

EATON COUNTY BOARD OF COMMISSIONERS  
MAY 19, 2021

The Eaton County Board of Commissioners met in virtual session on Wednesday, May 19, 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 Whitacre gave the invocation.

Prosecutor Doug Lloyd requested a moment of silence out of respect for his employee's passing, Allison Bars.

Commissioner Augustine requested a moment of silence for Malachi Williams, a child from the Grand Ledge community.

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 attended in-person at the County Courthouse in Charlotte, Eaton County, Michigan; Brandon Haskell attended in-person at the County Courthouse in Charlotte, 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 attended in-person at the County Courthouse in Charlotte, 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; 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: Jim Mott. Commissioner Mott arrived after roll call.

Commissioner Mulder requested the following addition to the Ways and Means Committee Report: Item #5 – Resolution in Support of the State of Michigan to Fulfill its Statutory Obligation with Regard to State Revenue Sharing Payment Amounts.

Commissioner Augustine moved the agenda to be approved as amended. Seconded by Commissioner Rogers. 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, Jeremy Whittum, Barbara Rogers. Nays: None. Carried.

Commissioner Lautzenheiser moved the approval of the April 21, 2021 minutes. Seconded by Commission Haskell. Seconded by Commissioner. 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, Jeremy Whittum, Barbara Rogers. Nays: None. Carried.

Communications:

A communication from the Michigan Department of Licensing and Regulatory Agency regarding the scheduled consideration of the County's Inter-Local Agreement for Designated Assessor Services on May 24, 2021.

A constituent communication to Sheriff Reich regarding the need for increased traffic enforcement on Charlotte Street in Mulliken.

Public Comment: None

Commissioner Barnes moved the approval of #21-5-54 Resolution to Authorize for U.S. Department of Justice Coronavirus Emergency Supplemental Funding

WHEREAS, the United States Department of Justice has grant funds available through the Michigan State Police for the prevention, preparation and/or response to the coronavirus; and

WHEREAS, the grant would provide funding for contractual services and applicable equipment for an attorney to address coronavirus-related caseload backlog for the period of June 1, 2021 to December 31, 2021; and

WHEREAS, the Prosecuting Attorney's Office is desirous of submitting the grant application to contract with an attorney to primarily manage the backlog of cases currently in the screening process.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize the Prosecutor's Office to submit a grant application in an amount not to exceed \$50,000 for the period of June 1, 2021 to December 31, 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 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 to accept the 2021 Taxable Valuation Report.

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. (on file)

Commissioner Mulder moved the approval of #21-5-55 Resolution to Appoint Privacy Officer.

WHEREAS, Employer maintains one or more health plans which are subject to the privacy and security rules of the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), as modified by the Health Information Technology for Economic and Clinical Health Act ("HITECH"); and

WHEREAS, the HIPAA privacy and security rules, as modified by HITECH and the 2013 HHS regulations, require the appointment of a HIPAA privacy officer to implement privacy and security policies and procedures.

NOW, THEREFORE, IT IS RESOLVED, that Andrea Cherwinski, Benefits Specialist, is appointed as the HIPAA privacy officer and is authorized and directed to take whatever steps deemed reasonable and appropriate, including, but not limited to, the implementation of privacy policies and procedures, in order to ensure that Employer's health plan(s) are in compliance with the HIPAA privacy rules; and

BE IT FURTHER RESOLVED, that the Board of Commissioners approves the update to the County HIPAA Privacy and Security Policies to reflect this designation.

Seconded by Commissioner Whitacre. 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 #21-5-56 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 In – Commissary	\$27,000
Increase	Contractual Services	\$ 8,800
Increase	Other Supplies	\$18,200

To increase transfer from Commissary Fund to fully equip corrections personnel with body-worn cameras as recommended by the Public Safety Committee.

County Treasurer

Increase	Bank Service Fees	\$20,000
Increase	Fund Balance Carryover	\$20,000

To increase total budget for bank services fees which will not be offset by interest earnings on deposits due to current interest rates, as discussed by County Treasurer Robinson at April 16, 2021 committee meeting.

SOLID WASTE ORDINANCE FUND

Resource Recovery

Increase	Salaries and Fringe Benefits	\$10,000
Increase	Fund Balance Carryover	\$10,000

To increase total budget for increase of program assistant position to full-time and amend the position allocation list to reflect the change in status and eliminate the part-time administrative assistant position from the position allocation list as recommended by the Public Works and Planning Committee.

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 \$461,034.85 and to accept the report of previously authorized payments.

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 Mulder moved the approval of #21-5-57 Resolution in Support of the State of Michigan Fulfill its Statutory Obligation with Regard to State Revenue Sharing Payment Amounts

WHEREAS, in 2005 State Revenue Sharing payments were discontinued to counties, relieving the State Budget of \$183 million in annual State Revenue Sharing payments to counties, with the promise and agreement that these payments would be restored when each of the individual counties Revenue Sharing Reserve Fund were exhausted; and

WHEREAS, Eaton County's Revenue Sharing Reserve Fund was exhausted in 2012; and

WHEREAS, the Michigan Association of Counties has identified 60 Michigan counties that have received less than the statutorily required amount of State Revenue Sharing since Revenue Sharing Reserve Funds were exhausted; and

WHEREAS, The Michigan Association of Counties has identified a \$967,474 cumulative shortfall in State Revenue Sharing payments to Eaton County since 2012; and

WHEREAS, with the influx of American Rescue Plan funds to the State of Michigan, there are sufficient funds available to make counties whole with regard to State Revenue Sharing payment shortfalls; and

WHEREAS, despite receiving federal funds through the state as part of the American Rescue Plan, the use of the federal funds is tied to COVID/pandemic related expenses; and

WHEREAS, unlike Eaton County's allocation from the American Rescue Plan, the payment of the State Revenue Sharing shortfall will not be restricted to COVID-19 related expenses thereby making it eligible for critical infrastructure projects, pension fund or OPEB contributions and other expenditures.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Eaton County Board of Commissioners does hereby support and urge the State of Michigan to fulfill its statutory obligations with regard to State Revenue Sharing payments for all 60 Michigan counties identified by the Michigan Association of Counties that received less than their statutorily required amounts; and

BE IT FURTHER RESOLVED, that the County Clerk shall send copies of this resolution to the Governor of the State of Michigan, the Majority Leader for the Michigan Senate, the Speaker of the Michigan House of Representatives, and Eaton County's State Legislative delegation for their consideration and action.

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.

Public Comment: None

Commissioner Comments:

Commissioner Reynnet stated that Gizzard Fest will be held in Potterville, MI on June 11-12<sup>th</sup>, and Gospel Fest in Charlotte, MI will be held June 11-13<sup>th</sup>.

Commissioner Haskell stated Juneteenth will be held in Reo Town, in downtown Lansing on June 19<sup>th</sup>.

Commissioner Pearl-Wright stated Yankee Doodle Days started their advertising for the festival, which will be held at the end of June.

Chairman Whittum stated the Department of Veteran Affairs spoke highly of the County's programs and staff.

There was no Unfinished Business or Old Business.

New Business: None

Chairman Whittum adjourned the meeting to Wednesday, June 16, 2021 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

DRAFT

**EATON COUNTY BOARD OF COMMISSIONERS**

**MAY 19, 2021**

**RESOLUTION TO AUTHORIZE APPLICATION FOR  
UNITED STATES DEPARTMENT OF JUSTICE  
CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING**

**Introduced by the Public Safety Committee**

Commissioner Barnes moved the approval of the following resolution. Seconded by Commissioner Droscha.

**WHEREAS**, the United States Department of Justice has grant funds available through the Michigan State Police for the prevention, preparation and/or response to the coronavirus; and

**WHEREAS**, the grant would provide funding for contractual services and applicable equipment for an attorney to address coronavirus-related caseload backlog for the period of June 1, 2021 to December 31, 2021; and

**WHEREAS**, the Prosecuting Attorney's Office is desirous of submitting the grant application to contract with an attorney to primarily manage the backlog of cases currently in the screening process.

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Commissioners authorize the Prosecutor's Office to submit a grant application in an amount not to exceed \$50,000 for the period of June 1, 2021 to December 31, 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.

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.

**EATON COUNTY BOARD OF COMMISSIONERS  
RESOLUTION TO APPOINT PRIVACY OFFICER**

**MAY 19, 2021**

**Introduced by the Ways and Means Committee**

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

**WHEREAS**, Employer maintains one or more health plans which are subject to the privacy and security rules of the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), as modified by the Health Information Technology for Economic and Clinical Health Act (“HITECH”); and

**WHEREAS**, the HIPAA privacy and security rules, as modified by HITECH and the 2013 HHS regulations, require the appointment of a HIPAA privacy officer to implement privacy and security policies and procedures.

**NOW, THEREFORE, IT IS RESOLVED**, that Andrea Cherwinski, Benefits Specialist, is appointed as the HIPAA privacy officer and is authorized and directed to take whatever steps deemed reasonable and appropriate, including, but not limited to, the implementation of privacy policies and procedures, in order to ensure that Employer’s health plan(s) are in compliance with the HIPAA privacy rules; and

**BE IT FURTHER RESOLVED**, that the Board of Commissioners approves the update to the County HIPAA Privacy and Security Policies to reflect this designation.

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.



**EATON COUNTY BOARD OF COMMISSIONERS**

**MAY 19, 2021**

**RESOLUTION TO APPROVE 2020/2021 BUDGET AMENDMENTS**

**Introduced by the Ways and Means Committee**

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

**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 In – Commissary	\$27,000
Increase	Contractual Services	\$ 8,800
Increase	Other Supplies	\$18,200

To increase transfer from Commissary Fund to fully equip corrections personnel with body-worn cameras as recommended by the Public Safety Committee.

**County Treasurer**

Increase	Bank Service Fees	\$20,000
Increase	Fund Balance Carryover	\$20,000

To increase total budget for bank services fees which will not be offset by interest earnings on deposits due to current interest rates, as discussed by County Treasurer Robinson at April 16, 2021 committee meeting.

**SOLID WASTE ORDINANCE FUND**

**Resource Recovery**

Increase	Salaries and Fringe Benefits	\$10,000
Increase	Fund Balance Carryover	\$10,000

To increase total budget for increase of program assistant position to full-time and amend the position allocation list to reflect the change in status and eliminate the part-time administrative assistant position from the position allocation list as recommended by the Public Works and Planning Committee.

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.

**EATON COUNTY BOARD OF COMMISSIONERS**

**MAY 19, 2021**

**RESOLUTION IN SUPPORT OF THE STATE OF MICHIGAN TO FULFILL ITS  
STATUTORY OBLIGATION WITH REGARD TO STATE REVENUE SHARING  
PAYMENT AMOUNTS**

**Introduced by the Ways and Means Committee**

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

**WHEREAS**, in 2005 State Revenue Sharing payments were discontinued to counties, relieving the State Budget of \$183 million in annual State Revenue Sharing payments to counties, with the promise and agreement that these payments would be restored when each of the individual counties Revenue Sharing Reserve Fund were exhausted; and

**WHEREAS**, Eaton County's Revenue Sharing Reserve Fund was exhausted in 2012; and

**WHEREAS**, the Michigan Association of Counties has identified 60 Michigan counties that have received less than the statutorily required amount of State Revenue Sharing since Revenue Sharing Reserve Funds were exhausted; and

**WHEREAS**, The Michigan Association of Counties has identified a \$967,474 cumulative shortfall in State Revenue Sharing payments to Eaton County since 2012; and

**WHEREAS**, with the influx of American Rescue Plan funds to the State of Michigan, there are sufficient funds available to make counties whole with regard to State Revenue Sharing payment shortfalls; and

**WHEREAS**, despite receiving federal funds through the state as part of the American Rescue Plan, the use of the federal funds is tied to COVID/pandemic related expenses; and

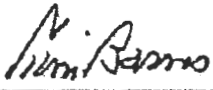
**WHEREAS**, unlike Eaton County's allocation from the American Rescue Plan, the payment of the State Revenue Sharing shortfall will not be restricted to COVID-19 related expenses thereby making it eligible for critical infrastructure projects, pension fund or OPEB contributions and other expenditures.


Motion carried by unanimous roll call vote.

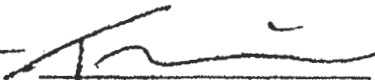
NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Eaton County Board of Commissioners does hereby support and urge the State of Michigan to fulfill its statutory obligations with regard to State Revenue Sharing payments for all 60 Michigan counties identified by the Michigan Association of Counties that received less than their statutorily required amounts; and

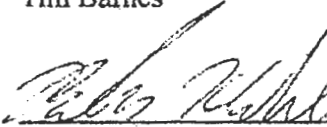
BE IT FURTHER RESOLVED, that the County Clerk shall send copies of this resolution to the Governor of the State of Michigan, the Majority Leader for the Michigan Senate, the Speaker of the Michigan House of Representatives, and Eaton County's State Legislative delegation for their consideration and action.

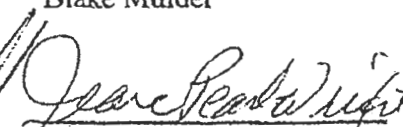
Respectfully submitted,  
Eaton County Board of Commissioners:

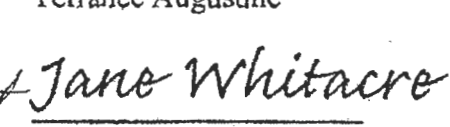
  
Tim Barnes

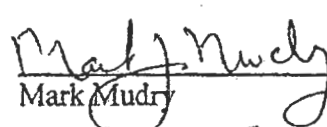
  
Blake Mulder

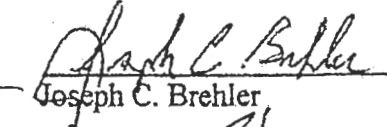
  
Terrance Augustine

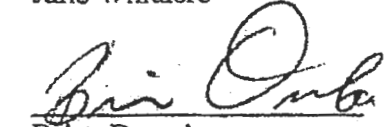
  
Brandon Haskell

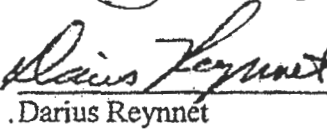
  
Jeanne Pearl-Wright

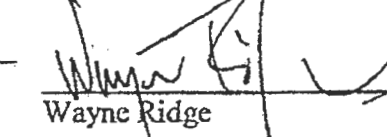
  
Jane Whitacre

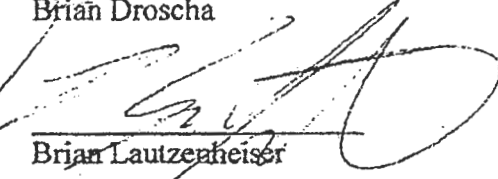
  
Mark Mudry

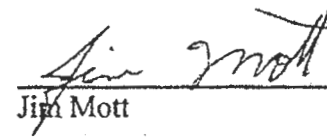
  
Joseph C. Brehler

  
Brian Droscha

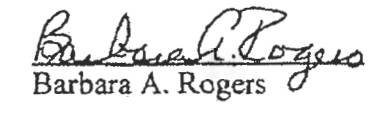
  
Darius Reynnet

  
Wayne Ridge

  
Brian Lautzenheiser

  
Jim Mott

  
Jeremy Whittum

  
Barbara A. Rogers