

EATON COUNTY BOARD OF COMMISSIONERS  
AUGUST 19, 2020

The Eaton County Board of Commissioners met in virtual session on Wednesday, August 19 2020.

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

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

Invocation was given by Commissioner Whitacre.

Roll call. Commissioners present: Rob Piercefield, Blake Mulder, Terrance Augustine, Jeanne Pearl-Wright, Jane M. Whitacre, Brandon Haskell, Joseph Brehler, Glenn Freeman, Brian Droscha, Matthew S. Bowen, Wayne Ridge, Brian Lautzenheiser, Jim Mott, and Barbara Rogers.

Commissioners absent: Lisa Deavers

Commissioner Brehler requested the following change to the agenda: Addition to the Ways & Means Committee report Item #5, Resolution to Clarify the Families First Coronavirus Response Act (FFCRA) as it Pertains to Employees of Eaton County.

Commissioner Ridge moved the approval of the agenda as amended. Seconded by Commissioner Haskell. Roll call vote. Ayes: Rob Piercefield, Blake Mulder, Terrance Augustine, Jeanne Pearl-Wright, Jane M. Whitacre, Brandon Haskell, Joseph Brehler, Glenn Freeman, Brian Droscha, Matthew S. Bowen, Wayne Ridge, Brian Lautzenheiser, Jim Mott and Barbara Rogers. Nays: none. Carried.

Commissioner Pearl-Wright moved the approval of the minutes of July 15, 2020. Seconded by Commissioner Rogers. Roll call vote. Ayes: Rob Piercefield, Blake Mulder, Terrance Augustine, Jeanne Pearl-Wright, Jane M. Whitacre, Brandon Haskell, Joseph Brehler, Glenn Freeman, Brian Droscha, Matthew S. Bowen, Wayne Ridge, Brian Lautzenheiser, Jim Mott and Barbara Rogers. Nays: none. Carried.

Communications: Letter from Deanna Hanieski, Member of the League of Women Voters of the Lansing Area Environment Committee and a proposed Eaton County Climate Emergency Resolution for consideration.

Chairman Augustine requested the Sustainability Steering Committee review the proposed resolution for recommendation. Commissioner Brehler presented and discussed the initial report of the Chairman's Sustainability Steering Committee. The report included a conceptual overview of an initiative to improve the environmental sustainability of county governmental operations. Discussion held. Chairman Augustine thanked the steering committee members for their efforts thus far and instructed the Committee to continue its work as outlined in the overview and identify key stakeholders within county operations for participation in the initiative.

Public Comment: None

Commissioner Freeman moved the approval of #20-8-75 Resolution to Authorize Application for Byrne Residential Substance Abuse Treatment (RSAT) Grant.

WHEREAS, the Office of Drug Control Policy has Byrne Memorial Grant funds available; and

WHEREAS, the Sheriff's Office is desirous of submitting a grant application; and  
WHEREAS, the grant will provide funding for jail-based residential substance abuse treatment program; and

WHEREAS, the grant application will seek up to \$200,000, and requires a 25% match for this purpose; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize the Sheriff's Office to submit a grant application in an amount not to exceed \$200,000 for the period of October 1, 2020 to September 30, 2021; and  
BE IT FURTHER RESOLVED, acceptance of the grant, if approved will be contingent upon the identification and appropriation of the required matching funds; 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; and

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners be authorized to sign any necessary documents.

Seconded by Commissioner Bowen. Roll call vote. Ayes: Rob Piercefield, Blake Mulder, Terrance Augustine, Jeanne Pearl-Wright, Jane M. Whitacre, Brandon Haskell, Joseph Brehler, Glenn Freeman, Brian Droscha, Matthew S. Bowen, Wayne Ridge, Brian Lautzenheiser, Jim Mott and Barbara Rogers. Nays: none. Carried.

Commissioner Whitacre moved the approval of #20-8-76 Resolution to Approve County Veterans Services Grant Application.

WHEREAS, the Michigan Veterans Affairs Agency has grant funds available to counties to enhance county veterans service operations; and

WHEREAS, the Community Development/Veterans' Services Department has developed a plan to utilize the funds to enhance veterans services, including a grocery voucher program and provide funding for foreclosure and eviction prevention services for veterans; and

WHEREAS, the County is eligible for up to \$88,620, in base and per capita funding; and

WHEREAS, the Public Works & Planning Committee has reviewed the proposed plan prepared by the Community Development/Veterans' Services Department to utilize these grant funds and is recommending the approval of a grant application based on said plan; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize the submission of a grant application in an amount not to exceed \$88,620 for 2021; 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.

Seconded by Commissioner Rogers. Roll call vote. Ayes: Rob Piercefield, Blake Mulder, Terrance Augustine, Jeanne Pearl-Wright, Jane M. Whitacre, Brandon Haskell, Glenn Freeman, Joseph Brehler, Brian Droscha, Matthew S. Bowen, Wayne Ridge, Brian Lautzenheiser, Jim Mott and Barbara Rogers. Nays: None. Carried.

Commissioner Brehler moved the approval of #20-8-77 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 manages and maintained this system and utilized an alternative method to calculate the actuarial liability of this closed system for financial reporting purposes for the year ended September 30, 2019; and

WHEREAS, the calculation of the Actuarial Determined Contribution (ADC) to satisfy the reporting requirements of Public Act 202 of 2017, was not disclosed within the County's annual financial statements, resulting in the preliminary determination of underfunded status for the Facility's retirement health benefit system; and

WHEREAS, the actuarial valuation and calculation of the ADC to satisfy the reporting requirements of Public Act 202 of 2017 are being submitted as part of an application for waiver under the Act; and

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 Freeman. Roll call vote. Ayes: Rob Piercefield, Blake Mulder, Terrance Augustine, Jeanne Pearl-Wright, Jane M. Whitacre, Brandon Haskell, Glenn Freeman, Joseph Brehler, Brian Droscha, Matthew S. Bowen, Wayne Ridge, Brian Lautzenheiser, Jim Mott and Barbara Rogers. Nays: None. Carried.

Commissioner Brehler moved the approval of #20-8-78 Resolution Pledging Full Faith and Credit to Munson Drain Drainage District Bonds.

WHEREAS pursuant to a petition filed with the Drain Commissioner of the County of Eaton, State of Michigan (the "Drain Commissioner"), proceedings have been taken under the provisions of Act 40, Public Acts of Michigan, 1956, as amended (the "Act"), for the making of certain intra-county drain improvements referred to as the Munson Drain Maintenance and Improvement Project (the "Project"), which is being undertaken by the Munson Drain Drainage District (the "Drainage District") in a Special Assessment District (the "Special Assessment District") established by the Drainage District; and

WHEREAS, the Project is necessary for the protection of the public health, and in order to provide funds to pay the costs of the Project, the Drain Commissioner intends to issue the Drainage District's bonds (the "Bonds"), in one or more series, in an amount not to exceed \$995,000 pursuant to the Act; and

WHEREAS, the principal of and interest on the Bonds will be payable from assessments to be made upon public corporations and/or benefited properties in the Special Assessment District; and

WHEREAS, the Eaton County Board of Commissioners (the "Board") may, by resolution adopted by a majority of the members of the Board, pledge the full faith and credit of the County for the prompt payment of the principal of and interest on the Bonds pursuant to Section 276 of the Act; and

WHEREAS, the pledge of the full faith and credit of the County to the Bonds will reduce the cost of financing the Project and will be a benefit to the people of the County.

NOW, THEREFORE, IT IS RESOLVED as follows:

1. The County pledges its full faith and credit for the prompt payment of the principal of and interest on the Bonds in a par amount not to exceed \$995,000. The County shall immediately advance sufficient moneys from County funds, as a first budget obligation, to pay the principal of and interest on any of the Bonds should the Drainage District fail to pay such amounts when due. The County shall, if necessary, levy a tax on all taxable property in the County, to the extent other available funds are insufficient to pay the principal of and interest on the Bonds when due.

2. Should the County advance County funds pursuant to the pledge made in this Resolution, the amounts shall be repaid to the County from assessments or reassessments made upon benefited properties in the Special Assessment District as provided in the Act.

3. The Chairperson of the Board, the County Controller/Administrator, the County Clerk, the County Treasurer and any other official of the County, or any one or more of them ("Authorized Officers"), are authorized and directed to take all actions necessary or desirable for the issuance of the Bonds and to execute any documents or certificates necessary to complete the issuance of the Bonds, including, but not limited to, any applications including the Michigan Department of Treasury, Application for State Treasurer's Approval to Issue Long-Term Securities, any waivers, certificates, receipts, orders, agreements, instruments, and any certificates relating to federal or state securities laws, rules, or regulations and to participate in the preparation of a preliminary official statement and a final official statement for the Bonds and to sign such documents on behalf of the County and give any approvals necessary therefor.

4. Any one of the Authorized Officers is hereby authorized to execute a certificate of the County to comply with the continuing disclosure undertaking of the County with respect to the Bonds pursuant to paragraph (b)(5) of SEC Rule 15c2-12 issued under the Securities Exchange Act of 1934, as amended, and amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the “Continuing Disclosure Certificate”).

5. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded to the extent of the conflict.

Seconded by Commissioner Droscha. Roll call vote. Ayes: Rob Piercefield, Blake Mulder, Terrance Augustine, Jeanne Pearl-Wright, Jane M. Whitacre, Brandon Haskell, Glenn Freeman, Joseph Brehler, Brian Droscha, Matthew S. Bowen, Wayne Ridge, Brian Lautzenheiser, Jim Mott and Barbara Rogers. Nays: None. Carried.

Commissioner Brehler moved the approval of #20-8-79 Resolution to Approve 2019/2020 Budget Amendments.

WHEREAS, the Eaton County 2019/2020 Appropriations Act of September 18, 2019 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 2019-2020 Eaton County Budget:

GENERAL FUND

FEDERAL, STATE & LOCAL REVENUES

Decrease	State Revenue Sharing	\$ 354,980
Increase	Federal CARES Act Revenue	\$2,385,444
Increase	Federal CARES Act Revenue	\$ 84,000
Increase	Federal CARES Act Revenue	\$ 532,470
Decrease	Local Unit Contribution – Delta Township	\$ 332,354
Decrease	Local Unit Contribution – Windsor Township	\$ 17,708
Decrease	Transfers Out – Health Department	\$ 145,046
Increase	Salaries – Hazard Pay	\$ 84,000
Decrease	Fund Balance Carryover	\$2,357,918

To increase total budget for changes in revenue sources related to the enactment of PA 144 of 2020, including the effects of the Public Safety and Public Health Payroll Reimbursement Program (PSPHPR) and First Responder Hazard Pay Premiums Program (FRHPPP)

SPECIAL REVENUE FUNDS

RESOURCE RECOVERY – 228

Decrease	Wages and Fringes	\$42,670
Decrease	County Programs	\$30,000
Increase	Fund Balance Carryover	\$72,670

To reduce adopted use of fund balance for county program costs not incurred due to COVID-19 pandemic cancellations and changes in employee salary and fringe benefit costs due to personnel changes.

CENTRAL DISPATCH MILLAGE – 261

Increase	Federal CARES Act Revenue	\$19,000
Increase	Salaries – Hazard Pay	\$19,000

To increase total budget for the application for First Responder Hazard Pay Reimbursement Program revenue and hazard pay expenditures to eligible employees under PA 144 of 2020.

LOCAL CORRECTIONS OFFICER TRAINING FUND– 264

Increase	Wage and Fringe Benefits	\$25,000
Increase	Fund Balance Carryover	\$25,000

To increase the total budget based on the estimated eligible expenditures.

MICHIGAN JUSTICE TRAINING – 265

Increase	State Revenue – Michigan Justice Training	\$5,000
Increase	Training	\$5,000

To increase the total budget based on the actual state program revenues based on state allocation received.

JAIL MILLAGE – 281

Increase	Federal CARES Act Revenue	\$11,000
Increase	Salaries – Hazard Pay	\$11,000

To increase total budget for the application for First Responder Hazard Pay Reimbursement Program revenue and hazard pay expenditures to eligible employees under PA 144 of 2020.

Seconded by Commissioner Pearl-Wright. Roll call vote. Ayes: Rob Piercefield, Blake Mulder, Terrance Augustine, Jeanne Pearl-Wright, Jane M. Whitacre, Brandon Haskell, Glenn Freeman, Joseph Brehler, Brian Droscha, Matthew S.

Bowen, Wayne Ridge, Brian Lautzenheiser, Jim Mott and Barbara Rogers.  
Nays: None. Carried.

Commissioner Brehler moved the approval of claims as audited by the Ways & Means Committee for \$382,015.55 and to accept the report of previously authorized payments.

Seconded by Commissioner Whitacre. Roll call vote. Ayes: Rob Piercefield, Blake Mulder, Terrance Augustine, Jeanne Pearl-Wright, Jane M. Whitacre, Brandon Haskell, Glenn Freeman, Joseph Brehler, Brian Droscha, Matthew S. Bowen, Wayne Ridge, Brian Lautzenheiser, Jim Mott and Barbara Rogers.  
Nays: None. Carried.

Commissioner Brehler moved the approval of #20-8-80 Resolution to Clarify the Families First Coronavirus Response Act (FFCRA) as it Pertains to Employees of Eaton County

WHEREAS, the Families First Coronavirus Response Act (FFCRA) creates two categories of paid leave related to the outbreak of COVID-19: Expanded Emergency Family and Medical Leave and Emergency Paid Sick Leave; and WHEREAS, in recognition of the indispensable role certain employees play for our communities during this crisis, the FFCRA and its implementing regulations specifically authorize employers to exclude emergency responders from use of this leave; and

WHEREAS, the United States Department of Labor has relevantly defined the positions included in this “emergency responder” category as:

[A]nyone necessary for the provision of transport, care, healthcare, comfort and nutrition of such patients, or others needed for the response to COVID-19. This includes but is not limited to military or national guard, law enforcement officers, correctional institution personnel, fire fighters, emergency medical services personnel, physicians, nurses, public health personnel, emergency medical technicians, paramedics, emergency management personnel, 911 operators, child welfare workers and service providers, public works personnel, and persons with skills or training in operating specialized equipment or their skills needed to provide aid in a declared emergency, as well as individuals who work for such facilities employing these individuals and whose work is necessary to maintain the operation of the facility.

WHEREAS, to ensure we provide sufficient staffing to provide critical and essential services as this pandemic continues, the following are identified as emergency responder employees: All certified law enforcement personnel, all certified corrections personnel, Emergency Operations Center (EOC) personnel, Youth Facility Specialists and Supervisors and all Central Dispatch personnel. NOW, THEREFORE, BE IT RESOLVED, that these emergency responders are not eligible for Emergency Family and Medical Leave and Emergency Paid Sick Leave.

BE IT FURTHER RESOLVED, that this exclusion does not alter/change and leave available under collective bargaining agreements, County policy or federal or state law; and

BE IT FURTHER RESOLVED, that this resolution shall have immediate effect.

Seconded by Commissioner Pearl-Wright. Roll call vote. Ayes: Rob Piercefield, Blake Mulder, Terrance Augustine, Jeanne Pearl-Wright, Jane M. Whitacre, Brandon Haskell, Joseph Brehler, Brian Droscha, Wayne Ridge, Brian Lautzenheiser, Jim Mott and Barbara Rogers. Nays: Glenn Freeman, Matthew S. Bowen. Carried.

Public Comment: Eaton County Trial Courts Administrator Amy Etzel stated that all specialty courts and the Veteran's Court are currently being held utilizing remote technology (Zoom) and that she will provide a full report at the September Board of Commissioners meeting.

Commissioner Comments: Commissioner Droscha spoke regarding the need for fencing at Crandall Park.

Commissioner Mulder stated that his mother-in-law Jane Miller passed away at the age of 97 years old. Ms. Miller served as a member of the United Service Organizations (USO) during World War II era. The Board offered condolences and expressed appreciation for Ms. Miller's service to our Country.

Commissioner Pearl-Wright thanked the County Clerk and local clerks for their efforts in running a successful August Primary election.

There was no Unfinished Business, Old Business or New Business.

Chairman Augustine adjourned the meeting to Tuesday, September 8, 2020 at 7:00 p.m.

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Chairman of the Board of Commissioners

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Clerk of the Board of Commissioners