

EATON COUNTY BOARD OF COMMISSIONERS
APRIL 21, 2021

The Eaton County Board of Commissioners met in virtual session on Wednesday, April 21, 2021 as permitted by PA 228 of 2020, as amended.

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

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

Commissioner Droscha gave the invocation.

During roll call, the members announced the location they were attending from, as follows:

Roll call. Commissioners present: Tim Barnes attended in-person at the County Courthouse in Charlotte, Eaton County, Michigan; Blake Mulder attended in-person at the County Courthouse in Charlotte, Eaton County, Michigan; Terrance Augustine from his residence in the City of Grand Ledge, Eaton County, Michigan; Brandon Haskell from his residence in Delta Township, Eaton County, Michigan; Jeanne Pearl-Wright from her residence in Delta Township, Eaton County, Michigan; Jane M. Whitacre from her residence in Delta Township, Eaton County, Michigan; Mark Mudry from his residence in Delta Township, Eaton County, Michigan; Joseph Brehler from his residence in the City of Lansing, Eaton County, Michigan; Brian Droscha attended in-person at the County Courthouse in Charlotte, Eaton County, Michigan; Dairus Reynnet attended in-person at the County Courthouse in Charlotte, Eaton County, Michigan; Wayne Ridge attended in-person at the County Courthouse in Charlotte, Eaton County, Michigan; Brian Lautzenheiser attended in-person at the County Courthouse in Charlotte, Eaton County, Michigan; Jim Mott attended in-person at the County Courthouse in Charlotte, Eaton County, Michigan; Barbara Rogers attended in-person at the County Courthouse in Charlotte, Eaton County, Michigan; and Jeremy Whittum attended in-person at the County Courthouse in Charlotte, Eaton County, Michigan. Commissioners absent: None.

Commissioner Brehler requested the following addition Item #VIIa - Resolution of Appreciation for Glenn Freeman III, Capital Area United Way.

Commissioner Lautzenheiser moved the agenda to be approved as amended. Seconded by Commissioner Droscha. Roll call vote. Ayes: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, Jeremy Whittum, Barbara Rogers. Nays: None. Carried.

Commissioner Mulder moved the approval of the March 17, 2021 minutes. Seconded by Commission Augustine. Seconded by Commissioner Pearl-Wright. Roll call vote. Ayes: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, Jeremy Whittum, Barbara Rogers. Nays: None. Carried.

Communications: None

Public Comment: Eaton County Prosecutor Doug Lloyd thanked the Commissioners for passing the resolution declaring April 19, 2020 – April 25, 2020 as National Crime Victims Rights Week.

Prosecutor Lloyd also spoke in favor a Resolution to Oppose Parole for Serial Killer Don Gene Miller. He thanked the Public Safety Committee for bringing this resolution to the Board of Commissioners and encouraged all Commissioners to vote in favor of the resolution.

League of Women Voters member Joanne Winkleman stated she was present as an observer for tonight's meeting.

Eaton County Treasurer Bob Robinson presented the 2020 Annual Treasurer's Report. (on file)

Commissioner Brehler moved the approval of #21-4-35 Resolution of Appreciation for Glenn Freeman III, Capital Area United Way.

WHEREAS, Glenn Freeman III, retired from Capital Area United Way on April 16 2021; after 24 years of service; and

WHEREAS, Glenn was appointed AFL-CIO Community Services Labor Liaison in 1999; and

WHEREAS, Glenn assisted with the annual fall fundraising campaign and oversaw the local Emergency Food & Shelter Program; and

WHEREAS, Glenn helps union members, their families and citizens in time of need, including building handicapped ramps for the elderly and disabled. His lifetime of service ranges from Boy Scouts to food drives, medical access advocacy to housing issues; and

WHEREAS, Glenn has provided dedicated and honorable service to the residents of Eaton County and the Tri-County region during his time with Capital Area United Way; and

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

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

BE IT FURTHER RESOLVED, that this resolution of appreciation and support be duly recorded and attached to the permanent records of the County on this 21st day of the month of April in the year 2021.

Seconded by Commissioner Whittum. Roll call vote. Ayes: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, Jeremy Whittum, Barbara Rogers. Nays: None. Carried.

Commissioner Barnes moved the approval of #21-4-36 Resolution to Oppose Parole for Serial Killer Don Gene Miller.

WHEREAS, on January 1, 1977, nineteen-year-old Michigan State University coed Martha Sue Young was reported missing from her East Lansing home after spending the evening with her former fiancé Don Gene Miller; and

WHEREAS, on June 14, 1978, twenty-seven-year-old Michigan State University coed Marita Choquette was reported missing from her Grand Ledge apartment; and

WHEREAS, on June 27, 1978, Marita Choquette's body was discovered in Ingham County's Alaiedon Township, having been stabbed nineteen times; and

WHEREAS, on June 27, 1978, twenty-one-year-old Michigan State University coed Wendy Bush was last seen on the MSU campus and was reported missing the following morning; and

WHEREAS, on August 14, 1978, thirty-year-old East Lansing resident Kristine Stuart was reported missing from her East Lansing home, having last been seen at the intersection of Coolidge and Fair Oaks in the City of East Lansing; and

WHEREAS, on August 16, 1978, a home break-in occurred on Canal Road in Eaton County's Delta Township; and

WHEREAS, on August 16, 1978, fourteen-year-old Lisa Gilbert was restrained with nylons and raped during the Delta Township break-in, and the suspect then began to strangle her with her own belt; and

WHEREAS, on August 16, 1978, thirteen-year-old Randy Gilbert interrupted the attempted murder of his sister, and after the suspect attempted to cut his throat, he was strangled by the suspect to the point of unconsciousness, then stabbed twice in the chest; and

WHEREAS, Lisa Gilbert was able to flee the house to flag down passing motorists for help, and both teens survived the brutal attack; and

WHEREAS, a passing motorist was able to confront the suspect and remember the license plate number to his vehicle before he fled the scene; and

WHEREAS, based upon the license number and identification of the suspect from photographs, serial killer Don Gene Miller was arrested in East Lansing within an hour after the Eaton County assault; and

WHEREAS, while awaiting trial in Eaton County, an Ingham County grand jury indicted serial killer Don Gene Miller for second degree murder in the deaths of Martha Sue Young and Kristine Stuart, whose bodies still hadn't been located; and

WHEREAS, in May of 1979, the Eaton County Prosecutor Attorney's Office successfully convicted serial killer Don Gene Miller for the rape and attempted murder of the Gilbert children, and he was sentenced to thirty to fifty years in prison; and

WHEREAS, after the Eaton County conviction of serial killer Don Gene Miller, the Ingham County Prosecuting Attorney offered serial killer Don Gene Miller a plea bargain, wherein, he would lead authorities to the bodies of his victims, and the second-degree murder charges would be reduced to manslaughter charges; and

WHEREAS, as a result of the Ingham County plea bargain, serial killer Don Gene Miller led investigators to the remains of Martha Sue Young and Kristine Stuart in Clinton County and the remains of Wendy Bush in Eaton County's Delta Township at the intersection of Broadbent Road and Huckleberry Lane; and

WHEREAS, in 1994, serial killer Don Gene Miller possessed a garrote, or strangulation device in his prison dorm at the Kinross Correctional Facility in Michigan's Chippewa County; and

WHEREAS, in 1998, while serial killer Don Gene Miller was preparing to be released from prison after having served the minimum time, the Eaton County Prosecuting Attorney discovered that Miller had not been charged with a criminal offense in the garrote case, and working in conjunction with the Ingham County Prosecuting Attorney's Office and the Chippewa County Prosecuting Attorney's Office, successfully prosecuted serial killer Don Gene Miller in Chippewa County for possessing a dangerous weapon inside the prison and for being an habitual offender; and

WHEREAS, as a result of the conviction secured by the Eaton County Prosecuting Attorney, the Ingham County Prosecuting Attorney's Office, and the Chippewa County Prosecuting Attorney's Office, Don Gene Miller was sentenced to an additional twenty to forty years in prison; and

WHEREAS, serial killer Don Gene Miller has been eligible for parole nine times in the past and is eligible for parole again in 2021; and

WHEREAS, survivor Randy Gilbert, who was viciously attacked in 1978 by serial killer Don Gene Miller at the age of thirteen, now volunteers his free time to serve the citizens of Eaton County as a Volunteer in Police Service for the Eaton County Sheriff's Office.

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners ardently oppose any parole or early release of serial killer Don Gene Miller.

Seconded by Commissioner Mulder. Roll call vote. Ayes: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, Jeremy Whittum, Barbara Rogers. Nays: None. Carried.

Commissioner Barnes moved the approval of #21-4-37 Resolution Declaring National Police Week.

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Eaton County Sheriff's Office; and

WHEREAS, approximately 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 17,500 injuries; and

WHEREAS, since the first recorded death in 1791, almost 22,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including three members of the Eaton County Sheriff's Office; and
WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and
WHEREAS, names of fallen heroes are added to the National Law Enforcement Officers Memorial each spring; and
WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during a National Law Enforcement Officers Memorial Fund virtual Candlelight Vigil during the COVID-19 pandemic, on the evening of May 13, 2021; and
WHEREAS, the Candlelight Vigil is part of National Police Week, which takes place this year on May 10-16, 2021; and
WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half staff;
NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners formally designates May 11 through 17, as Police Week in Eaton County, to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

Seconded by Commissioner Pearl-Wright. Roll call vote. Ayes: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, Jeremy Whittum, Barbara Rogers. Nays: None. Carried.

Commissioner Barnes moved the approval of #21-4-38 Resolution Declaring National Correctional Officers and Employees Week.

WHEREAS, correctional officers are highly trained professionals dedicated to maintaining secure correctional facilities and ensuring public safety; and
WHEREAS, correctional facilities across the United States, both civilian and military, public and private are run by highly-qualified and experienced men and women with a deep understanding of the challenges and difficulties within the profession; and
WHEREAS, correctional officers and employees are responsible for the custody, care and reform of thousands of offenders every year as well as the maintenance of safe and secure facilities; and
WHEREAS, correctional employees work in very demanding and stressful conditions, face many challenges and put their lives at risk every day; and
WHEREAS, correctional officers and employees are some of the most resourceful, capable, committed, patient and persistent professionals in criminal justice and in our nation; and
WHEREAS, correctional officers and employees serve admirably in many different capacities, including jail administrators, chaplains, nurses, supervisors, managers and directors; and

WHEREAS, correctional officers and employees teach, train, mentor, counsel and treat thousands of offenders; and

WHEREAS, correctional officers and employees provide offenders with direction, hope and a new focus while preparing them for reentry and life outside of corrections; and

WHEREAS, correctional officers and employees rise to meet most any challenge and serve this honorable profession nobly and admirably.

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners formally designates the first full week of May, as National Corrections Officers and Employees Week in Eaton County, to commend these employees for the tremendous job they do and for the exceptional performance of duties under the most difficult of circumstances.

Seconded by Commissioner Reynnet. Roll call vote. Ayes: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, Jeremy Whittum, Barbara Rogers. Nays: None. Carried.

Commissioner Barnes moved the approval of #21-4-39 Resolution to Approve Continuity of Operations Plan and Memorandum of Understanding.

WHEREAS, the Emergency Management Department has developed a Continuity of Operations Plan, to establish procedures to be followed to maintain and restore basic County operations in the event of an emergency; and

WHEREAS, the Public Safety Committee has reviewed and is recommending the approval of the Continuity of Operations Plan; and

WHEREAS, one of the components of the Continuity of Operations Plan is to identify alternative locations for limited County operations, should County facilities become unavailable or unusable during an emergency; and

WHEREAS, to ensure continuity of services in such an emergency situation a Memorandum of Understanding (attached) with the City of Charlotte for alternative site operations was developed to be incorporated in to the Continuity of Operations Plan; and

WHEREAS, the City of Charlotte has approved the Memorandum of Understanding.

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners approves the Continuity of Operations Plan; and

BE IT FURTHER RESOLVED, the Board of Commissioners approves the Memorandum of Understanding with the City of Charlotte for alternative emergency site operations; and.

BE IT FURTHER RESOLVED, the Chairman of the Board of Commissioners is authorized to execute the Memorandum of Understanding on behalf of the County.

Seconded by Commissioner Lautzenheiser. Roll call vote. Ayes: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus

Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, Jeremy Whittum, Barbara Rogers. Nays: None. Carried.

Commissioner Barnes moved the approval of the following resolutions:

#21-4-40 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, 2021 to September 30, 2022; and

WHEREAS, the Eaton County Community Corrections Advisory Board will review on April 28, 2021 and is recommending, pending that review, the submission of a request for funds for the 2021/2022 fiscal year not to exceed \$200,000.

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.

#21-4-41 Resolution to Authorize Application for Michigan Drug Court Grant Program (MDCGP) Felony Sobriety Court.

WHEREAS, the Eaton County Circuit Court through the Eaton County Community Corrections Department, has operated a Felony Sobriety drug court grant for approximately fifteen years; and

WHEREAS, the State Court Administrative Office is making grant funds available for the period of October 1, 2021 to September 30, 2022; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize the Community Corrections Department to submit a grant application in an amount not to exceed \$125,000; and

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

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 Chairperson of the Board of Commissioners or his designee be authorized to sign any necessary contracts or documents.

#21-4-42 Resolution to Authorize Application for Edward Byrne Memorial Justice Assistance Grant (Byrne JAG) Felony Sobriety Court Grant.

WHEREAS, the Office of Drug Control Policy has Byrne Memorial Grant funds available through an inter-agency agreement with the Michigan State Court Administrative Office; and

WHEREAS, the Community Corrections Department operates an Adult OUIL III Drug Court which is grant funded; and

WHEREAS, the grant would provide funding to continue the Adult OUIL III Drug Court. NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize the Community Corrections Department to submit a grant application in an amount not to exceed \$125,000 for the period of October 1, 2021 to September 30, 2022; and

BE IT FURTHER RESOLVED, that if the County's participation in the grant is discontinued 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; and

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 Chairperson of the Board of Commissioners be authorized to sign any necessary documents.

#21-4-43 Resolution to Authorize Application for Swift and Sure Sanctions Probation Program Grant (SSSPP).

WHEREAS, the State Court Administrative Office has Swift and Sure Sanctions Probation Program Grant funds available; and

WHEREAS, Eaton County currently operates a Swift and Sure Sanctions Probation Program; and

WHEREAS, the Community Corrections Department is desirous of continuing the program focusing on high-risk felony probationers with a demonstrated history of probation failures due to behavioral noncompliance or three or more probation violations. This grant would provide funding to operate the Swift and Sure Sanctions Probation Program (SSSPP); and

WHEREAS, the SSSPP primary goal is to increase compliance with probation terms by imposing certain, swift, and consistent sanctions for probation violations; and

WHEREAS, the grant funding request in an amount not to exceed \$125,000, with no County match for the award period of October 1, 2021 through September 30, 2022.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize the Community Corrections Department to submit the SSSPP grant application; and

BE IT FURTHER RESOLVED, that if the County's participation in the grant is discontinued 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; and

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 Chairperson of the Board of Commissioners be authorized to sign any necessary documents.

#21-4-44 Resolution to Authorize Application for Michigan Drug Court Grant Program (MDCGP) Adult Circuit Drug Court (ACDC).

WHEREAS, the State Court Administrative Office has grant funds available for the period of October 1, 2021 to September 30, 2022; and

WHEREAS, the Community Corrections Department operates an Adult Circuit Drug Court which is grant funded; and

WHEREAS, the grant would provide funding to continue the Adult Circuit Drug Court.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize the Community Corrections Department to submit a grant application in an amount not to exceed \$125,000 for the period of October 1, 2021 to September 30, 2021; and

BE IT FURTHER RESOLVED, that if the County's participation in the grant is discontinued 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; and

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 Chairperson of the Board of Commissioners be authorized to sign any necessary documents.

#21-4-45 Resolution to Authorize Application for Edward Byrne Memorial Justice Assistance Grant (Byrne JAG) Adult Circuit Drug Court (ACDC).

WHEREAS, the Office of Drug Control Policy has Byrne Memorial Grant funds available through an inter-agency agreement with the Michigan State Court Administrative Office; and

WHEREAS, the Community Corrections Department operates an Adult Circuit Drug Court which is grant funded; and

WHEREAS, the grant would provide funding to continue the Adult Circuit Drug Court.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize the Community Corrections Department to submit a grant application in an amount not to exceed \$125,000 for the period of October 1, 2021 to September 30, 2022; and

BE IT FURTHER RESOLVED, that if the County's participation in the grant is discontinued 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; and

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 Chairperson of the Board of Commissioners be authorized to sign any necessary documents.

#21-4-46 Resolution to Authorize Application for Michigan Veterans Treatment Court Grant Program (MVTCGP).

WHEREAS, the Eaton County Trial Courts began operating a Veterans' Treatment Court (J. Sauter Veterans Treatment Court) in the fall of 2013; and

WHEREAS, the State of Michigan is making grant funds available for the period of October 1, 2021 to September 30, 2022 with no required cash match.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize the Community Corrections Department to submit a grant application in an amount not to exceed \$125,000 which includes funding of a case manager; and

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

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 Chairperson of the Board of Commissioners or his designee be authorized to sign any necessary contracts or documents.

#21-4-47 Resolution to Authorize Application for Michigan Drug Court Grant Program (MDCGP) District Hybrid Court.

WHEREAS, the Eaton County Trial Courts, through the Community Corrections Department and the District Court Probation Department, has operated a District Court sobriety program for approximately twenty years; and

WHEREAS, the State Court Administrative Office is making grant funds available for the period of October 1, 2021 to September 30, 2022; and

WHEREAS, the District Court seeks to expand the program with grant funds to provide treatment and tether services.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize the District Court Department to submit a grant application in an amount not to exceed \$100,000; and

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

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 Chairperson of the Board of Commissioners or his designee be authorized to sign any necessary contracts or documents.

Above resolutions seconded by Commissioner Ridge. Roll call vote. Ayes: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, Jeremy Whittum, Barbara Rogers. Nays: None. Carried.

Barry-Eaton District Health Department Health Officer Colette Scrimger spoke regarding current COVID-19 conditions in Eaton County, as well as vaccination and testing information.

Commissioner Lautzenheiser moved the approval of #21-4-48 Resolution to Approve Right-of-Way Easement – Thornapple Trail.

WHEREAS, the County owns property known as the Thornapple Trail in Vermontville Township; and

WHEREAS, the County-owned property bisects a parcel of property owned by Jeff Taylor and Chayle Robles-Taylor; and

WHEREAS, the Public Works and Planning Committee has reviewed and is recommending the approval of the attached right-of-way easement to continue to provide unobstructed access to the property for purposes of ingress and egress; and NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners approves the Right-of-Way Easement, as presented; and

BE IT FURTHER RESOLVED, the Chairman of the Board of Commissioners is authorized to execute said agreement on behalf of the County.

Seconded by Commissioner Droscha. Roll call vote. Ayes: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, Jeremy Whittum, Barbara Rogers. Nays: None. Carried.

Commissioner Lautzenheiser moved the approval of #21-4-49 Resolution to Establish Agricultural Plastic Film Recycling Program.

WHEREAS, the County is charged by Public Act 451, Part 115, as amended, Eaton County Solid Waste Management Plan Update of February 1999 to enhance the separation, collection, and utilization of materials to increase the percentage of the solid waste stream diverted; and

WHEREAS, the County Department of Resource Recovery operates collection programs, which divert recyclable materials from landfills; and

WHEREAS, agricultural operations are widely practiced and are a critical economic sector in the State of Michigan and in the County; and

WHEREAS, high and low density polyethylene film plastic waste is a common and frequent externality of agricultural operations; and

WHEREAS, in partnership of the Michigan Recycling Coalition and Michigan Farm Bureau, the County Department of Resource Recovery developed a pilot program for recycling of high and low density polyethylene film plastics from agricultural operations in the County; and

WHEREAS, the Department of Resource Recovery recommends a fee of \$0.08 per pound to support the collection, processing, and management of the film plastic material during the one-year period, extending from May 1, 2021 through May 1, 2022; and

WHEREAS, the Public Works and Planning Committee has reviewed the first of its kind in the State recycling program and supports the testing of this program as recommended by the Department to increase the diversion of these materials from landfills and prevent unsafe means of disposal by providing an opportunity for recycling.

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners approves the agricultural plastic film recycling pilot program and the \$0.08 per pound program fee during the pilot period; and

BE IT FURTHER RESOLVED, the Department of Resource Recovery will provide data from this pilot program for evaluation to consider its effectiveness, continuation, expansion and/or modification to the Public Works and Planning Committee.

Seconded by Commissioner Mott. Roll call vote. Ayes: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, Jeremy Whittum, Barbara Rogers. Nays: None. Carried.

Commissioner Mulder moved the approval of #21-4-50 Resolution to Declare National Workers' Memorial Day.

WHEREAS, On December 28, 1970, President Richard Nixon signed into law the Occupational Safety and Health Act, which went into effect on April 28, 1971; and WHEREAS, April 28 is also the day OSHA first opened its doors in 1971, after Congress passed the Occupational Safety and Health Act of 1970 and American workplaces have become much safer in the decades since; however one life lost is one too many; and

WHEREAS, Despite the OSHA Act, intended to provide American workers the right to a safe workplace and requiring employers to provide safe conditions, thousands of American workers are killed by workplace injuries and occupational disease every year; and

WHEREAS, Tens of thousands more workers are permanently disabled, injured or made ill; and

WHEREAS, All employers, including local governments, are urged to dedicate their efforts to improving workplace safety and seeking stronger health standards enforcement, and to treating workers with dignity as we all pursue constant improvements in worker safety; and

WHEREAS, Americans can honor our workers by observing Workers' Memorial Day as a day to remember those victims of workplace injuries and disease and by rededicating ourselves to improving safety and health in every American workplace. NOW, THEREFORE, BE IT RESOLVED, That the Eaton County Board of Commissioners does hereby proclaim, April 28th, as *WORKERS' MEMORIAL DAY* in Eaton County and ask all citizens to recognize and honor all workers killed, injured and disabled on the job, thank them for their service and offer sympathy to their families and loved ones and to respect today's workers by providing safe workplaces.

Seconded by Commissioner Haskell. Roll call vote. Ayes: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, Jeremy Whittum, Barbara Rogers. Nays: None. Carried.

Commissioner Mulder moved to accept the 2021 Taxable Valuation Report.

Seconded by Commissioner Augustine. Roll call vote. Ayes: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, Jeremy Whittum, Barbara Rogers. Nays: None. Carried. (on file)

Commissioner Mulder moved the approval of the recommendation to re-appoint Ann Garvey as a member of the Jury Board to the six (6) year term commencing May 1, 2021 through April 30, 2027.

Seconded by Commissioner Droscha. Roll call vote. Ayes: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, Jeremy Whittum, Barbara Rogers. Nays: None. Carried.

Commissioner Mulder moved the approval of #21-4-51 Resolution to Approve Protecting Local Government Retirement and Benefits Act Application for Waiver

WHEREAS, the County received notification that the retirement health benefit system of the Healing & Recovery Center (Medical Care Facility) received a preliminary determination of underfunded status under Public Act 202 of 2017; and

WHEREAS, this system is included in the annual financial statements of the County; and

WHEREAS, the Facility continues to utilize the pay-as-you-go method to fund the liability of this closed system for financial reporting purposes for the year ended September 30, 2020; and

WHEREAS, utilization of the pay-as-you-go method results in a preliminary determination of underfunded status under the reporting requirements of Public Act 202 of 2017 for the component unit system; and

WHEREAS, the calculated actuarial determined contribution represents 0.5% of component unit revenue when considering the total enterprise fund revenue.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves the application for waiver and authorizes its submission to the Michigan Department of Treasury.

Seconded by Commissioner Droscha. Roll call vote. Ayes: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, Jeremy Whittum, Barbara Rogers. Nays: None. Carried.

Commissioner Mulder moved the approval of #21-4-52 Resolution to Approve FY 2020/2021 Budget Amendments.

WHEREAS, the Eaton County 2020/2021 Appropriations Act of September 16, 2020 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 2020/ 2021 Eaton County Budget:

GENERAL FUND

Transfers Out

Increase	Transfers Out – Retirement Stabilization	\$1,000,000
Increase	Fund Balance Carryover	\$1,000,000

To increase transfer to retirement stabilization fund for personnel cost savings and unexpended budgeted employer contributions due to position vacancies during FY 2019/20.

Seconded by Commissioner Ridge. Roll call vote. Ayes: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, Jeremy Whittum, Barbara Rogers. Nays: None. Carried.

Commissioner Mulder moved the approval of claims as audited by the Ways & Means Committee for \$660,738.57 and to accept the report of previously authorized payments.

Seconded by Commissioner Droscha. Roll call vote. Ayes: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, Jeremy Whittum, Barbara Rogers. Nays: None. Carried.

Public Comment: None

Commissioner Comments: Commissioner Whittum commended Eaton Community Hospice volunteer Annie Towns. Ms. Towns was recently recognized by WLNS Channel 6 News for her volunteer work.

Commissioners Pearl-Wright and Barnes spoke regarding the Vermontville Maple Syrup Festival to be held April 23-25.

There was no Unfinished Business or Old Business.

New Business:

Chairman Mulder moved the approval of #21-4-53 Resolution to Authorize the Declaration of the State of Emergency for the County of Eaton.

WHEREAS, on March 17, 2020, the County of Eaton sustained one of the first confirmed cases of COVID-19 within the State of Michigan; and

WHEREAS, Eaton County continues to assess its local situation status relating to the COVID-19 outbreak. As a result of this ongoing situation, the following conditions exist:

- There is significant monitoring, assessment, and response to the virus outbreak locally, regionally, throughout the State of Michigan, the United States, and in other countries.
- There has been adjustment of policy and procedure for many employees in units of local governmental, businesses, nongovernmental organizations, families, and individuals to include conducting meetings of a public body in a virtual setting in compliance with the Open Meetings Act.
- Strict response and patient care protocols by all hospitals, long-term care facilities, police, fire, and EMS personnel for any interaction with the general public
- Bars and restaurants are operating at a limited capacity per as a part of issued Epidemic Orders.
- Schools in Eaton County have significantly altered their learning service platforms
- Any widespread outbreak within Eaton County could hinder and/or cease most daily operations within the entire county and overwhelm essential services.

WHEREAS, a request for a declaration of a Local State of Emergency has been completed for Eaton County to ensure local units of government can continue to meet virtually or that the public can attend an open meeting virtually in compliance with the Open Meetings Act; and

WHEREAS, after the signing of the Local State of Emergency declaration by the Chief Elected Official of the Eaton County Board of Commissioners the declaration shall not be continued or renewed for a period in excess of 7 days except with the consent of the governing body of the county.

THEREFORE BE IT RESOLVED, that the Eaton County Board of Commissioners, in accordance with Section 10 of 1976 PA 390, as amended, hereby declares that a “state of emergency” exists within our jurisdiction as of April 21, 2021, and that local resources and funding are being utilized to the fullest possible extent. The response and recovery elements of our emergency operations plan have been activated.

BE IT FURTHER RESOLVED, the Eaton County Board of Commissioners approves renewing the Local State of Emergency every 7 days and will review the renewal at their regular monthly meeting held on September 15, 2021.

Seconded by Commissioner Augustine. Roll call vote. Ayes: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, Jeremy Whittum, Barbara Rogers. Nays: None. Carried.

Chairman Whittum adjourned the meeting to Wednesday, May 19, 2021 at 7:00 p.m.

Chairman of the Board of Commissioners

Clerk of the Board of Commissioners