

EATON COUNTY BOARD OF COMMISSIONERS
DECEMBER 21, 2022

The Eaton County Board of Commissioners met in regular session at the County Facilities, in the City of Charlotte, Wednesday, December 21, 2022 including the availability of virtual participation by the public.

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

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

Commissioner gave the invocation.

Roll call. Commissioners present: 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, Barbara Rogers and Jeremy Whittum.
Commissioners absent: None.

Commissioner Mulder requested the following changes to the Ways and Means Committee report: To move item of Old Business to be 5a. Closed Session to consult with legal counsel for strategy and negotiation sessions necessary to reach a collective bargaining agreement (15.268(c). Add item #5b – Resolution to Approve Extension and Revisions to Temporary Recruitment and Retention Program.

Commissioner Augustine moved the approval of the agenda as amended. Seconded by Commissioner Lautzenheiser. Carried unanimously.

Commissioner Lautzenheiser moved the approval of the regular minutes and closed minutes of November 16, 2022 meeting. Seconded by Commissioner Droscha. Carried unanimously.

Communications: Annual reports of the County Clerk and Register of Deeds were received. (On file)

Chairman Whittum moved the approval of #22-12-117 Resolution of Appreciation for William Kennedy Juvenile Court.

WHEREAS, William Kennedy will be retiring from Eaton County on December 29, 2022 after 31 years of service; and

WHEREAS, William worked in Juvenile Court from April 8, 1991; until his retirement; and

WHEREAS, William has provided dedicated and honorable service to the residents and employees of Eaton County; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank William for years of exceptional service to 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 December in the year 2022.

Seconded by Commissioner Lautzenheiser. Carried unanimously.

Chairman Whittum moved the approval of #22-12-118 Resolution of Appreciation for John Fuentes Controller/Administrator.

WHEREAS, John Fuentes will be retiring from Eaton County on January 13, 2023 after twenty-six years of service; and

WHEREAS, John worked in the Controller's Office from June 10, 1996 and served as Controller/Administrator from January 1, 2006 until his retirement; and

WHEREAS, John Fuentes has provided dedicated and honorable service to the residents and employees of Eaton County; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank John for years of exceptional service to 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 December in the year 2022.

Seconded by Commissioner Pearl-Wright. Carried unanimously.

Chairman Whittum moved the approval of #22-12-119 Resolution of Appreciation for Commissioner Dairus Reynnet.

WHEREAS, Dairus Reynnet served for two years on the Eaton County Board of Commissioners from 2021 through 2022 and

WHEREAS, during the course of his tenure Dairus served on the Board's Public Safety, Information Technology and Communications, and Health and Human Services Committees; and

WHEREAS, the Eaton County Board of Commissioners and the people of Eaton County greatly appreciate the public service that Dairus has given to this community.

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners, meeting in regular session this 21st day of December, 2022 do commend Dairus Reynnet for a job well done; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be signed by the Chairperson of the Board and Clerk of the County; and bear the great seal of the County as well. A copy shall be attached to the permanent records of the County.

Seconded by Commissioner Ridge. Carried unanimously.

Commissioner Lautzenheiser moved the approval of #22-12-120 Resolution of Appreciation for Commissioner Wayne Ridge.

WHEREAS, Wayne Ridge served for 12 years on the Eaton County Board of Commissioners from 2011 through 2022 and

WHEREAS, during the course of his tenure Wayne served on the Board's Public Safety, Public Works and Planning Committees, and for the last two years served as Chairman of the Information Technology and Communications Committee; and

WHEREAS, the Eaton County Board of Commissioners and the people of Eaton County greatly appreciate the public service that Wayne has given to this community.

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners, meeting in regular session this 21st day of December, 2022 do commend Wayne Ridge for a job well done; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be signed by the Chairperson of the Board and Clerk of the County; and bear the great seal of the County as well. A copy shall be attached to the permanent records of the County.

Seconded by Commissioner Haskell. Carried unanimously.

Chairman Whittum moved the approval of #22-12-121 Resolution of Appreciation for Commissioner Jane Whitacre.

WHEREAS, Jane Whitacre has served for ten years on the Eaton County Board of Commissioners from January 1, 2013 through 2022; and

WHEREAS, during her tenure Jane has served on the all of the Board's Committees; and

WHEREAS, Jane also served on and represented this County on the Barry-Eaton District Health Department Board of Directors and many other Boards and Committees during her five terms; and

WHEREAS, the Eaton County Board of Commissioners and the people of Eaton County greatly appreciate the years of public service that Jane Whitacre has tirelessly given to her community.

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners, meeting in regular session this 21st day of December 2022 do commend Jane Whitacre for a job well done. We wish her well in her new endeavors and thank her for her years of dedicated service to the County; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be signed by the Chairman of the Board and Clerk of the County; and bear the Seal of the County. A copy shall be attached to the permanent records of the County.

Seconded by Commissioner Pearl-Wright. Carried unanimously.

Commissioner Augustine moved the approval of #22-12-122 Resolution of Appreciation for Commissioner Jeremy Whittum.

WHEREAS, Jeremy Whittum served for two years on the Eaton County Board of Commissioners from 2021 through 2022 and

WHEREAS, Jeremy served as Chairman of this Commission for the past two years; and

WHEREAS, Jeremy also served on and represented this County on the Barry-Eaton District Health Department Board of Directors and many other Boards and Committees; and

WHEREAS, the Eaton County Board of Commissioners and the people of Eaton County greatly appreciate the public service that Jeremy has given to this community.

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners, meeting in regular session this 21st day of December, 2022 do commend Jeremy Whittum for a job well done; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be signed by the Vice Chairperson of the Board and Clerk of the County; and bear the great seal of the County as well. A copy shall be attached to the permanent records of the County.

Seconded by Commissioner Haskell. Carried unanimously.

Public Comment: Prosecutor Doug Lloyd spoke to congratulate John Fuentes, Eaton County Controller/Administrator on his retirement. He spoke in support of Connie Sobie as new Controller/Administrator. Prosecutor Doug Lloyd also spoke to express his disagreement with the retention and recruitment premium program extension including an increase for certain employee groups.

TJ Youngquist spoke in favor of Connie Sobie as new Controller/Administrator, and in opposition of the Waverly School Safety Officer position.

Rachel Murray introduced herself as the new Executive Director of Eaton County Conservation District.

Keith Barber spoke regarding the retention and recruitment premium and his disagreement with an increase in the Commissioner.

The Annual Report of the County Treasurer Performance Bond – P.A. 211 of 2007 was received. (On file)

Commissioner Mott moved the approval of #22-12-123 Resolution to Continue Eaton County Human Services Collaborative Council.

WHEREAS, the Board of Commissioners established an Eaton County Human Services Collaborative Council on January 17, 1996; and

WHEREAS, such resolution requires an annual review of the Human Services Collaborative Council to determine the necessity of its continuation; and

WHEREAS, the Board of Commissioners, feels that the Human Services Collaborative Council continues to provide a forum for human services agencies in the county to identify and discuss opportunities for further collaboration and partnership in human services delivery.

NOW, THEREFORE, BE IT RESOLVED, that the Human Services Collaborative Council be continued for another year.

Seconded by Commissioner Reynnet. Nays: Droscha and Rogers. Carried unanimously.

Commissioner Mott moved the approval of #22-12-124 Resolution to Approve Interim Agreement for the Operation of the Youth Facility.

WHEREAS, the Board previously adopted an agreement to allow the Youth Facility to continue to be operated under the direction of the Family Division of the Circuit Court; and

WHEREAS, such agreement expires December 31, 2022; and

WHEREAS, the Health and Human Services Committee has reviewed the operation of the Youth Facility over the past year and feels it should remain under the operation of the Family Division of the Circuit Court.

NOW THEREFORE BE IT RESOLVED, that the Agreement be extended for another year to expire on December 31, 2023. Prior to such time, it will be reviewed again by the Health and Human Services Committee.

Seconded by Commissioner Pearl-Wright. Carried unanimously.

Commissioner Mott moved the approval of the following Health and Human Services Committee Appointments.

Tri-County Aging Consortium Advisory Council - 3 year term

Jane Whitacre

three-year term expiring 12/31/25

Seconded by Commissioner Pearl-Wright. Carried unanimously.

Commissioner Barnes moved the approval of #22-12-125 Resolution to Authorize Work Agreement for Federal Emergency Management Agency - Emergency Management.

WHEREAS, the Michigan State Police, Emergency Management Division has grant funds available through the Federal Emergency Management Agency for the Emergency Management Performance Grant (EMPG) program; and

WHEREAS, the County has received funding through this program to fund a portion of the cost of the Emergency Management position; and

WHEREAS, an initial work agreement for this program for the period of October 1, 2022 through September 30, 2023, has been submitted to remain eligible to continue to receive funds through this program, estimated to provide up to 50% of the position salary based on completion of eligible activities contained in the initial work agreement. NOW, THEREFORE BE IT RESOLVED, that the initial work agreement is authorized; and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners or his designee is authorized to sign any necessary grant documents.

Seconded by Commissioner Haskell. Carried unanimously.

Commissioner Ridge moved the approval of #22-12-126 Resolution to Approve Recommendation of the Community Broadband Action Team.

WHEREAS, the Board of Commissioners created the Community Broadband Action Team as was recommended in the January 2022 Eaton County Broadband Survey Report conducted by Connected Michigan; and

WHEREAS, the Community Broadband Action Team met to determine strategies to expand broadband access to unserved and underserved areas of the County utilizing a portion of the County's American Rescue Plan (ARP) State and Local Fiscal Recovery Fund (SLFRF) allocation; and

WHEREAS, the County solicited proposals from internet service providers (ISPs) for such expansion; and

WHEREAS, the Action Team reviewed ISP responses to the County's request for proposals and interviewed selected ISPs regarding their proposals; and

WHEREAS, as a result of the evaluation the Action Team has recommended ACD.net as the internet service provider to continue the pursuit of additional funding to expand broadband service to unserved and underserved areas within Eaton County.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners approves the recommendation of the Community Broadband Action Team to continue the pursuit of expanded broadband service to unserved and underserved areas within Eaton County; and

BE IT FURTHER, RESOLVED, that Eaton County assist ACD.net in its pursuit of a State of Michigan Realizing Opportunity with Broadband Infrastructure Networks (ROBIN) program grant to secure necessary funding to expand such services; and

BE IT FURTHER, RESOLVED, that Eaton County will allocate up to \$2,674,266 of its remaining SLFRF allocation to be identified as matching funds in an ACD.net ROBIN grant application; and

BE IT FURTHER, RESOLVED, that an agreement as provided in the County request for proposals regarding the responsibilities of the County and ACD.net, be negotiated, to identify the conditions which must be satisfied by ACD.net to receive the County funds allocated by this resolution, including but not limited to ACD.net's successful receipt of ROBIN grant funding to cover the project areas within Eaton County to receive broadband service as identified within its November 10, 2022 proposal; and

BE IT FURTHER, RESOLVED, that Chairman of the Board of Commissioners is authorized to execute the agreement with ACD.net for broadband expansion upon completion of satisfactory review by legal counsel.

Seconded by Commissioner Droscha. Carried unanimously.

Commissioner Lautzenheiser moved the approval of #22-12-127 Resolution to Require Deposits for Preliminary Costs Pursuant to the Drain Code.

WHEREAS Sections 51 of the Michigan Drain Code, Public Act 40 of 1956, as amended ("Drain Code") allows the Board of Commissioners for the County of Eaton to authorize the request for a cash deposit, sufficient to cover the preliminary costs, as determined by the Eaton County Drain Commissioner ("Drain Commissioner"), associated with any application to lay out and designate a drainage district submitted to the Drain Commissioner: and

WHEREAS, if such project is completed, the cost advanced shall be returned to the depositor out of the first installments of special assessments and if the project is uncompleted, any excess above costs shall also be returned.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Eaton, that pursuant to Section 51 of the Drain Code, the Eaton County Drain Commissioner is authorized to request a cash deposit to cover the estimated preliminary costs associated with any application to lay out and designate a drainage district if the application is submitted by a municipality or developer, in an amount not to exceed 10% of the estimated costs and not to exceed \$10,000.

Seconded by Commissioner Mott. Carried unanimously.

Commissioner Lautzenheiser moved the approval of #22-12-128 Resolution to Amend Parks Department Fee Schedule.

WHEREAS, the Board of Commissioners has approved a fee schedule for the Parks and Recreation Department; and
WHEREAS, the fee schedule included a motor vehicle entry fee; and
WHEREAS, the Public Works and Planning Committee is recommending the Parks Department fee schedule be revised to eliminate the motor vehicle entry fee.
NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners approves the recommended amendment to the Parks Department fee schedule to eliminate motor vehicle entry fees to County Parks, effective immediately.
Seconded by Commissioner Augustine. Carried unanimously.

Commissioner Lautzenheiser moved the approval of the following Public Works and Planning Committee Appointments.

Purchase of Development Rights Selection Committee – 2 Year Term

Charamy Cleary	12/31/24	
Ben Tirrell	12/31/23	partial term
Rachel Cuschieri-Murray	12/31/24	Conservation District

EATRAN – 3 Year Term

Rob Piercefield	12/31/24	partial term
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(being recommended to replace Vicky Beers, who is unable to participate)

Seconded by Commissioner Rogers. Carried unanimously.

Commissioner Mulder moved the approval of #22-12-129 Resolution to Appoint County Representative and Related Contract.

WHEREAS, pursuant to Section 9 of PA 345 of 1990, the State Survey and Remonumentation Act, the Board of Commissioners is authorized to appoint a County Representative for all surveying projects in Eaton County approved or initiated by the State Survey and Remonumentation Commission; and
WHEREAS, the Ways & Means Committee is recommending entering into a contract with Ronnie M. Lester, which designates Mr. Lester as County Representative; and
WHEREAS, the proposed contractual fee for services as County Representative for 2023 is \$22,000.00; and
WHEREAS, Mr. Lester is a surveyor licensed to practice in the State of Michigan and has offered to provide the County, on an independent contractor basis, with the County Representative services it requires.
NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioner appoints Ronnie M. Lester as the County Representative under PA 345 of 1990; and
BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners or his designee is authorized to sign the contract.
Seconded by Commissioner Lautzenheiser. Carried unanimously.

Commissioner Mulder moved the approval of #22-12-130 Resolution Authorizing Agreements with Remonumentation Surveyors for Research and Surveying Required under the Eaton County Monumentation and Remonumentaion Plan for the 2023 Grant Year.

WHEREAS, the Eaton County Board of Commissioners has adopted a Monumentation and Remonumentation Plan for Eaton County; and
WHEREAS, the Monumentation and Remonumentation Plan for Eaton County was subsequently approved by the State Survey and Remonumentation Commission; and
WHEREAS, Eaton County is required to have an approved plan in order to apply and receive grant money which is available for this grant project; and
WHEREAS, the County Representative administering the Eaton County plan has contacted all known surveyors working within Eaton County; and
WHEREAS, all interested surveyors at this time have submitted resumes and proposed fees for research and surveying requirements under the Eaton County plan; and

WHEREAS, the recommended Remonumentation Surveyors and contract amounts are listed on Addendum A attached to this resolution; and

WHEREAS, pursuant to Public Act 345 of 1990, known as the “State Survey and Remonumentation Act”, authorizes Eaton County to contract with a licensed surveyor under the terms and conditions established in the agreement.

WHEREAS, Public Act 166 of 2014, amended PA 345 of 1990 to require the Board of Commissioners to appoint representatives to the peer review group.

THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners does hereby authorize agreements with the Remonumentation Surveyors listed on Addendum A for the Eaton County Project.

BE IT FURTHER RESOLVED, that the Eaton County Board of Commissioners does hereby appoint the following individuals to the peer review group for the 2023 grant year:

Jeffery Autenrieth, PS
Autenrieth Surveying, LLC

Anthony Bumstead, PS
Bumstead Land Surveying, LLC

Gilbert Barish, PS (Alternate)
Geodetic Design, Inc

Justin Carroll, PS
Geodetic Design, Inc.

David Clifford, PS
Enger Surveying & Engineering, Sole Prop.

Ron Enger, PS (Alternate)
Enger Surveying & Engineering, Sole Prop.

Ryan Miller, PS
RD Miller Land Surveying, LLC

BE IT FURTHER RESOLVED, that representatives of the peer group shall be compensated at \$225.00 each for attendance per scheduled peer review meeting such that only one representative from each company be compensated at any particular meeting; and

BE IT FURTHER RESOLVED, that in 2023 the peer review meetings shall be scheduled for August 29, October 3 and November 7; and
BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners and the County Clerk are authorized to sign the agreements with the Remonumentation Surveyors.
Seconded by Commissioner Rogers. Carried unanimously.

Commissioner Mulder moved the approval of #22-12-131 Resolution to Authorize NeoGov to Act as E-Verify Agent.

WHEREAS, E-Verify is a web-based system that allows enrolled employers to confirm the eligibility of their employees to work in the United States; and
WHEREAS, E-Verify employers verify the identity and employment eligibility of newly hired employees by electronically matching information provided by employees on the Form 1-9, Employment Eligibility Verification, against records available to the Social Security Administration (SSA) and the Department of Homeland Security (DHS); and
WHEREAS, Eaton County is an E-Verify employer; and
WHEREAS, NEOGOV, Eaton County’s human resources software provider, provides a service whereby NEOGOV will act as an employer agent for clients and perform verification services on their behalf; and
WHEREAS, authorization for NEOGOV to act as Eaton County’s agent for this purpose is being requested to achieve greater efficiency and further reduce manual activity.
NOW, THEREFORE BE IT RESOLVED, that entering into an agreement authorizing NEOGOV to act as an E-Verify agent on behalf of Eaton County is approved.
BE IT FURTHER RESOLVED, that the Deputy Controller/Administrator is authorized to sign any necessary contract documents.
Seconded by Commissioner Mott. Carried unanimously.

Commissioner Mulder moved the approval of #22-12-132 Resolution Amending the 2022 Apportionment Report.

WHEREAS, In compliance with Michigan Compiled Laws, Section 211.37 as amended, clerical errors were found in the previously adopted Apportionment Report.
THEREFORE, BE IT RESOLVED, That the Eaton County Board of Commissioners hereby amends the previously adopted 2022 Apportionment Report to spread the corrected millage rates to the affected units on the 2022 winter tax rolls.

<u>New Millage</u>		
<u>Unit</u>	<u>Original</u>	<u>Corrected</u>
<u>Eaton County</u>		
County Parks	0.00	0.5000

Seconded by Commissioner Droscha. Carried.

Commissioner Mulder moved the approval of #22-12-133 Resolution to Approve Health Clinic Renovation Contract.

WHEREAS, the Barry-Eaton District Health Department has identified certain renovations necessary to update the interior of its Health Clinic in Charlotte and improve its functionality for operations; and

WHEREAS, the County owns the facility and has appropriated \$200,000 to fund a portion of the identified renovations; and

WHEREAS, the District Health Department has appropriated funds necessary for the remaining cost of the renovations; and

WHEREAS, the County and District Health Department identified Nielson Commercial Construction as the vendor to assist in the development and design of the proposed renovations; and

WHEREAS, the Ways and Means Committee reviewed and is recommending the approval of the design-build construction contract with Nielson Commercial Construction for an amount not to exceed \$441,248 for the renovations to the Barry-Eaton District Health Department Charlotte Health Clinic.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners approves the contract with Nielson Commercial Construction for an amount not to exceed \$441,248.

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners or his designee is authorized to sign the contract.

Seconded by Commissioner Brehler. Carried unanimously.

Commissioner Mulder moved to enter closed session to consult with legal counsel for strategy and negotiation sessions necessary to reach a collective bargaining agreement (15.268(c)) at 7:55 p.m.

Seconded by Commissioner Pearl-Wright. Roll call. Yeas: 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, Barbara Rogers and Jeremy Whittum.

Nays: None. Motion carried.

Regular session resumed at 8:15 p.m.

Commissioner Mulder moved the approval of #22-12-134 Resolution to Approve Extension and Revisions to Temporary Recruitment and Retention Program.

WHEREAS, the Board of Commissioners approved changes to the personnel policy and entered in to letters of understanding with its represented employees on February 11, 2022 to implement a temporary recruitment and retention program for its employees; and

WHEREAS, this temporary program is scheduled to expire on January 31, 2023; and
WHEREAS, the Ways and Means Committee has discussed extending the program for a twelve month period through January 31, 2024 to continue to attempt to address ongoing employee recruitment and retention difficulties; and

WHEREAS, the Ways and Means Committee discussed revisions to the program regarding the frequency of the premium stipend payments and amounts of the payments to certain position classifications, as outlined in the attached communication from the Controller/Administrator; and

NOW, THEREFORE BE IT RESOLVED, that the extension and revisions to the Temporary Recruitment and Retention Program are approved, as recommended; and BE IT FURTHER RESOLVED, that the County Personnel Policy be updated as necessary to extend and revise the program; and BE IT FURTHER RESOLVED, that the County prepare letters of understanding with its represented employee groups necessary to extend and revise the program. Seconded by Commissioner Lautzenheiser.

Commissioner Brehler moved to amend recommendation to \$5,000 for all employees. Seconded by Commissioner Augustine. Discussion held. Nays: Mulder. Motion to amend carried.

Roll call on resolution, as amended. 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, Barbara Rogers and Jeremy Whittum. Nays: None. Motion carried.

Commissioner Mulder moved the approval of #22-12-135 Resolution to Approve FY 2022-23 Budget Amendments.

WHEREAS, the Eaton County 2022/2023 Appropriations Act of September 21, 2022 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 2022/2023 Eaton County Budget:

GENERAL FUND

SHERIFF 301.01

Increase	Salaries-Temporary	\$ 60,000
Decrease	Fund Balance Carryover	\$ 60,000

To increase total budget for the implementation of a Cadet program for the Sheriff's Office and amend the Position Allocation List to add six (6) Sheriff Cadets as described in the program overview recommended by the Public Safety Committee.

SPECIAL REVENUE FUNDS

PUBLIC IMPROVEMENT FUND 225

Increase	Capital Improvements	\$ 296,833
Increase	Transfers In – Barry-Eaton Health Department	\$ 296,833

To increase budget for Barry-Eaton District Health Department share of Charlotte Health Clinic renovation project.

PARKS AND RECREATION 208

Decrease	Gate Fee Revenue - Fitzgerald	\$ 61,000
Decrease	Gate Fee Revenue – Fox	\$ 15,000
Increase	SPARK Grant matching funds	\$100,000
Increase	Property Tax Revenue	\$176,000

To recognize parks millage revenue to provide matching funds for MDNR SPARK grant application and funds to offset adopted revenue for the elimination of motor vehicle entry fees as recommended by the Public Works and Planning Committee.

AMERICAN RESCUE PLAN 282

Increase	Federal Revenue – Broadband Expansion	\$2,674,288
Increase	Federal Revenue – Retention & Recruiting	\$2,275,000
Increase	Federal Revenue – Foreclosure Prevention Programs	\$ 125,000
Increase	Capital Outlay	\$2,674,288
Increase	Salaries and Fringe Benefits	\$2,275,000
Increase	Professional Services	\$ 125,000

To recognize federal rescue plan revenue for County participation in a State Realizing Opportunities in Broadband Infrastructure Networks (ROBIN) grant application with Broadband partner, the extension to the modified short-term employee recruitment and retention program, and the Foreclosure Prevention Program.
Seconded by Commissioner Augustine. Carried unanimously.

Commissioner Mulder moved the approval of #22-12-136 Resolution to Approve Employment Agreement.

WHEREAS, the Board of Commissioners has determined that it is the County's interest to enter in to an employment agreement for the employee to be hired as its Controller/Administrator; and

WHEREAS, the attached agreement has been developed and reviewed by County legal counsel; and

WHEREAS, the Ways and Means Committee has reviewed and recommended approval of the attached three year employment agreement.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners approves the employment agreement with Connie L. Sobie; and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners or his designee is authorized to sign the agreement.

Seconded by Commissioner Augustine. Carried unanimously.

Commissioner Mulder moved the approval of #22-12-137 Resolution Establishing Commissioner Compensation and Mileage Reimbursement and Compensation for Non-Commissioner Members of Appointed Committees and Commissions, to be Effective January 1, 2023.

WHEREAS, the Board of Commissioners is empowered to determine its own compensation, as well as non-commissioner members of various other committees, commissions and agencies; and

WHEREAS, the Board of Commissioners is desirous of revising that compensation.

NOW, THEREFORE, BE IT RESOLVED, that commencing January 1, 2023, members of the Board of Commissioners shall receive an annual salary, payable monthly, as stated below:

1. The Chairperson of the Board of Commissioners shall receive an \$8,978.00 per year salary.

2. The Vice-Chairperson of the Board of Commissioners shall receive an \$8,123.00 per year salary and is not entitled to any additional compensation as stated in #3 below.

3. The Chairperson of the Ways and Means Committee shall receive an \$8,123.00 per year salary.

4. All other Commissioners shall receive \$7,743.00 per year salaries; and

BE IT FURTHER RESOLVED, that provided that the following payments are not prohibited by statute, each Eaton County Commissioner shall receive, in addition to their annual salary, a ~~\$35.00~~ \$50.00 per meeting payment. The ~~\$35.00~~ \$50.00 payment is applicable for attendance at Board of Commissioners meetings, Board of Commissioners Committee meetings, or to any meeting attended by an Eaton County Commissioner when he/she is appointed by the Board of Commissioners or the Chairperson to that board or agency or is instructed to attend a meeting by the Board of Commissioners or by the Chairperson; and

BE IT FURTHER RESOLVED, that if a Commissioner attends a meeting to which they are entitled per meeting payment and mileage and if that meeting provides a per meeting payment and mileage, separate from the County's payment system, they shall be compensated through that agency's procedures in lieu of payment from the County; and

BE IT FURTHER RESOLVED, that non-commissioner members of committees, commissions or agencies who are appointed by the Board of Commissioners, shall receive a payment of ~~\$35.00~~ \$50.00 per meeting, provided that those payments are not prohibited by statute; and

BE IT FURTHER RESOLVED, that if a non-commissioner attends a meeting to which they are entitled per meeting payment and mileage and if that meeting provides a per meeting payment and mileage, separate from the County's payment system, they shall be compensated through that agency's procedures in lieu of payment from the County; and

BE IT FURTHER RESOLVED, that individuals who have served as an Eaton County Commissioner for at least twenty-five years are eligible for health insurance coverage paid for by the County. These individuals will be eligible as they continue their service as a Commissioner and after they are no longer active as a Commissioner. The health insurance coverage is provided in accordance with the Eaton County Personnel Policy (effective January 1, 2007), Article 1, Insurance, Section 2, Health Insurance-Retirees. All other Commissioners shall be eligible to be covered under the County's health insurance program by paying for the coverage; and

BE IT FURTHER RESOLVED, that the Commissioners shall receive mileage reimbursement at the most current allowable rate set by the Internal Revenue Service for travel to meetings other than those held at the Eaton County Complex; and
BE IT FURTHER RESOLVED, that all prior resolutions of this Board on this subject are repealed effective January 1, 2023.
Seconded by Commissioner Augustine.

Discussion held. Commissioner Droscha moved to amend to set the salaries of all commissioners at \$7,743. Seconded by Commissioner Reynnet. Roll call. Ayes: Brian Droscha and Dairus Reynnet. Nays: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Wayne Ridge, Brian Lautzenheiser, Jim Mott and Jeremy Whittum.
Abstained: Barbara Rogers. Motion to amend failed.

Commissioner Mulder moved the recommended per diem be changed to \$50 per meeting. Seconded by Commissioner Ridge. Discussion held.
Roll call: Ayes: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane Whitacre, Mark Mudry, Wayne Ridge, and Brian Lautzenheiser.
Nays: Joseph Brehler, Brian Droscha, Dairus Reynnet, Jim Mott, Barbara Rogers and Chairman Whittum. Motion to amend carried.

Roll call to approve resolution as amended: Ayes: Commissioner Tim Barnes, Blake Mulder, Terrance Augustine, Jeanne Pearl-Wright, Jane Whitacre, Mark Mudry, Wayne Ridge, Brian Lautzenheiser. Nays: Brandon Haskell, Joseph Brehler, Brian Droscha, Dairus Reynnet, Jim Mott, Barbara Rogers and Jeremy Whittum. Motion carried.

Commissioner Mulder moved the approval of claims as audited by the Ways & Means Committee for \$726,880.38 and to accept the report of previously authorized payments.
Seconded by Commissioner Haskell. Carried unanimously.

Commissioner Comments: Commissioners Augustine, Mulder and Brehler thanked Controller John Fuentes for his leadership and his dedication to Eaton County and his impartial guidance in the best interest of the County and his tireless self-sacrifice to accomplish this work.

There was no Unfinished Business or Old Business.

New Business:

Commissioner Augustine moved the approval of #22-12-138 Resolution to Approve Settlement Agreement: Wayside Church et al v Van Buren County, et al Western District of Michigan Case No. 1:14-CV-0124.

WHEREAS, Wayside Church, *et al*, filed a class action complaint against a number of counties in the United States District Court for the Western District of Michigan in Civil Action No. 1:14-cv-01274 ("Complaint"); and

WHEREAS, the County understands that the Settlement and Release Agreement is a compromise of a disputed claim and that payment(s) made and conditions state therein are not to be construed as an admission of liability on the part of the parties being released by who all liability is expressly denied; and,

WHEREAS, after consultation with legal counsel, and the County Treasurer and upon the recommendation and endorsement of the Settlement by each, the County believes it is in the best interests of the citizens of EATON County to resolve the litigation in accordance with the Settlement and Release Agreement, subject to approval by the Court.

THEREFORE, BE IT RESOLVED, that the EATON County Board of Commissioners approves entering into the Settlement and Release Agreement in connection with Civil Action No. 1:14-cv-01274, subject to approval by the Court.

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners, the Treasurer or counsel are hereby authorized to sign the Settlement and Release Agreement on behalf of EATON County, subject to approval by the Court.

Seconded by Commissioner Rogers. Carried unanimously.

Commissioner Mulder moved the approval of December Committee meeting minutes. Seconded by Commissioner Augustine. Carried unanimously.

Commissioner Lautzenheiser moved the approval of the December 21, 2022 regular and closed session meeting minutes. Seconded by Commissioner Droscha. Carried unanimously.

Chairman Whittum adjourned the meeting to Tuesday, January 3, 2023 at 7:00 p.m.



Chairman of the Board of Commissioners



Clerk of the Board of Commissioners

EATON COUNTY BOARD OF COMMISSIONERS

**RESOLUTION OF APPRECIATION FOR
WILLIAM KENNEDY
JUVENILE COURT**

DECEMBER 21, 2022

Chairman Whittum moved the approval of the following resolution. Seconded by Commissioner Lautzenheiser.

WHEREAS, William Kennedy will be retiring from Eaton County on December 29, 2022 after 31 years of service; and

WHEREAS, William worked in Juvenile Court from April 8, 1991; until his retirement; and

WHEREAS, William has provided dedicated and honorable service to the residents and employees of Eaton County; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank William for years of exceptional service to 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 December in the year 2022. Carried unanimously.

Jeremy Whittum
Chairman of the Board of Commissioners

Diana Bosworth
Clerk of the Board of Commissioners

EATON COUNTY BOARD OF COMMISSIONERS

**RESOLUTION OF APPRECIATION FOR
JOHN FUENTES
CONTROLLER/ADMINISTRATOR**

DECEMBER 21, 2022

Chairman Whittum moved the approval of the following resolution. Seconded by Commissioner Pearl-Wright.

WHEREAS, John Fuentes will be retiring from Eaton County on January 13, 2023 after twenty-six years of service; and

WHEREAS, John worked in the Controller's Office from June 10, 1996 and served as Controller/Administrator from January 1, 2006 until his retirement; and

WHEREAS, John Fuentes has provided dedicated and honorable service to the residents and employees of Eaton County; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby thank John for years of exceptional service to 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 December in the year 2022. Carried unanimously.

Jeremy Whittum
Chairman of the Board of Commissioners

Diana Bosworth
Clerk of the Board of Commissioners

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 21, 2022

RESOLUTION OF APPRECIATION FOR COMMISSIONER DAIRUS REYNNET

Introduced by Commissioner Jeremy Whittum

Chairman Whittum moved to approve the following resolution. Seconded by Commissioner Ridge.

WHEREAS, Dairus Reynnet served for two years on the Eaton County Board of Commissioners from 2021 through 2022 and

WHEREAS, during the course of his tenure Dairus served on the Board's Public Safety, Information Technology and Communications, and Health and Human Services Committees; and

WHEREAS, the Eaton County Board of Commissioners and the people of Eaton County greatly appreciate the public service that Dairus has given to this community.

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners, meeting in regular session this 21st day of December, 2022 do commend Dairus Reynnet for a job well done; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be signed by the Chairperson of the Board and Clerk of the County; and bear the great seal of the County as well. A copy shall be attached to the permanent records of the County. Carried unanimously.

Jeremy Whittum
Chairman of the Board of Commissioners

Diana Bosworth
Clerk of the Board of Commissioners

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 21, 2022

RESOLUTION OF APPRECIATION FOR COMMISSIONER WAYNE RIDGE

Introduced by Commissioner Jeremy Whittum

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

WHEREAS, Wayne Ridge served for 12 years on the Eaton County Board of Commissioners from 2011 through 2022 and

WHEREAS, during the course of his tenure Wayne served on the Board's Public Safety, Public Works and Planning Committees, and for the last two years served as Chairman of the Information Technology and Communications Committee; and

WHEREAS, the Eaton County Board of Commissioners and the people of Eaton County greatly appreciate the public service that Wayne has given to this community.

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners, meeting in regular session this 21st day of December, 2022 do commend Wayne Ridge for a job well done; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be signed by the Chairperson of the Board and Clerk of the County; and bear the great seal of the County as well. A copy shall be attached to the permanent records of the County. Carried unanimously.

Jeremy Whittum
Chairman of the Board of Commissioners

Diana Bosworth
Clerk of the Board of Commissioners

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 21, 2022

RESOLUTION OF APPRECIATION FOR COMMISSIONER JANE WHITACRE

Introduced by Commissioner Jeremy Whittum

Chairman Whittum moved the approval of the following resolution. Seconded by Commissioner Pearl-Wright.

WHEREAS, Jane Whitacre has served for ten years on the Eaton County Board of Commissioners from January 1, 2013 through 2022; and

WHEREAS, during her tenure Jane has served on the all of the Board's Committees; and

WHEREAS, Jane also served on and represented this County on the Barry-Eaton District Health Department Board of Directors and many other Boards and Committees during her five terms; and

WHEREAS, the Eaton County Board of Commissioners and the people of Eaton County greatly appreciate the years of public service that Jane Whitacre has tirelessly given to her community.

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners, meeting in regular session this 21st day of December 2022 do commend Jane Whitacre for a job well done. We wish her well in her new endeavors and thank her for her years of dedicated service to the County; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be signed by the Chairman of the Board and Clerk of the County; and bear the Seal of the County. A copy shall be attached to the permanent records of the County. Carried unanimously.

Jeremy Whittum
Chairman of the Board of Commissioners

Diana Bosworth
Clerk of the Board of Commissioners

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 21, 2022

RESOLUTION OF APPRECIATION FOR CHAIRMAN JEREMY WHITTUM

Introduced by Commissioner Brian Lautzenheiser

Commissioner Augustine moved the approval of the following resolution. Seconded by Commissioner Haskell.

WHEREAS, Jeremy Whittum served for two years on the Eaton County Board of Commissioners from 2021 through 2022 and

WHEREAS, Jeremy served as Chairman of this Commission for the past two years; and

WHEREAS, Jeremy also served on and represented this County on the Barry-Eaton District Health Department Board of Directors and many other Boards and Committees; and

WHEREAS, the Eaton County Board of Commissioners and the people of Eaton County greatly appreciate the public service that Jeremy has given to this community.

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners, meeting in regular session this 21st day of December, 2022 do commend Jeremy Whittum for a job well done; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be signed by the Vice Chairperson of the Board and Clerk of the County; and bear the great seal of the County as well. A copy shall be attached to the permanent records of the County. Carried unanimously.

Brian Lautzenheiser
Vice Chairman of the Board of Commissioners

Diana Bosworth
Clerk of the Board of Commissioners

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 21, 2022

**RESOLUTION TO CONTINUE
EATON COUNTY
HUMAN SERVICES COLLABORATIVE COUNCIL**

Introduced by the Health and Human Services Committee

Commissioner Mott moved the approval of the following resolution. Seconded by Commissioner Reynnet.

WHEREAS, the Board of Commissioners established an Eaton County Human Services Collaborative Council on January 17, 1996; and

WHEREAS, such resolution requires an annual review of the Human Services Collaborative Council to determine the necessity of its continuation; and

WHEREAS, the Board of Commissioners, feels that the Human Services Collaborative Council continues to provide a forum for human services agencies in the county to identify and discuss opportunities for further collaboration and partnership in human services delivery.

NOW, THEREFORE, BE IT RESOLVED, that the Human Services Collaborative Council be continued for another year. Nays: Commissioner Droscha and Rogers. Motion carried.

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 21, 2022

**RESOLUTION TO APPROVE INTERIM AGREEMENT
FOR THE OPERATION OF THE YOUTH FACILITY**

Introduced by the Health and Human Services Committee

Commissioner Mott moved the approval of the following resolution. Seconded by Commissioner Pearl-Wright.

WHEREAS, the Board previously adopted an agreement to allow the Youth Facility to continue to be operated under the direction of the Family Division of the Circuit Court; and

WHEREAS, such agreement expires December 31, 2022; and

WHEREAS, the Health and Human Services Committee has reviewed the operation of the Youth Facility over the past year and feels it should remain under the operation of the Family Division of the Circuit Court.

NOW THEREFORE BE IT RESOLVED, that the Agreement be extended for another year to expire on December 31, 2023. Prior to such time, it will be reviewed again by the Health and Human Services Committee. Carried unanimously.

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 21, 2022

**RESOLUTION TO AUTHORIZE
WORK AGREEMENT FOR FEDERAL EMERGENCY MANAGEMENT
AGENCY EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG)**

Introduced by the Public Safety Committee

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

WHEREAS, the Michigan State Police, Emergency Management Division has grant funds available through the Federal Emergency Management Agency for the Emergency Management Performance Grant (EMPG) program; and

WHEREAS, the County has received funding through this program to fund a portion of the cost of the Emergency Management position; and

WHEREAS, an initial work agreement for this program for the period of October 1, 2022 through September 30, 2023, has been submitted to remain eligible to continue to receive funds through this program, estimated to provide up to 50% of the position salary based on completion of eligible activities contained in the initial work agreement.

NOW, THEREFORE BE IT RESOLVED, that the initial work agreement is authorized; and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners or his designee is authorized to sign any necessary grant documents. Carried unanimously.

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 21, 2022

**RESOLUTION TO APPROVE RECOMMENDATION OF
COMMUNITY BROADBAND ACTION TEAM**

Introduced by the Information Technology and Communication Committee

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

WHEREAS, the Board of Commissioners created the Community Broadband Action Team as was recommended in the January 2022 Eaton County Broadband Survey Report conducted by Connected Michigan; and

WHEREAS, the Community Broadband Action Team met to determine strategies to expand broadband access to unserved and underserved areas of the County utilizing a portion of the County's American Rescue Plan (ARP) State and Local Fiscal Recovery Fund (SLFRF) allocation; and

WHEREAS, the County solicited proposals from internet service providers (ISPs) for such expansion; and

WHEREAS, the Action Team reviewed ISP responses to the County's request for proposals and interviewed selected ISPs regarding their proposals; and

WHEREAS, as a result of the evaluation the Action Team has recommended ACD.net as the internet service provider to continue the pursuit of additional funding to expand broadband service to unserved and underserved areas within Eaton County.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners approves the recommendation of the Community Broadband Action Team to continue the pursuit of expanded broadband service to unserved and underserved areas within Eaton County; and

BE IT FURTHER, RESOLVED, that Eaton County assist ACD.net in its pursuit of a State of Michigan Realizing Opportunity with Broadband Infrastructure Networks (ROBIN) program grant to secure necessary funding to expand such services; and

BE IT FURTHER, RESOLVED, that Eaton County will allocate up to \$2,674,266 of its remaining SLFRF allocation to be identified as matching funds in an ACD.net ROBIN grant application; and

BE IT FURTHER, RESOLVED, that an agreement as provided in the County request for proposals regarding the responsibilities of the County and ACD.net, be negotiated, to identify the conditions which must be satisfied by ACD.net to receive the County funds allocated by this resolution, including but not limited to ACD.net's successful receipt of ROBIN grant funding to cover the project areas within Eaton County to receive broadband service as identified within its November 10, 2022 proposal; and

BE IT FURTHER, RESOLVED, that Chairman of the Board of Commissioners is authorized to execute the agreement with ACD.net for broadband expansion upon completion of satisfactory review by legal counsel. Carried unanimously.

EATON COUNTY BOARD OF COMMISSIONERS

**Resolution to Authorize the Drain Commissioner to Require Deposits Pursuant
to the Drain Code**

Introduced by the Public Works and Planning Committee

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

WHEREAS Sections 51 of the Michigan Drain Code, Public Act 40 of 1956, as amended (“Drain Code”) allows the Board of Commissioners for the County of Eaton to authorize the request for a cash deposit, sufficient to cover the preliminary costs, as determined by the Eaton County Drain Commissioner (“Drain Commissioner”), associated with any application to lay out and designate a drainage district submitted to the Drain Commissioner: and

WHEREAS, if such project is completed, the cost advanced shall be returned to the depositor out of the first installments of special assessments and if the project is uncompleted, any excess above costs shall also be returned.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Eaton, that pursuant to Section 51 of the Drain Code, the Eaton County Drain Commissioner is authorized to request a cash deposit to cover the estimated preliminary costs associated with any application to lay out and designate a drainage district if the application is submitted by a municipality or developer, in an amount not to exceed 10% of the estimated costs and not to exceed \$10,000.

RESOLUTION approved this 21st day of December, 2022, by the Board of Commissioners of the County of Eaton.

MOVED: Commissioner Lautzenheiser

SECONDED: Commissioner Mott

Carried unanimously.

I hereby certify that the above Resolution was adopted
at the Eaton County Board of Commissioners regular
meeting of the 21st day of December, 2022

Diana Bosworth, Eaton County Clerk

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 21, 2022

RESOLUTION TO AMEND PARKS DEPARTMENT FEE SCHEDULE

Introduced by the Public Works and Planning Committee

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

WHEREAS, the Board of Commissioners has approved a fee schedule for the Parks and Recreation Department; and

WHEREAS, the fee schedule included a motor vehicle entry fee; and

WHEREAS, the Public Works and Planning Committee is recommending the Parks Department fee schedule be revised to eliminate the motor vehicle entry fee.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners approves the recommended amendment to the Parks Department fee schedule to eliminate motor vehicle entry fees to County Parks, effective immediately. Carried unanimously.

EATON COUNTY BOARD OF COMMISSIONERS

December 21, 2022

**RESOLUTION TO APPOINT COUNTY
REMONUMENTATION REPRESENTATIVE
AND RELATED CONTRACT**

Introduced by the Ways and Means Committee

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

WHEREAS, pursuant to Section 9 of PA 345 of 1990, the State Survey and Remonumentation Act, the Board of Commissioners is authorized to appoint a County Representative for all surveying projects in Eaton County approved or initiated by the State Survey and Remonumentation Commission; and

WHEREAS, the Ways & Means Committee is recommending entering into a contract with Ronnie M. Lester, which designates Mr. Lester as County Representative; and

WHEREAS, the proposed contractual fee for services as County Representative for 2023 is \$22,000.00; and

WHEREAS, Mr. Lester is a surveyor licensed to practice in the State of Michigan and has offered to provide the County, on an independent contractor basis, with the County Representative services it requires.

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioner appoints Ronnie M. Lester as the County Representative under PA 345 of 1990; and

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners or his designee is authorized to sign the contract. Carried unanimously.

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 21, 2022

RESOLUTION TO AUTHORIZE NEOGOV TO ACT AS AN E-VERIFY AGENT

Introduced by the Ways and Means Committee

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

WHEREAS, E-Verify is a web-based system that allows enrolled employers to confirm the eligibility of their employees to work in the United States; and

WHEREAS, E-Verify employers verify the identity and employment eligibility of newly hired employees by electronically matching information provided by employees on the Form 1-9, Employment Eligibility Verification, against records available to the Social Security Administration (SSA) and the Department of Homeland Security (DHS); and

WHEREAS, Eaton County is an E-Verify employer; and

WHEREAS, NEOGOV, Eaton County's human resources software provider, provides a service whereby NEOGOV will act as an employer agent for clients and perform verification services on their behalf; and

WHEREAS, authorization for NEOGOV to act as Eaton County's agent for this purpose is being requested to achieve greater efficiency and further reduce manual activity.

NOW, THEREFORE BE IT RESOLVED, that entering into an agreement authorizing NEOGOV to act as an E-Verify agent on behalf of Eaton County is approved.

BE IT FURTHER RESOLVED, that the Deputy Controller/Administrator is authorized to sign any necessary contract documents. Carried unanimously.

EATON COUNTY BOARD OF COMMISSIONERS

December 21, 2022

RESOLUTION AMENDING THE 2022
APPORTIONMENT REPORT

Introduced by the Ways and Means Committee

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

WHEREAS, In compliance with Michigan Compiled Laws, Section 211.37 as amended, clerical errors were found in the previously adopted Apportionment Report.

THEREFORE, BE IT RESOLVED, That the Eaton County Board of Commissioners hereby amends the previously adopted 2022 Apportionment Report to spread the corrected millage rates to the affected units on the 2022 winter tax rolls. Carried unanimously.

New Millage

<u>Unit</u>	<u>Original</u>	<u>Corrected</u>
<u>Eaton County</u> County Parks	0.00	0.5000

Diana Bosworth, County Clerk

Date

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 21, 2022

**RESOLUTION TO APPROVE HEALTH DEPARTMENT RENOVATION
CONTRACT**

Introduced by the Ways and Means Committee

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

WHEREAS, the Barry-Eaton District Health Department has identified certain renovations necessary to update the interior of its Health Clinic in Charlotte and improve its functionality for operations; and

WHEREAS, the County owns the facility and has appropriated \$200,000 to fund a portion of the identified renovations; and

WHEREAS, the District Health Department has appropriated funds necessary for the remaining cost of the renovations; and

WHEREAS, the County and District Health Department identified Nielson Commercial Construction as the vendor to assist in the development and design of the proposed renovations; and

WHEREAS, the Ways and Means Committee reviewed and is recommending the approval of the design-build construction contract with Nielson Commercial Construction for an amount not to exceed \$441,248 for the renovations to the Barry-Eaton District Health Department Charlotte Health Clinic.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners approves the contract with Nielson Commercial Construction for an amount not to exceed \$441,248.

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners or his designee is authorized to sign the contract. Carried unanimously.

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 21, 2022

**RESOLUTION TO APPROVE EXTENSION AND REVISIONS TO TEMPORARY
RECRUITMENT AND RETENTION PROGRAM**

Introduced by the Ways and Means Committee

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

WHEREAS, the Board of Commissioners approved changes to the personnel policy and entered in to letters of understanding with its represented employees on February 11, 2022 to implement a temporary recruitment and retention program for its employees; and

WHEREAS, this temporary program is scheduled to expire on January 31, 2023; and

WHEREAS, the Ways and Means Committee has discussed extending the program for a twelve month period through January 31, 2024 to continue to attempt to address ongoing employee recruitment and retention difficulties; and

WHEREAS, the Ways and Means Committee discussed revisions to the program regarding the frequency of the premium stipend payments and amounts of the payments to certain position classifications, as outlined in the attached communication from the Controller/Administrator; and

NOW, THEREFORE BE IT RESOLVED, that the extension and revisions to the Temporary Recruitment and Retention Program are approved, as recommended; and

BE IT FURTHER RESOLVED, that the County Personnel Policy be updated as necessary to extend and revise the program; and

BE IT FURTHER RESOLVED, that the County prepare letters of understanding with its represented employee groups necessary to extend and revise the program. Carried unanimously.

Commissioner Brehler moved to amend recommendation to \$5,000 for all employees. Seconded by Commissioner Augustine. Discussion held. Nays: Mulder. Motion to amend carried.

Roll call on resolution, as amended. 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, Barbara Rogers and Jeremy Whittum.
Nays: None. Motion carried.

EATON COUNTY BOARD OF COMMISSIONERS**DECEMBER 21, 2022****RESOLUTION TO APPROVE 2022/2023 BUDGET AMENDMENTS****Introduced by the Ways and Means Committee**

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

WHEREAS, the Eaton County 2022/2023 Appropriations Act of September 21, 2022 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 2022/2023 Eaton County Budget:

GENERAL FUND**SHERIFF 301.01**

Increase	Salaries-Temporary	\$ 60,000
Decrease	Fund Balance Carryover	\$ 60,000

To increase total budget for the implementation of a Cadet program for the Sheriff's Office and amend the Position Allocation List to add six (6) Sheriff Cadets as described in the program overview recommended by the Public Safety Committee.

SPECIAL REVENUE FUNDS**PUBLIC IMPROVEMENT FUND 225**

Increase	Capital Improvements	\$ 296,833
Increase	Transfers In – Barry-Eaton Health Department	\$ 296,833

To increase budget for Barry-Eaton District Health Department share of Charlotte Health Clinic renovation project.

PARKS AND RECREATION 208

Decrease	Gate Fee Revenue - Fitzgerald	\$ 61,000
Decrease	Gate Fee Revenue – Fox	\$ 15,000
Increase	SPARK Grant matching funds	\$100,000
Increase	Property Tax Revenue	\$176,000

To recognize parks millage revenue to provide matching funds for MDNR SPARK grant application and funds to offset adopted revenue for the elimination of motor vehicle entry fees as recommended by the Public Works and Planning Committee.

AMERICAN RESCUE PLAN 282

Increase	Federal Revenue – Broadband Expansion	\$2,674,288
Increase	Federal Revenue – Retention & Recruiting	\$2,275,000
Increase	Federal Revenue – Foreclosure Prevention Program	\$ 125,000
Increase	Capital Outlay	\$2,674,288
Increase	Salaries and Fringe Benefits	\$2,275,000
Increase	Professional Services	\$ 125,000

To recognize federal rescue plan revenue for County participation in a State Realizing Opportunities in Broadband Infrastructure Networks (ROBIN) grant application with Broadband partner, the extension to the modified short-term employee recruitment and retention program, and the Foreclosure Prevention Program. Carried unanimously.

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 21, 2022

RESOLUTION TO APPROVE EMPLOYMENT AGREEMENT

Introduced by the Ways and Means Committee

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

WHEREAS, the Board of Commissioners has determined that it is the County's interest to enter in to an employment agreement for the employee to be hired as its Controller/Administrator; and

WHEREAS, the attached agreement has been developed and reviewed by County legal counsel; and

WHEREAS, the Ways and Means Committee has reviewed and recommended approval of the attached three year employment agreement.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners approves the employment agreement with Connie L. Sobie; and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners or his designee is authorized to sign the agreement. Carried unanimously.

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 21, 2022

**RESOLUTION ESTABLISHING
COMMISSIONER COMPENSATION AND MILEAGE REIMBURSEMENT AND
COMPENSATION FOR NON-COMMISSIONER MEMBERS OF APPOINTED
COMMITTEES AND COMMISSIONS, TO BE EFFECTIVE JANUARY 1, 2023**

Introduced by the Ways and Means Committee

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

WHEREAS, the Board of Commissioners is empowered to determine its own compensation, as well as non-commissioner members of various other committees, commissions and agencies; and

WHEREAS, the Board of Commissioners is desirous of revising that compensation.

NOW, THEREFORE, BE IT RESOLVED, that commencing January 1, 2023, members of the Board of Commissioners shall receive an annual salary, payable monthly, as stated below:

1. The Chairperson of the Board of Commissioners shall receive an \$8,978.00 per year salary.
2. The Vice-Chairperson of the Board of Commissioners shall receive an \$8,123.00 per year salary and is not entitled to any additional compensation as stated in #3 below.
3. The Chairperson of the Ways and Means Committee shall receive an \$8,123.00 per year salary.
4. All other Commissioners shall receive \$7,743.00 per year salaries; and

BE IT FURTHER RESOLVED, that provided that the following payments are not prohibited by statute, each Eaton County Commissioner shall receive, in addition to their annual salary, a \$50.00 per meeting payment. The \$50.00 payment is applicable for attendance at Board of Commissioners meetings, Board of Commissioners Committee meetings, or to any meeting attended by an Eaton County Commissioner when he/she is appointed by the Board of Commissioners or the Chairperson to that board or agency or is instructed to attend a meeting by the Board of Commissioners or by the Chairperson; and

BE IT FURTHER RESOLVED, that if a Commissioner attends a meeting to which they are entitled per meeting payment and mileage and if that meeting provides a per meeting payment and mileage, separate from the County's payment system, they shall be compensated through that agency's procedures in lieu of payment from the County; and

BE IT FURTHER RESOLVED, that non-commissioner members of committees, commissions or agencies who are appointed by the Board of Commissioners, shall receive a payment of \$50.00 per meeting, provided that those payments are not prohibited by statute; and

BE IT FURTHER RESOLVED, that if a non-commissioner attends a meeting to which they are entitled per meeting payment and mileage and if that meeting provides a per meeting payment and mileage, separate from the County's payment system, they shall be compensated through that agency's procedures in lieu of payment from the County; and

BE IT FURTHER RESOLVED, that individuals who have served as an Eaton County Commissioner for at least twenty-five years are eligible for health insurance coverage paid for by the County. These individuals will be eligible as they continue their service as a Commissioner and after they are no longer active as a Commissioner. The health insurance coverage is provided in accordance with the Eaton County Personnel Policy (effective January 1, 2007), Article 1, Insurance, Section 2, Health Insurance-Retirees. All other Commissioners shall be eligible to be covered under the County's health insurance program by paying for the coverage; and

BE IT FURTHER RESOLVED, that the Commissioners shall receive mileage reimbursement at the most current allowable rate set by the Internal Revenue Service for travel to meetings other than those held at the Eaton County Complex; and

BE IT FURTHER RESOLVED, that all prior resolutions of this Board on this subject are repealed effective January 1, 2023.

Commissioner Droscha moved to amend to set the salaries of all commissioners at \$7,743. Seconded by Commissioner Reynnet. Roll call. Ayes: Brian Droscha and Dairus Reynnet. Nays: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane M. Whitacre, Mark Mudry, Joseph Brehler, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott and Jeremy Whittum. Abstained: Barbara Rogers. Motion to amend failed.

Commissioner Mulder recommended per diem be changed to \$50 per meeting. Seconded by Commissioner Ridge. Discussion held. Roll call: Ayes: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Jane Whitacre, Mark Mudry, Wayne Ridge, Brian Lautzenheiser. Nays: Joseph Brehler, Brian Droscha, Dairus Reynnet, Jim Mott, Barbara Rogers and Jeremy Whittum. Motion to amend carried.

Roll call to approve resolution as amended: Ayes: Commissioner Tim Barnes, Blake Mulder, Terrance Augustine, Jeanne Pearl-Wright, Jane Whitacre, Mark Mudry, Wayne Ridge, Brian Lautzenheiser. Nays: Brandon Haskell, Joseph Brehler, Brian Droscha, Dairus Reynnet, Jim Mott, Barbara Rogers and Jeremy Whittum. Motion carried.

EATON COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO APPROVE SETTLEMENT AGREEMENT:
WAYSIDE CHURCH, *et al* v VAN BUREN COUNTY, *et al*
WESTERN DISTRICT OF MICHIGAN CASE NO. 1:14-CV-01274**

RESOLUTION # 22-12-138

Minutes of a regular meeting of the Board of Commissioners of EATON County, Michigan, held in the EATON County Courthouse, in Charlotte, Michigan, on December 21, 2022, at 7:00 p.m., local time.

PRESENT: Commissioners Barnes, Mulder, Augustine, Haskell, Pearl-Wright, Whitacre, Mudry, Brehler, Droscha, Reynnet, Ridge, Lautzenheiser, Mott, Rogers and Whittum.

ABSENT: None.

The following resolution was offered by Commissioner Augustine and supported by Commissioner Rogers.

WHEREAS, Wayside Church, *et al*, filed a class action complaint against a number of counties in the United States District Court for the Western District of Michigan in Civil Action No. 1:14-cv-01274 (“Complaint”); and

WHEREAS, Parties have been exploring and preparing defenses and participating in settlement negotiations under the oversight of the 6th Circuit Court of Appeals Mediation process; and,

WHEREAS, the parties are desirous of avoiding future litigation and controversy and after extensive negotiations, have agreed to certain terms and conditions set forth in the Settlement and Release Agreement, subject to approval by the Court, and as outlined by counsel; and

WHEREAS, the County understands that the Settlement and Release Agreement is a compromise of a disputed claim and that payment(s) made and conditions state therein are not to be construed as an admission of liability on the part of the parties being released by who all liability is expressly denied; and,

WHEREAS, after consultation with legal counsel, and the County Treasurer and upon the recommendation and endorsement of the Settlement by each, the County believes it is in the best interests of the citizens of EATON County to resolve the litigation in accordance with the Settlement and Release Agreement, subject to approval by the Court.

THEREFORE, BE IT RESOLVED, that the EATON County Board of Commissioners approves entering into the Settlement and Release Agreement in connection with Civil Action No. 1:14-cv-01274, subject to approval by the Court.

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners, the Treasurer or counsel are hereby authorized to sign the Settlement and Release Agreement on behalf of EATON County, subject to approval by the Court.

YEAS: Commissioners Barnes, Mulder, Augustine, Haskell, Pearl-Wright, Whitacre, Mudry, Brehler, Droscha, Reynnet, Ridge, Lautzenheiser, Mott, Rogers and Whittum.
NAYS: None.
ABSTAIN: None.

RESOLUTION DECLARED ADOPTED.

Diana Bosworth, Clerk
County of EATON

STATE OF MICHIGAN)
) SS
COUNTY OF EATON)

I, Diana Bosworth, the duly qualified and acting Clerk of EATON County, Michigan (the “County”) does hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Commissioners at a meeting held on December 21, 2022, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267 of the Public Acts of Michigan of 1976, as amended.

IN WITNESS WHEREOF, I have hereunto affixed my signature this December 27, 2022.

Diana Bosworth, Clerk
County of EATON