify that this ordinance was adopted by the Eaton County Board of Commissioners and published on July 30, 2016. Roll call vote. Ayes: Hosey, Mulder, Augustine, Spence, Osieczonek, Whitacre, Brehler, Miars, Eakin, Ridge, Lautzenheiser, Austin, Whittum. Nays: None. Carried.

Diana Bosworth, Eaton County Clerk

EATON COUNTY, MICHIGAN

Ordinance No. 2016-7

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

AN ORDINANCE TO AMEND THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE, AS AMENDED, TO PROVIDE FOR VIOLATIONS OF SAID ORDINANCE TO BE MUNICIPAL CIVIL INFRACTIONS; TO DESIGNATE AUTHORIZED LOCAL OFFICIALS RESPONSIBLE TO ENFORCE MUNICIPAL CIVIL INFRACTION VIOLATIONS OF THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE; TO PLACE THE VIOLATIONS BUREAU AT THE DEPARTMENT OF CONSTRUCTION CODES; TO ADOPT A SAVINGS CLAUSE; AND TO PROVIDE AN EFFECTIVE DATE.

THE COUNTY OF EATON ORDAINS:

SECTION 1. ADDITION OF SUBSECTION 106.6 OF THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE, AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA), BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.

The 2015 International Property Maintenance Code is amended to add a new subsection 106.6 to read as follows:

Section 106.6 Violation penalties:

- A. Any violation of any provision of any subsection of the 2015 International Property Maintenance Code or any exception granted thereunder, shall be a municipal civil infraction. A violation includes any act, which is prohibited or made or declared, to be unlawful or an offense and any omission or failure to act where the act is required by the 2015 International Property Maintenance Code.
- B. The sanction for any violation of any subsection of the 2015 International Property Maintenance Code which are municipal civil infractions shall be a civil fine as provided in subsection 106.7 plus any costs, damages, expenses and other sanctions, as authorized under Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended, and other applicable laws.
- C. The Director of the Eaton County Department of Construction Codes and Eaton County Department of Construction Codes Building, Electrical, Mechanical and Plumbing Inspectors are authorized to issue municipal civil infraction citations and municipal civil infraction violation notices for violations of any subsection of the 2015 International Property Maintenance Code.
- D. In addition to enforcement of violations as municipal civil infractions, enforcement of violations of any subsection of the 2015 International Property Maintenance Code may be accomplished by civil action, along with any other remedies provided by law. Violation of

the Ordinance is hereby declared a nuisance, per se, and adjudication of responsibility for a municipal civil infraction violation of any subsections of the 2015 International Property Maintenance Code shall not preclude other civil proceedings to abate such nuisance.

E. Each day that a violation exists constitutes a separate infraction.

SECTION 2. ADDITION OF SUBSECTION 106.7 TO THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE, AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA), BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.

The 2015 International Property Maintenance Code is amended to add a new subsection 106.7 to read as follows:

Section 106.7 Schedule of Fines

A. General; Fines for Municipal Civil Infraction Citations.

1. A person, corporation or firm who violates any provision of any subsection of the 2015 International Property Maintenance Code and is found responsible at the District Court for a municipal civil infraction citation, shall pay civil fines of not less than \$100.00 nor more than \$500.00, plus costs and other sanctions, for each infraction.
2. Repeat offenses shall be subject to increased fines as set forth below. As used in this subsection, "repeat offense", means a second (or any subsequent) municipal civil infraction of the same requirement or provision of a subsection of the 2015 International Property Maintenance Code committed by a corporation, person or firm within any 36 month period and, for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under any subsection shall be as follows:
 - (i) The fine for any offense that is a repeat offense shall be no less than \$200 plus costs and other sanctions.
 - (ii) The fine for any offense that is a second repeat offense shall be no less than \$350 plus cost and other sanctions.
 - (iii) The fine for any offense that is a third or subsequent repeat offense shall be no less than \$500 plus costs and other sanctions.

B. Fines for Violation Notices

A person, corporation or firm who, as a result of violating any provision of a subsection of the 2015 International Property Maintenance Code that receives a municipal civil infraction violation notice, upon a determination of responsibility thereon, shall pay an initial civil fine at the Eaton County Department of Construction Codes Civil Infraction

Violations Bureau of \$100.00.

- (i) In the case of another offense within two years of the date of the initial infraction, the civil fine shall be \$200.00. (This shall be known as the second offense).
- (ii) In the case of another offense within two years of the date of the second offense, the civil fine shall be \$350.00. (This shall be known as the third offense).
- (iii) In the case of another offense within two years of the date of the third offense, the civil fine shall be \$500.00. (This shall be known as the fourth offense). All subsequent offenses shall be subject to a civil fine of \$500.00.

SECTION 3. ADDITION OF SUBSECTION 106.8 TO THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE, AS AMENDED, AS ADOPTED AND ENFORCEABLE THROUGH RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA), BUREAU OF CONSTRUCTION CODES, AND ENFORCED BY EATON COUNTY.

The 2015 International Property Maintenance Code is amended to add a new subsection 106.8 to read as follows:

Section 106.8 Location of Violations Bureau

The Municipal Civil Infraction Violations Bureau, for disposition of violation notices issued under the 2015 International Property Maintenance Code, shall be located at the Department of Construction Codes Office in the Eaton County Courthouse, 1045 Independence Boulevard, Charlotte, MI 48813.

SECTION 4. REPEALER.

All ordinances in conflict are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 5. SEVERABILITY

The various parts, sections and clauses of this ordinance are hereby declared to be severable. Should any part, clause, sentence, paragraph or section of this ordinance be found invalid or unconstitutional for any reason by any court of competent jurisdiction, any such decision shall not affect the validity of the remainder of this ordinance.

SECTION 6. SAVINGS CLAUSE.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

SECTION 7. EFFECTIVE DATE.

The provisions of this ordinance are ordered to take effect after publication.

I, Diana Bosworth, Eaton County Clerk, certify that this ordinance was adopted by the Eaton County Board of Commissioners and published on July 30, 2016. Roll call vote. Ayes: Hosey, Mulder, Augustine, Spence, Osieczonek, Whitacre, Brehler, Miars, Eakin, Ridge, Lautzenheiser, Austin, Whittum. Nays: None. Carried.

Diana Bosworth, Eaton County Clerk

EATON COUNTY BOARD OF COMMISSIONERS

JULY 20, 2016

**RESOLUTION TO APPROVE AGREEMENT
FOR COUNTY PHYSICIAN SERVICES AT THE EATON COUNTY JAIL**

Introduced by the Ways & Means Committee

Commissioner Eakin moved for the approval of the following resolution. Seconded by Commissioner Whittum.

WHEREAS, the Jail Accreditation Organization requires that the jail have a written agreement for the provision of necessary medical services for the jail inmates in place; and

WHEREAS, the language for such annual Agreement has been previously reviewed and approved by the Public Safety Committee and the Board of Commissioners; and

WHEREAS, such Agreement provides for a \$4,200.00 annual retainer, reimbursement for services rendered at an hourly rate of \$150 and requires the County to provide medical malpractice insurance.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners enter into an Agreement with Dr. Ted Coy for a period of August 1, 2016 through July 31, 2017 for the provision of necessary inmate medical services at the Eaton County Jail; and

BE IT FURTHER RESOLVED, that the Chairperson be authorized to sign the Agreement.
Carried.

EATON COUNTY BOARD OF COMMISSIONERS

JULY 20, 2016

**RESOLUTION TO APPROVE
THE TRI-COUNTY OFFICE ON AGING'S
AREA PLAN FOR FISCAL YEARS 2017-2019**

Introduced by the Ways and Means Committee

Commissioner Eakin moved for the approval of the following resolution. Seconded by Commissioner Hosey.

WHEREAS, the Tri-County Aging Consortium, known as Tri-County Office on Aging, produced the Area Plan for Fiscal Years 2017-2019 as required by the Older Americans Act and the Older Michiganians Act; and

WHEREAS, the Health and Human Services Committee has reviewed the Tri-County Office on Aging's Area Plan for Fiscal Years 2017-2019 and is recommending its approval.

NOW THEREFORE BE IT RESOLVED, that the Eaton County Board of Commissioners approve said document as presented. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

JULY 20, 2016

**RESOLUTION TO APPROVE
2015/2016 BUDGET AMENDMENTS****Introduced by the Ways and Means Committee**

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

WHEREAS, the Eaton County 2015/2016 Appropriations Act of September 16, 2015 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 2015/2016 Eaton County Budget:

GENERAL FUND

<u>COUNTY CLERK</u>		
Increase	Health Insurance	\$ 7,000
Decrease	Contingency	\$ 7,000

To increase total departmental budget for Health Insurance due to a change in employee coverage eligibility.

SPECIAL REVENUE FUND

<u>REGISTER OF DEEDS TECHNOLOGY FUND</u>		
Increase	Transfers-Out – Computer Fund	\$ 10,176
Increase	Contractual	\$112,682
Increase	Fund Balance Carryover	\$122,858

To increase the total budget to create archival and searchable Register of Deeds records.

<u>COMPUTER FUND</u>		
Increase	Capital Outlay	\$ 10,176
Increase	Transfers-In	\$ 10,176

To increase the Computer Fund budget to increase the storage capacity for the Register of Deeds archival project. Carried.

**RESOLUTION TO SUPPORT
EATON COUNTY BREASTFEEDING WEEK
AUGUST 1-7, 2016**

JULY 20, 2016

Introduced by Commissioner Jane Whitacre

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

WHEREAS, breastfeeding is a proven strategy, protecting infants and mothers from chronic and acute diseases, helps build a foundation for life-long health; and saves our nation millions of dollars in healthcare costs; and

WHEREAS, our community encourages public health and businesses working collaboratively to protect, promote, and support breastfeeding; and strives to make breastfeeding the norm for infants and children; and

WHEREAS, a Community Forum addressing Breastfeeding Benefits sponsored by the Barry-Eaton District Health Department on August 15, 2016 to consider establishing an Eaton County Breastfeeding Coalition of community leaders and parents; and

WHEREAS, Michigan law protects a mothers right to breastfeed ANYTIME/ANYWHERE; and

WHEREAS, The Surgeon General's Call to Action to Support Breastfeeding, calls on health care providers, employers, insurers, policymakers, researchers, and the community at large to support mothers in reaching breastfeeding goals; and

WHEREAS, effective March 23, 2013, federal law requires employers to provide break time and a place for most hourly wage-earning and some salaried employees (nonexempt workers) to express breast milk at work; and

WHEREAS, Governor Rick Snyder signed Michigan's BREASTFEEDING ANTIDISCRIMINATION ACT 197 of 2014 into law.

NOW, THEREFORE, BE IT RESOLVED, the Eaton County Board of Commissioners hereby names the week of August 1-7, 2016 as Eaton County Breastfeeding Week, to coincide yearly with "World Breastfeeding Week and National Breastfeeding Week" - always the first week in August. Carried.