

EATON COUNTY BOARD OF COMMISSIONERS
May 18, 2016

The Eaton County Board of Commissioners met in regular session at the County Facilities, in the City of Charlotte, Wednesday May 18, 2016.

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

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, Barbara Rogers. Commissioners absent: Glenn Freeman

Commissioner Eakin requested the removal from the agenda under Ways and Means item #2 Budget Amendment Resolution and requested the addition of #4 Resolution to Approve Supplemental Bond Resolution Regarding Refunding Bonds and #5 Recommendation providing facilitation authority to the Controller/Administrator.

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

Commissioner Eakin moved the minutes of April 20, 2016 be approved as presented. Seconded by Commissioner Lautzenheiser. Carried.

Communications:

Bay County Board of Commissioners resolution in support of the legislative corrections to tax assessment regarding "dark store" interpretations by the Michigan Tax Tribunal. (On file)

Letter from John Kurczewski, resident of Indian River regarding the Consumers Energy transition from traditional electric analog meters with the installation of digital meters. (On file)

Chairman Mulder moved the approval of #16-5-39 Resolution Declaring Employee Recognition Day

WHEREAS, in 2001 an Employee Recognition Committee was formed to determine ways to recognize Eaton County employees; and
WHEREAS, the Committee has continued to meet annually since 2001 and this year has decided that the County will sponsor an employee picnic to recognize the efforts of County employees; and
WHEREAS, June 15, 2016 is the date selected for this year's picnic; and

WHEREAS, the Eaton County Board of Commissioners recognizes the excellent, dedicated and loyal service that its employees render daily to the citizens of Eaton County; and

WHEREAS, The Board of Commissioners extends its thanks and appreciation to all County employees.

NOW, THEREFORE, BE IT RESOLVED, the Eaton County Board of Commissioners does hereby declare Wednesday, June 15, 2016 as Employee Recognition Day in Eaton County.

BE IT FURTHER RESOLVED, this Resolution shall be signed by the Chairman of the Board of Commissioners, the Clerk of the County and shall bear the seal of the County. A copy of this resolution will be attached to the permanent records of Eaton County. Seconded by Commissioner Augustine. Carried.

Public Comment: Judge John Maurer introduced himself to the Board of Commissioners and spoke regarding his recent appointment to fill the Circuit Court judicial vacancy.

Sally and Bob Starkweather 279 W. Nye Hwy., Walton Township spoke regarding material used for road gravelling projects by the Eaton County Road Commission in Walton and Bellevue Townships.

Commissioner Brehler moved the approval of #16-5-40 Resolution Recognizing May 2016 as Older Americans Month.

WHEREAS, Eaton County includes a community of older Americans who deserve recognition for their contributions to our nation; and

WHEREAS, Eaton County recognizes that older adults are trailblazers—advocating for themselves, their peers, and their communities—paving the way for future generations; and

WHEREAS, Eaton County is committed to raising awareness about issues facing older Americans and helping all individuals to thrive in communities of their choice for as long as possible; and

WHEREAS, we appreciate the value of inclusion and support in helping older adults successfully contribute to and benefit from their communities; and

WHEREAS, our community through the efforts and programs of the Tri-County Office on Aging provide opportunities to enrich the lives of individuals of all ages by:

- Promoting and engaging in activity, wellness, and social involvement.
- Emphasizing home- and community-based services that support independent living.
- Ensuring community members can benefit from the contributions and experience of older adults.

Now therefore be it resolved, that the Board of Commissioners do hereby proclaim May 2016 to be Older Americans Month. We urge every resident to take time this month to acknowledge older adults and the people who serve them as powerful and vital individuals who greatly contribute to our community. Seconded by Commissioner Hosey. Carried.

Commissioner Brehler moved the approval of #16-5-41 Resolution Recognizing May as Mental Health Awareness Month.

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, all Americans experience times of difficulty and stress in their lives; and

WHEREAS, prevention is an effective way to reduce the burden of mental illnesses; and

WHEREAS, there is a strong body of research that supports specific tools that all Americans can use to better handle challenges, and protect their health and well-being; and

WHEREAS, mental illnesses are real and prevalent in our nation; and

WHEREAS, with early and effective treatment, those individuals with mental illnesses can recover and lead full, productive lives; and

WHEREAS, each business, school, government agency, healthcare provider, organization and citizen shares the burden of mental illnesses and has a responsibility to promote mental wellness and support prevention efforts.

NOW THEREFORE BE IT RESOLVED, the Eaton County Board of Commissioners, do hereby proclaim May 2016 as Mental Health Awareness Month in Eaton County and call upon the citizens, government agencies, public and private institutions, businesses and schools to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental illnesses at all stages. Seconded by Commissioner Rogers. Carried.

Commissioner Ridge moved that Commissioner Brehler replace him as Chairman of the Health and Human Services Committee and Commissioner Lautzenheiser serve as Vice Chairman. Seconded by Commissioner Spence. Carried.

Commissioner Whittum moved the approval of #16-5-42 Resolution to Authorize Application for Grant under the Community Corrections Act 1988, P.A. 511.

WHEREAS, Eaton County has operated programs under the Community Corrections Act 1988, P.A. 511; and

WHEREAS, the State of Michigan is making grant funds available for the period of October 1, 2016 to September 30, 2017; and

WHEREAS, the Eaton County Community Corrections Advisory Board will review on May 25, 2016 and is recommending, pending that review, the submission of a request for funds for the 2016/2017 fiscal year not to exceed \$159,590 for comprehensive plans and services and \$18,551 for Drunk Driver Jail Reduction Program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners authorizes the submission of the above entitled grants; and

BE IT FURTHER RESOLVED that if the grant is not continued or requires a County General Fund contribution, the continuation of the grant funded

positions will be reviewed by the appropriate Committees to determine the necessity of General Fund commitment.

BE IT FURTHER RESOLVED that the Controller be authorized to approve any necessary budget amendments to increase expenditures and increase grant revenue if the grant is approved by the State of Michigan; and

BE IT FURTHER RESOLVED that the Chairman of the Board of Commissioners or his designee be authorized to sign all of the necessary contracts or documents. Seconded by Commissioner Austin. Carried.

Commissioner Whittum moved the approval of #16-5-43 Resolution Commemorating May 2016 as Motorcycle Safety Awareness Month in Eaton County.

WHEREAS, it is most appropriate to join with motorcyclists throughout the State of Michigan in commemorating May 2016 as Motorcycle Safety Awareness Month. This prudent observation elicits all Michigan motorists the opportunity to re-dedicate themselves to the utmost standards of highway safety; and

WHEREAS, the emergence of spring is synonymous with the return of motorcycle mavens to our state's roadways. Throughout Michigan, motorcyclists have been on the cutting edge of promoting the wise and sensible use of this enjoyable mode of travel. Indeed, the disproportionate number of motorcycle fatalities makes it vitally important to encourage motorcyclists to understand and practice the highest degree of safety. It is also important to remind other drivers that highway safety is beneficial to all parties traveling on public roadways; and

WHEREAS, Motorcycle Safety Awareness Month encourages motorcycle operators to don proper protective riding attire; to maintain their motorcycles at a high level of safe operating conditions; to abide by the laws of the road; and to implement operating techniques providing an additional standard of safety.

Additionally, car and truck drivers are informed of the fact that motorcyclists are resuming their travels on our public roadways and each is encouraged to be exceptionally vigilant and watchful when approaching or passing a motorcycle on the highway. It is a distinct pleasure, on this occasion, to encourage all of those who share our streets that safety is every driver's responsibility.

NOW, THEREFORE BE IT RESOLVED, the Eaton County Board of Commissioners commemorate May 2016 as Motorcycle Safety Awareness Month in Eaton County. All of Michigan's citizens are urged to identify and know the different types and scopes of vehicles on our public roadways and to maintain a caring attitude toward proper allocations of lanes on the road, making the roads of our Great Lakes State safer for all. Seconded by Commissioner Whitacre. Carried.

Commissioner Miars moved the approval of #16-5-44 Resolution Regarding Authority of the County Parks and Recreation Commission.

WHEREAS, Eaton County has previously established a Parks and Recreation Commission pursuant to MCL 46.351 et seq.; and

WHEREAS, the Eaton County Parks and Recreation Commission is charged with the administration and management of Eaton County's park and recreational property; and

WHEREAS, the Eaton County Board of Commissioners is charged with the administration and management of County funds and municipal services and with prescribing the County rules and regulations applicable to the Parks and Recreation Commission; and

WHEREAS, The Eaton County Board of Commissioners shall have the responsibility for appointment of commissioners to the Eaton County Parks and Recreation Commission, except those Commissioners predefined by statute under MCL 46.351; and

WHEREAS, the intent of this resolution is to enhance the delivery of recreational services to the residents of Eaton County by increasing efficiency, coordinating County recreational services, and defining the County support services available to the Parks and Recreation Commission.

NOW, THEREFORE, BE IT RESOLVED, that for purposes of this Resolution the following terms shall have the following meanings:

- 1). "County" refers to Eaton County, State of Michigan.
- 2). "County Board" refers to the Eaton County Board of Commissioners.
- 3). "Commission" refers to the Eaton County Parks and Recreation Commission.
- 4). "Controller" refers to the Eaton County Controller/Administrator.
- 5). "Director" refers to the Executive Officer of the Commission.
- 6). "Fiscal Procedures" refers to the systems of accounting and purchasing established by the Controller pursuant to MCLA 46.13b, payroll administration, and budget preparation, monitoring and administration promulgated pursuant to the Uniform Budgeting and Accounting Act, MCLA 141.421, et seq.
- 7). "Personnel Procedures" refers to the requirements of the Eaton County Controller's Office, administered by the Personnel Specialist, including but not limited to advertisement of openings, recruitment, preparation of application forms, receipt, review and retention of application forms, maintenance of personnel files, preparation and distribution of personnel policies, position control, employee training, assistance in the performance of employee evaluations, performance of collective bargaining, administration of collective bargaining agreements, and consultation and directives on labor and employee relations matters.
- 8). "Job Description" refers to a job description, if any prepared by the Controller for the position of Director including any changes therein from time to time.

BE IT FURTHER RESOLVED, that in view of the necessity of coordination in the delivery of the County recreations services and management of County parks:

- 1). The Director shall be the administrative officer of the Commission, but must operate within and through the County's Fiscal Procedures and Personnel Procedures.
- 2). The Director is responsible to and shall report to the Controller concerning financial and personnel matters and to the Commission in all

other park matters. With the approval of the Controller and the County Board, the Commission shall appoint the Director.

3). The Director shall be employed according to the terms of this resolution, job description and personnel policies. The Director's employment status shall be terminable at the will of the Controller at any time with or without notice to the other party subject to the Eaton County Personnel Policy. The Director's employment duties and responsibilities are modifiable at the will of the Controller at any time with or without notice to the Director. The Controller may seek input from the Parks and Recreation Commission regarding the performance of the Director.

4). Parks personnel, excluding the Director, shall be selected by the Director, with input by the Commission, should they deem necessary, if authorized by the County Board. All Parks staff shall have their compensation fixed by the County Board. All Parks staff shall be considered County employees and the County Board shall be considered the "Employer" for purposes under, but not limited to, Michigan's Public Employer Relations Act, MCLA 423.201 et seq.

5). All Commission personnel including the Director shall be subject to the County's Personnel Procedures. Nothing contained in those Procedures nor the results of any job performance evaluation shall prevent the termination of such employees at any time at will with or without notice. Further, the Personnel Procedures including any personnel policies may be modified at any time with or without notice.

BE IT FURTHER RESOLVED, that in view of the fact that Michigan law requires the Commission and all operations under its authority to be administered within the County procedures and regulations deemed applicable by the County Board:

1). The Commission is authorized to adopt bylaws subject to the powers already granted to the County Board of Commissioners by statute or described elsewhere in this resolution.

2.) The Commission and all operations under its authority shall be administered within and through the County's Fiscal Procedures.

3). The Commission and all operations under its authority shall be administered within and through the County's Personnel Procedures.

4). The Commission shall not acquire or sell property without the prior approval of the County Board.

5). The Commission is authorized to enter into contracts within the line item budget approved by the County Board. Notwithstanding the preceding grant of authority, the Commission shall not enter into a contract in excess of \$5,000.00, and in compliance with the County's Purchasing Policy.

6). The County Board shall have the right to subject the Commission and all operations under its authority to additional County procedures or regulations or modify, add to, alter or delete the existing Fiscal Procedures and Personnel Procedures at its discretion.

BE IT FURTHER RESOLVED, that all previous resolutions and parts of resolutions insofar as they conflict with this resolution are rescinded.

Seconded by Commissioner Augustine. Commissioner Brehler noted that the resolution limited the authority delegated to the Parks Commissioner.

Carried.

Commissioner Miars moved the approval of #16-5-45 Resolution to Authorize Request for Michigan Department of Natural Resources Trust Fund Grant Extension.

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

WHEREAS, the current grant authorization will expire May 31, 2016; and

WHEREAS, the grant project has not currently been completed; and

WHEREAS, the County can request a six-month extension to complete the grant project; and

WHEREAS, the Public Works and Planning Committee recommended at its meeting on May 11, 2016, that County staff be authorized to submit a request for a six-month extension.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize Parks staff to submit a request for a six-month extension for Grant #TF12-020 to the Michigan Department of Natural Resources Trust Fund. Seconded by Commissioner Ridge. Carried.

Commissioner Eakin moved the approval of 2016 Taxable Valuation Report. Seconded by Commissioner Augustine. Carried. (on file)

Commissioner Eakin moved the approval of claims as audited by the Ways and Means Committee in the amount of \$279,725.24 and to accept the report of previously authorized payments. Seconded by Commissioner Brehler. Carried.

Commissioner Eakin introduced Treasurer Robinson to discuss a refunding bond resolution. Treasurer Robinson explained the opportunity for a private placement of the refunding bonds. In order to complete the transaction a supplemental bond resolution regarding Refunding Bonds, provided in draft, would need to be approved.

Commissioner Augustine moved the approval of #16-5-46 Supplemental Bond Resolution Regarding Refunding Bonds. Seconded by Commissioner Eakin. Discussion held. Carried.

Commissioner Eakin reported that the Ways and Means Committee met in closed session with legal counsel to consider a legal opinion within the attorney-client privilege. As a result of this discussion the committee recommended the Board grant authority, as recommended by legal counsel, to the Controller/Administrator to participate in facilitation.

Commissioner Eakin moved to provide Facilitation authority to the Controller/Administrator. Seconded by Commissioner Augustine. Carried.

Public Comment: none

Commissioner Comments: Commissioner Whittum spoke regarding differences in road repair materials used by the Road Commission in various areas of the County.

There was no Unfinished Business, Old Business.

New Business:

Commissioner Eakin moved to enter to closed session for consideration of legal opinions within the attorney-client privilege at 7:55 p.m. Seconded by Commissioner Lautzenheiser. Roll call vote. Carried unanimously.

Closed Session.

Commissioner Eakin moved to end the closed session at 9:01p.m. Seconded by Commissioner Hosey. Carried.

Commissioner Eakin moved to approve the recommendation of legal counsel, as discussed during closed session. Seconded by Commissioner Brehler. Carried.

Chairman Mulder adjourned the meeting to Wednesday, June 15, 2016 at 7:00 p.m.



Chairman of the Board of Commissioners



Clerk of the Board of Commissioners

EATON COUNTY BOARD OF COMMISSIONERS

MAY 18, 2016

**RESOLUTION DECLARING
EMPLOYEE RECOGNITION DAY**

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

WHEREAS, in 2001 an Employee Recognition Committee was formed to determine ways to recognize Eaton County employees; and

WHEREAS, the Committee has continued to meet annually since 2001 and this year has decided that the County will sponsor an employee picnic to recognize the efforts of County employees; and

WHEREAS, June 15, 2016 is the date selected for this year's picnic; and

WHEREAS, the Eaton County Board of Commissioners recognizes the excellent, dedicated and loyal service that its employees render daily to the citizens of Eaton County; and

WHEREAS, The Board of Commissioners extends its thanks and appreciation to all County employees.

NOW, THEREFORE, BE IT RESOLVED, the Eaton County Board of Commissioners does hereby declare Wednesday, June 15, 2016 as Employee Recognition Day in Eaton County.

BE IT FURTHER RESOLVED, this Resolution shall be signed by the Chairman of the Board of Commissioners, the Clerk of the County and shall bear the seal of the County. A copy of this resolution will be attached to the permanent records of Eaton County. Carried.

**RESOLUTION RECOGNIZING MAY 2016 AS OLDER
AMERICANS MONTH**

May 18, 2016

Introduced by the Health and Human Services Committee

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

Whereas, Eaton County includes a community of older Americans who deserve recognition for their contributions to our nation; and

Whereas, Eaton County recognizes that older adults are trailblazers—advocating for themselves, their peers, and their communities—paving the way for future generations; and

Whereas, Eaton County is committed to raising awareness about issues facing older Americans and helping all individuals to thrive in communities of their choice for as long as possible; and

Whereas, we appreciate the value of inclusion and support in helping older adults successfully contribute to and benefit from their communities; and

Whereas, our community through the efforts and programs of the Tri-County Office on Aging provide opportunities to enrich the lives of individuals of all ages by:

- Promoting and engaging in activity, wellness, and social involvement.
- Emphasizing home- and community-based services that support independent living.
- Ensuring community members can benefit from the contributions and experience of older adults.

Now therefore be it resolved, that the Board of Commissioners do hereby proclaim May 2016 to be Older Americans Month. We urge every resident to take time this month to acknowledge older adults and the people who serve them as powerful and vital individuals who greatly contribute to our community. Carried.

**RESOLUTION RECOGNIZING MAY AS MENTAL HEALTH
AWARENESS MONTH**

MAY 18, 2016

Introduced by the Health and Human Services Committee

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

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, all Americans experience times of difficulty and stress in their lives; and

WHEREAS, prevention is an effective way to reduce the burden of mental illnesses; and

WHEREAS, there is a strong body of research that supports specific tools that all Americans can use to better handle challenges, and protect their health and well-being; and

WHEREAS, mental illnesses are real and prevalent in our nation; and

WHEREAS, with early and effective treatment, those individuals with mental illnesses can recover and lead full, productive lives; and

WHEREAS, each business, school, government agency, healthcare provider, organization and citizen shares the burden of mental illnesses and has a responsibility to promote mental wellness and support prevention efforts.

NOW THEREFORE BE IT RESOLVED, the Eaton County Board of Commissioners, do hereby proclaim May 2016 as Mental Health Awareness Month in Eaton County and call upon the citizens, government agencies, public and private institutions, businesses and schools to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental illnesses at all stages. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

May 18, 2016

**RESOLUTION TO AUTHORIZE APPLICATION FOR GRANT UNDER THE
COMMUNITY CORRECTIONS ACT 1988, P.A. 511**

Introduced by the Public Safety Committee

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

WHEREAS, Eaton County has operated programs under the Community Corrections Act, 1988, P.A. 511; and

WHEREAS, the State of Michigan is making grant funds available for the period of October 1, 2016 to September 30, 2017; and

WHEREAS, the Eaton County Community Corrections Advisory Board will review on May 27, 2016 and is recommending, pending that review, the submission of a request for funds for the 2016/2017 fiscal year not to exceed \$159,590 for comprehensive plans and services and \$18,551 for Drunk Driver Jail Reduction Program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners authorizes the submission of the above entitled grants; and

BE IT FURTHER RESOLVED that if the grant is not continued or requires a County General Fund contribution, the continuation of the grant funded positions will be reviewed by the appropriate Committees to determine the necessity of General Fund commitment.

BE IT FURTHER RESOLVED that the Controller be authorized to approve any necessary budget amendments to increase expenditures and increase grant revenue if the grant is approved by the State of Michigan; and

BE IT FURTHER RESOLVED that the Chairman of the Board of Commissioners or his designee be authorized to sign all of the necessary contracts or documents. Carried.

**RESOLUTION COMMEMORATING MAY 2016 AS MOTORCYCLE
SAFETY AWARENESS MONTH IN EATON COUNTY**

May 18, 2016

Introduced by the Public Safety Committee

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

WHEREAS, it is most appropriate to join with motorcyclists throughout the state of Michigan in commemorating May 2016 as Motorcycle Safety Awareness Month. This prudent observation elicits all Michigan motorists the opportunity to re-dedicate themselves to the utmost standards of highway safety: and

WHEREAS, the emergence of spring is synonymous with the return of motorcycle mavens to our state's roadways. Throughout Michigan, motorcyclists have been on the cutting edge of promoting the wise and sensible use of this enjoyable mode of travel. Indeed, the disproportionate number of motorcycle fatalities makes it vitally important to encourage motorcyclists to understand and practice the highest degree of safety. It is also important to remind other drivers that highway safety is beneficial to all parties traveling on public roadways; and

WHEREAS, Motorcycle Safety Awareness Month encourages motorcycle operators to don proper protective riding attire; to maintain their motorcycles at a high level of safe operating conditions; to abide by the laws of the road; and to implement operating techniques providing an additional standard of safety. Additionally, car and truck drivers are informed of the fact that motorcyclists are resuming their travels on our public roadways and each is encouraged to be exceptionally vigilant and watchful when approaching or passing a motorcycle on the highway. It is a distinct pleasure, on this occasion, to encourage all of those who share our streets that safety is every driver's responsibility.

NOW, THEREFORE BE IT RESOLVED, the Eaton County Board of Commissioners commemorate May 2016 as Motorcycle Safety Awareness Month in Eaton County. All of Michigan's citizens are urged to identify and know the different types and scope of vehicles on our public roadways and to maintain a caring attitude toward proper allocations of lanes on the road, making the roads of our Great Lakes State safer for all. Carried.

EATON COUNTY BOARD OF COMMISSIONERS**MAY 18, 2016****RESOLUTION REGARDING AUTHORITY OF THE
COUNTY PARKS AND RECREATION COMMISSION****Introduced by the Public Works & Planning Committee**

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

WHEREAS, Eaton County has previously established a Parks and Recreation Commission pursuant to MCL 46.351 et seq.; and

WHEREAS, the Eaton County Parks and Recreation Commission is charged with the administration and management of Eaton County's park and recreational property; and

WHEREAS, the Eaton County Board of Commissioners is charged with the administration and management of County funds and municipal services and with prescribing the County rules and regulations applicable to the Parks and Recreation Commission; and

WHEREAS, The Eaton County Board of Commissioners shall have the responsibility for appointment of commissioners to the Eaton County Parks and Recreation Commission, except those Commissioners predefined by statute under MCL 46.351.

WHEREAS, the intent of this resolution is to enhance the delivery of recreational services to the residents of Eaton County by increasing efficiency, coordinating County recreational services, and defining the County support services available to the Parks and Recreation Commission.

NOW, THEREFORE, BE IT RESOLVED, that for purposes of this Resolution the following terms shall have the following meanings:

- 1). "County" refers to Eaton County, State of Michigan.
- 2). "County Board" refers to the Eaton County Board of Commissioners.
- 3). "Commission" refers to the Eaton County Parks and Recreation Commission.
- 4). "Controller" refers to the Eaton County Controller/Administrator.
- 5). "Director" refers to the Executive Officer of the Commission.

6). "Fiscal Procedures" refers to the systems of accounting and purchasing established by the Controller pursuant to MCLA 46.13b, payroll administration, and budget preparation, monitoring and administration promulgated pursuant to the Uniform Budgeting and Accounting Act, MCLA 141.421, et seq.

7). "Personnel Procedures" refers to the requirements of the Eaton County Controller's Office, administered by the Personnel Specialist, including but not limited to advertisement of openings, recruitment, preparation of application forms, receipt, review and retention of application forms, maintenance of personnel files, preparation and distribution of personnel policies, position control, employee training, assistance in the performance of employee evaluations, performance of collective bargaining, administration of collective bargaining agreements, and consultation and directives on labor and employee relations matters.

8). "Job Description" refers to a job description, if any prepared by the Controller for the position of Director including any changes therein from time to time.

BE IT FURTHER RESOLVED, that in view of the necessity of coordination in the delivery of the County recreations services and management of County parks:

1). The Director shall be the administrative officer of the Commission, but must operate within and through the County's Fiscal Procedures and Personnel Procedures.

2). The Director is responsible to and shall report to the Controller concerning financial and personnel matters and to the Commission in all other park matters. With the approval of the Controller and the County Board, the Commission shall appoint the Director.

3). The Director shall be employed according to the terms of this resolution, job description and personnel policies. The Director's employment status shall be terminable at the will of the Controller at any time with or without notice to the other party subject to the Eaton County Personnel Policy. The Director's employment duties and responsibilities are modifiable at the will of the Controller at any time with or without notice to the Director. The Controller may seek input from the Parks and Recreation Commission regarding the performance of the Director.

4). Parks personnel, excluding the Director, shall be selected by the Director, with input by the Commission, should they deem necessary, if authorized by the County Board. All Parks staff shall have their compensation fixed by the County Board. All Parks staff shall be considered County employees and the County Board shall be considered the "Employer" for purposes under, but not limited to, Michigan's Public Employer Relations Act, MCLA 423.201 et seq.

5). All Commission personnel including the Director shall be subject to the County's Personnel Procedures. Nothing contained in those Procedures nor the results of any job performance evaluation shall prevent the termination of such employees at any time at will with or without notice. Further, the Personnel Procedures including any personnel policies may be modified at any time with or without notice.

BE IT FURTHER RESOLVED, that in view of the fact that Michigan law requires the Commission and all operations under its authority to be administered within the County procedures and regulations deemed applicable by the County Board:

- 1). The Commission is authorized to adopt bylaws subject to the powers already granted to the County Board of Commissioners by statute or described elsewhere in this resolution.
- 2.) The Commission and all operations under its authority shall be administered within and through the County's Fiscal Procedures.
- 3). The Commission and all operations under its authority shall be administered within and through the County's Personnel Procedures.
- 4). The Commission shall not acquire or sell property without the prior approval of the County Board.
- 5). The Commission is authorized to enter into contracts within the line item budget approved by the County Board. Notwithstanding the preceding grant of authority, the Commission shall not enter into a contract in excess of \$5,000.00, and in compliance with the County's Purchasing Policy.
- 6). The County Board shall have the right to subject the Commission and all operations under its authority to additional County procedures or regulations or modify, add to, alter or delete the existing Fiscal Procedures and Personnel Procedures at its discretion.

BE IT FURTHER RESOLVED, that all previous resolutions and parts of resolutions insofar as they conflict with this resolution are rescinded. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

May 18, 2016

**RESOLUTION TO AUTHORIZE REQUEST FOR MICHIGAN DEPARTMENT OF
NATURAL RESOURCES TRUST FUND GRANT EXTENSION**

Introduced by the Public Works & Planning Committee

Commissioner Miars moved for the approval of the following resolutions. Seconded by Commissioner Ridge.

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

WHEREAS, the current grant authorization will expire May 31, 2016; and

WHEREAS, the grant project has not currently been completed; and

WHEREAS, the County can request a six-month extension to complete the grant project; and

WHEREAS, the Public Works and Planning Committee recommended at its meeting on May 11, 2016, that County staff be authorized to submit a request for a six-month extension.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize Parks staff to submit a request for a six-month extension for Grant #TF12-020 to the Michigan Department of Natural Resources Trust Fund. Carried.

**COUNTY OF EATON
STATE OF MICHIGAN**

At a Regular meeting of the Board of Commissioners of the County of Eaton, State of Michigan (the "County"), held in the County on May 18, 2016, at 7:00 p.m., local time.

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

ABSENT: Commissioners: Freeman

SUPPLEMENTAL BOND RESOLUTION REGARDING REFUNDING BONDS

The following preamble and resolution were offered by Commissioner Augustine and supported by Commissioner Eakin.

WHEREAS, the County previously, at a regular public meeting held on September 16, 2015, adopted a Bond Resolution Regarding 2015 Refunding Bonds (the "2015 Resolution");

WHEREAS, the County had determined to sell the 2015 Refunding Bonds at a competitive sale, but has since determined that a negotiated sale is appropriate for the reasons described herein;

WHEREAS, the County has determined to sell the Bonds in 2016; and

WHEREAS, the County has a need to review the designation of the Bonds as a "qualified tax-exempt obligation" under Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code").

THEREFORE, IT IS RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF EATON, STATE OF MICHIGAN THAT:

1. **Redesignation of the Bonds.** The Bonds described in the 2015 Bond shall hereby be redesignated as 2016 Refunding Bonds and the names of the funds established by the 2015 Resolution shall be adjusted to reflect the year in which the Bonds are issued.

2. **Negotiated Sale.** The Bonds shall be sold pursuant to a negotiated sale to PNC Bank, National Association (the "Bank"). The Authorized Officers, as designated in the 2015 Resolution, are hereby authorized to accept an offer to purchase the Bonds from the Bank and are further authorized to negotiate, approve and execute a Commitment Letter with the Bank and to approve various other terms and documents in connection with the sale and delivery of the Bonds. Upon the advice of the Financial

SUPPLEMENTAL BOND RESOLUTION

2016 Refunding Bonds

Advisor a negotiated sale was chosen by the County instead of a competitive sale. The negotiated sale was chosen because it allows flexibility in timing and sale and structure of the Bonds and the funding of the Escrow Fund in response to changing market conditions.

3. Bond Form. Upon the request of the Bank, the Bonds may be issued in the form of a single fully-registered, non-convertible bond of the denomination of the principal sum issued and may (but need not) have an exhibit containing the principal maturity amounts and applicable interest rates and due dates. The Bonds shall be registered initially in the name of the Bank. All payments of principal of and interest on the Bonds shall be made by the County or the Paying Agent directly to the Bank, without the need for presentation or surrender of the Bonds. The Authorized Officer is authorized to approve changes to the Bond Form attached to the 2015 Resolution which are consistent with this Resolution and are acceptable to the Bank.

4. Paying Agent and Bond Registrar; Book Entry. Notwithstanding anything in the 2015 Resolution to the contrary, if acceptable to the Bank, the Authorized Officer may appoint the Treasurer of the County or another officer of the County to serve as Paying Agent and Bond Registrar for the Bonds. The Bonds shall not be issued initially in book-entry-only format.

5. Continuing Covenants Agreement. The Authorized Officer is authorized to negotiate and enter into a Continuing Covenants Agreement with the Bank with respect to the Bonds and to execute and deliver the Continuing Covenants Agreement on behalf of the County, subject to the limitations set forth in this Resolution.

6. Qualified Tax-Exempt Obligations. The Authorized Officer may designate the Bonds as "qualified tax-exempt obligations" for purposes of deduction of interest expense by financial institutions under the provisions of the Code if, in making said designation, the Authorized Officer determines that the reasonably anticipated amount of tax-exempt obligations which will be issued by the County or entities which issue obligations on behalf of the County during calendar year 2016 will not exceed \$10,000,000, excluding only those tax-exempt obligations as permitted by Section 265(b)(3)(C)(ii) of the Code.

7. Conflicts. The 2015 Resolution shall remain in full force and effect, with the modifications described herein, and all resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

AYES: Hosey, Mulder, Augustine, Spence, Osieczonek, Whitacre,

Brehler, Miars, Eakin, Ridge, Lautzenheiser, Austin, Whittum, Rogers.

SUPPLEMENTAL BOND RESOLUTION

2016 Refunding Bonds

NAYS: None

RESOLUTION DECLARED ADOPTED.

Diana Bosworth
Clerk, County of Eaton

The undersigned duly qualified and acting Clerk of the County of Eaton, State of Michigan, hereby certifies that the foregoing is a true and complete copy of a Resolution adopted by the Board of Commissioners at a regular meeting held on May __, 2016, the original of which Resolution is a part of the Board's minutes, and further certifies that notice of the meeting was given to the public under the Open Meetings Act, Act 267, Public Acts of Michigan, 1976, as amended.

Diana Bosworth
Clerk, County of Eaton

SUPPLEMENTAL BOND RESOLUTION

2016 Refunding Bonds