

EATON COUNTY BOARD OF COMMISSIONERS
MARCH 20, 2024

The Eaton County Board of Commissioners met in regular session at the County Facilities, in the City of Charlotte, Wednesday, March 20, 2024, including the availability of virtual attendance by the public.

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

Chairman Mott gave the invocation.

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

Roll call. Commissioners present: Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Mark Mudry, Joseph Brehler, Brian Droscha, Jacob Toomey, Scott Hansen, Brian Lautzenheiser, Jim Mott, Frank Holmes, Barbara Rogers. Commissioner Youngquist arrived after roll call. Commissioners absent: None.

Controller Sobie noted two changes to the agenda under the Ways and Means Committee: Removal of Resolution to approve FY 2023/ 2024 Budget Amendment and Resolution to Accept September 30, 2023 Audit.

Commissioner Toomey moved the agenda be approved as amended. Seconded by Commissioner Lautzenheiser. Carried unanimously.

Commissioner Augustine moved the approval of the February 21, 2024 regular minutes and the closed session minutes. Seconded by Commissioner Youngquist. Carried unanimously.

Communications: Three resolutions from the Washtenaw County Board of Commissioners. (on file)

Commissioner Augustine moved the approval of #24-3-20 Resolution of Appreciation for Mary Nulf Register of Deeds.

WHEREAS, Mary Nulf will be retiring from Eaton County on March 29, 2024; and

WHEREAS, Mary worked in the Register of Deeds as a Deputy Register of Deeds from November 10, 2014, and is retiring with more than 9 years of service; and

WHEREAS, Mary 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 Mary's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners expresses its sincere gratitude for the years of exceptional service Mary provided to Eaton County; 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 20th day of the month of March in the year 2024.
Seconded by Commissioner Haskell. Carried unanimously.

Public Comment: Mr. Drew Marks spoke in opposition to the amendment allowing duplex dwellings as a use by right in the Low Density Residential Zoning District.

Commissioner Barnes moved the approval of #24-3-21 Resolution to Approve Enrollment in the Michigan Learning Collaborative to Support Medications for Opioid Use Disorder (MOUD) in County Jails and Enter into a Memorandum of Agreement.

WHEREAS, the Michigan Department of Health and Human Services (MDHHS) has allocated funding to the Learning Collaborative to Support MOUD in Michigan County Jails program, from opioid settlement dollars to offer technical assistance to address significant risks in incarcerated populations during and following incarceration by increasing access to medications for opioid use disorder (MOUD); and

WHEREAS, Eaton County has been invited to participate in the Learning Collaborative to Support MOUD in Michigan County Jails program and associated request for \$25,000 to support program efforts.

NOW, THEREFORE BE IT RESOLVED, that the County of Eaton approves enrollment into the program and entering into a Memorandum of Understanding to support program efforts, and

BE IT FURTHER RESOLVED, that the Controller be authorized to approve any necessary budget amendments to increase grant revenue and expenditures; and
BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners or his designee be authorized to sign any necessary documents.

Seconded by Commissioner Haskell. Youngquist moved a friendly amendment to correct a typographical error. Seconded by Commissioner Augustine. Carried unanimously. Resolution as amended carried unanimously.

Commissioner Barnes moved the approval of #24-3-22 Resolution to Approve FY 2023 Homeland Security Grant Program Regional 1 Sub-Recipient Agreement.

WHEREAS, Eaton County is a member of Michigan State Police Region 1 for purposes of participation in the Homeland Security Grant Fund distribution; and

WHEREAS, Ingham County has agreed to act as the fiduciary agent for the Region 1 Board for the administration of this grant program; and

WHEREAS, in order to receive its allocation through this grant program the County is required to enter into a sub-recipient agreement with the fiduciary agent (Ingham County); and

WHEREAS, the Public Safety Committee has reviewed and is recommending the approval of the attached sub-recipient agreement.

NOW THEREFORE BE IT RESOLVED, the Eaton County Board of Commissioners approves entering into the Sub-recipient Agreement with Ingham County for the FY 2023 Homeland Security Grant Program.

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

Seconded by Commissioner Haskell. Carried unanimously.

Commissioner Rogers moved the approval of #24-3-23 Resolution to Approve DCA 3-24-1.

PREAMBLE: The Eaton County Land Development Code, an Ordinance adopted by the Commissioners of the County of Eaton pursuant to Public Act 183 of 1943, and administered pursuant to Public Act 110 of 2006, may be amended from time to time by following procedures outlined in Article 13 of the Development Code.

WHEREAS, Eaton County Planning Commission initiated a petition for a Comprehensive Amendment to the Eaton County Land Development Code (Zoning Ordinance) proposing amendments to the entire document to update/correct the department name, Development Official title and public act corrections; and

WHEREAS, the Eaton County Planning Commission held a duly advertised and noticed public hearing on March 5, 2024; and

WHEREAS, the Eaton County Planning Commission found the requested amendment to be consistent with the required findings of fact (Items A through G) contained in Section 13.6 of the Eaton County Land Development Code; and

WHEREAS, the Eaton County Planning Commission has taken action on March 5, 2024 to recommend the adoption of the ordinance amendments for reasons stated at the meeting.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the County of Eaton, Michigan having considered the findings of facts and recommendations hereby:

APPROVES the request by Eaton County Planning Commission for a Comprehensive Amendment to the Eaton County Land Development Code (zoning ordinance) proposing amendments to the entire document to update/correct the department name, Development Official title and public act corrections.

Seconded by Commissioner Droscha. Carried unanimously.

Commissioner Rogers moved the approval of #24-3-24 Resolution to Approve DCA 3-24-2.

PREAMBLE: The Eaton County Land Development Code, an Ordinance adopted by the Commissioners of the County of Eaton pursuant to Public Act 183 of 1943, and administered pursuant to Public Act 110 of 2006, may be amended from time to time by following procedures outlined in Article 13 of the Development Code.

WHEREAS, Eaton County Planning Commission initiated a petition for a Comprehensive Amendment to the Eaton County Land Development Code (Zoning Ordinance). Amendments are proposed to the following: Article 5 Definitions (amend Sections 5.3.16 P), Article 7 Land Development Districts (amend Sections 7.4A.2, 7.4A.3 and 7.4A.4), Article 12 Non-Conformities (amend Sections 12.2.2 A,

and 12.2.5) and Article 14 Specific Provisions and Requirements (amend Section 14.25 Surface Mine and 14.27 Communication Towers and Antennas).; and WHEREAS, the Eaton County Planning Commission held a duly advertised and noticed public hearing on March 5, 2024; and

WHEREAS, the Eaton County Planning Commission found the requested amendment to be consistent with the required findings of fact (Items A through G) contained in Section 13.6 of the Eaton County Land Development Code; and WHEREAS, the Eaton County Planning Commission has taken action on March 5, 2024 to recommend the adoption of the ordinance amendments for reasons stated at the meeting.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the County of Eaton, Michigan having considered the findings of facts and recommendations hereby:

APPROVES the request by Eaton County Planning Commission for a Comprehensive Amendment to the Eaton County Land Development Code (zoning ordinance). Amendments are proposed to the following: Article 5 Definitions (amend Sections 5.3.16 P), Article 7 Land Development Districts (amend Sections 7.4A.2, 7.4A.3 and 7.4A.4), Article 12 Non-Conformities (amend Sections 12.2.2 A, and 12.2.5) and Article 14 Specific Provisions and Requirements (amend Section 14.25 Surface Mine and 14.27 Communication Towers and Antennas).

Seconded by Commissioner Augustine. Carried unanimously.

Commissioner Rogers moved the approval of #24-3-25 Resolution Amending Eaton County PACE Program Report.

WHEREAS, the Board of Commissioners of Eaton County, Michigan previously adopted Resolution 14-9-102, a Resolution approving the establishment of a property assessed clean energy program ("PACE Program") and creating a PACE district pursuant to Act No. 270, Public Acts of Michigan, 2010, as amended ("PACE Statute"), for the purpose of promoting the use of renewable energy systems and energy efficiency improvements by owners of certain real property; and

WHEREAS, the Board of Commissioners established a PACE Program as described in the PACE Report, so as to provide a property owner based method of financing and funds for projects, including owner-arranged financing from a commercial lender, which funds and financing shall be secured and repaid by assessments on the property benefited, with the agreement of the record owners, such that no County moneys, general County taxes or County credit of any kind whatsoever shall be pledged, committed, impaired or used in connection with any project as required by, and subject to the Pace Statute; and

WHEREAS, the Board of Commissioners hereby finds that financing PACE projects is a valid public purpose because it stimulates economic development, improves property values, reduces energy costs, reduces greenhouse gas emissions, and increases employment in the County; and

WHEREAS, the types of projects that may now be financed under the PACE Program include, but are not limited to: insulation in walls, roofs, floors, foundations, or heating and cooling distribution systems; storm windows and doors; multi-glazed windows and doors; heat-absorbing or heat-reflective glazed and coated window and door systems; and additional glazing, reductions in glass area, and other window and

door system modifications that reduce energy consumption; automated energy control systems; heating, ventilating, or air-conditioning and distribution system modifications or replacements; caulking, weather-stripping, and air sealing; replacement or modification of lighting fixtures to reduce the energy use of the lighting system; energy recovery systems; day lighting systems; installation or upgrade of electrical wiring or outlets to charge a motor vehicle that is fully or partially powered by electricity; measures to reduce the usage of water or increase the efficiency of water usage; any other installation or modification of equipment, devices, or materials approved as a utility cost-savings measure by the Board of Commissioners; a fixture, product, device, or interacting group of fixtures, products, or devices on the customer's side of the meter that use one or more renewable energy resources to generate electricity. Renewable energy resources include, but are not limited to: biomass; solar and solar thermal energy; wind energy; geothermal energy and methane gas captured from a landfill.

WHEREAS, Public Act 270 of 2010 has been recently amended with the passage of Senate Bills 302 & 303 of 2023; and

WHEREAS, the projects that may now be financed under the PACE Program have been amended to provide the option for property owners of retrofits or rehab projects to waive the energy savings guarantee; for new construction, the energy savings guarantee is no longer required; require that new construction be built above Michigan's energy code; allow for the financing of environmental hazard projects including mitigation of lead, heavy metal, or PFAS contamination in potable water systems, mitigation of lead paint contamination; mitigation of the effects of floods or drought; and increase the resistance of property against severe weather.

WHEREAS, it has been determined that the PACE Program and PACE Report approved in 2014 requires amendment to be consistent with the amended statute; and

WHEREAS, an amended PACE Program Report has been prepared and reviewed.

NOW, THEREFORE BE IT RESOLVED, that the Eaton County Board of Commissioners amends Resolution No. 14-9-102 approving amendments to the Eaton PACE Program and adopts the amended PACE Program Report attached to this resolution.

BE IT FURTHER RESOLVED, that all other provisions of the PACE Program and PACE Report not amended herein shall remain in full force and effect.

BE IT FURTHER RESOLVED, that all resolutions and parts of resolutions are, to the extent of any conflict with this resolution, hereby rescinded.

Seconded by Commissioner Droscha. Carried unanimously.

Commissioner Mulder moved the approval of claims as audited by the Ways & Means Committee for \$12,281,318.38 and to accept the report of previously authorized payments.

Seconded by Commissioner Augustine. Carried unanimously.

Public Comment: Jackie Blanc spoke in support of a tornado shelter at the Lincoln Brick facility. She also encouraged the selling and removing the adjacent structure to the Lincoln Brick property. Ms. Blanc encouraged county departments to buy locally as much as possible.

Mr. Drew Marks spoke in reference to the amendment allowing duplex dwellings as a use by right in the Low Density Residential Zoning District.

Administrator's Report: Controller Sobie provided a monthly report.

Commissioner Comments: Commissioner Augustine suggested Public Works and Planning committee agenda item - Lincoln Brick structure removal and tornado shelter discussions. He also encouraged local communities to apply for an Eaton County Parks Community Grant that is currently open for application submissions. Commissioner Mudry spoke regarding the Bank Intercounty Drain District project and his conversation with Spicer Engineering representatives.

Commissioner Youngquist and Commissioner Droscha spoke regarding informational materials to follow townhall meetings.

Commissioner Rogers spoke regarding the Hamlin Township parks improvements. Chairman Mott spoke of upcoming active violence training provided by Captain Brooks. He also commended the Controller's office staff for their hard work in conducting the recent townhall meetings.

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

Chairman Mott adjourned the meeting to Wednesday, April 17, 2024 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
MARY NULF
REGISTER OF DEEDS
MARCH 20, 2024**

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

WHEREAS, Mary Nulf will be retiring from Eaton County on March 29, 2024; and

WHEREAS, Mary worked in the Register of Deeds as a Deputy Register of Deeds from November 10, 2014, and is retiring with more than 9 years of service; and

WHEREAS, Mary 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 Mary's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners expresses its sincere gratitude for the years of exceptional service Mary provided to Eaton County; 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 20th day of the month of March in the year 2024. Carried unanimously.

Jim Mott
Chairman of the Board of Commissioners

Diana Bosworth
Clerk of the Board of Commissioners

EATON COUNTY BOARD OF COMMISSIONERS

**RESOLUTION OF APPRECIATION FOR
MARY NULF
REGISTER OF DEEDS
MARCH 20, 2024**

WHEREAS, Mary Nulf will be retiring from Eaton County on March 29, 2024; and

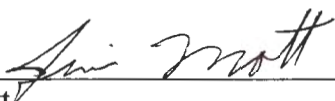
WHEREAS, Mary worked in the Register of Deeds as a Deputy Register of Deeds from November 10, 2014, and is retiring with more than 9 years of service; and

WHEREAS, Mary 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 Mary's years of public service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners expresses its sincere gratitude for the years of exceptional service Mary provided to Eaton County; 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 20th day of the month of March in the year 2024.



Jim Mott
Chairman of the Board of Commissioners



Diana Bosworth
Clerk of the Board of Commissioners

EATON COUNTY BOARD OF COMMISSIONERS

MARCH 20, 2024

**RESOLUTION TO APPROVE ENROLLMENT IN THE
MICHIGAN LEARNING COLLABORATIVE TO SUPPORT MEDICATIONS FOR
OPIOID USE DISORDER (MOUD) IN COUNTY JAILS
AND ENTER INTO A MEMORANDUM OF AGREEMENT**

Introduced by the Public Safety Committee

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

WHEREAS, the Michigan Department of Health and Human Services (MDHHS) has allocated funding to the Learning Collaborative to Support MOUD in Michigan County Jails program, from opioid settlement dollars to offer technical assistance to address significant risks in incarcerated populations during and following incarceration by increasing access to medications for opioid use disorder (MOUD); and

WHEREAS, Eaton County has been invited to participate in the Learning Collaborative to Support MOUD in Michigan County Jails program and associated request for \$25,000 to support program efforts.

NOW, THEREFORE BE IT RESOLVED, that the County of Eaton approves enrollment into the program and entering into a Memorandum of Understanding to support program efforts, and

BE IT FURTHER RESOLVED, that the Controller be authorized to approve any necessary budget amendments to increase grant revenue and expenditures; and

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

EATON COUNTY BOARD OF COMMISSIONERS

MARCH 20, 2024

**RESOLUTION TO APPROVE FY 2023 HOMELAND SECURITY GRANT PROGRAM
REGION 1 SUB-RECIPIENT AGREEMENT**

Introduced by the Public Safety Committee

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

WHEREAS, Eaton County is a member of Michigan State Police Region 1 for purposes of participation in the Homeland Security Grant Fund distribution; and

WHEREAS, Ingham County has agreed to act as the fiduciary agent for the Region 1 Board for the administration of this grant program; and

WHEREAS, in order to receive its allocation through this grant program the County is required to enter into a sub-recipient agreement with the fiduciary agent (Ingham County); and

WHEREAS, the Public Safety Committee has reviewed and is recommending the approval of the attached sub-recipient agreement.

NOW THEREFORE BE IT RESOLVED, the Eaton County Board of Commissioners approves entering into the Sub-recipient Agreement with Ingham County for the FY 2023 Homeland Security Grant Program.

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

EATON COUNTY BOARD OF COMMISSIONERS

March 20, 2024

RESOLUTION TO APPROVE DCA-3-24-1

Introduced by the Public Works and Planning Committee

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

PREAMBLE: The Eaton County Land Development Code, an Ordinance adopted by the Commissioners of the County of Eaton pursuant to Public Act 183 of 1943, and administered pursuant to Public Act 110 of 2006, may be amended from time to time by following procedures outlined in Article 13 of the Development Code.

WHEREAS, Eaton County Planning Commission initiated a petition for a Comprehensive Amendment to the Eaton County Land Development Code (Zoning Ordinance) proposing amendments to the entire document to update/correct the department name, Development Official title and public act corrections; and

WHEREAS, the Eaton County Planning Commission held a duly advertised and noticed public hearing on **March 5, 2024**; and

WHEREAS, the Eaton County Planning Commission found the requested amendment to be consistent with the required findings of fact (Items A through G) contained in Section 13.6 of the Eaton County Land Development Code; and

WHEREAS, the Eaton County Planning Commission has taken action on **March 5, 2024** to recommend the adoption of the ordinance amendments for reasons stated at the meeting.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the County of Eaton, Michigan having considered the findings of facts and recommendations hereby:

APPROVES the request by Eaton County Planning Commission for a Comprehensive Amendment to the Eaton County Land Development Code (zoning ordinance) proposing amendments to the entire document to update/correct the department name, Development Official title and public act corrections.

At the regular meeting of the Eaton County Board of Commissioners on March 20, 2024 the Resolution regarding the approval of said request was adopted.

Those voting Aye: Commissioners Barnes, Mulder, Augustine, Haskell, Pearl-Wright, Mudry, Youngquist, Brehler, Droscha, Toomey, Hansen, Lautzenheiser, Mott, Holmes, and Rogers.

Those voting Nay: None.

Abstention: None.

Absent: None

Motion carried.



Jim Mott, Chairman
Eaton County Board of Commissioners

I hereby certify that the above Ordinance amending the Eaton County Land Development Code, which was approved, is a true and correct copy of that recorded in the official minutes of March 20, 2024 of the Eaton County Board of Commissioners.



Diana Bosworth, Clerk
Eaton County Board of Commissioners

EATON COUNTY LAND DEVELOPMENT CODE

ZONING ORDINANCE AMENDMENT DCA-3-24-1

District Change Amendment DCA-3-24-1 to amend the Land Development Code (Zoning Ordinance) of Eaton County, as enacted in 1981 pursuant to the provisions of Public Act 110 of 2006, as amended.

An application for a District Change Amendment for a Comprehensive Amendment to the Eaton County Land Development Code (zoning ordinance) proposing amendments to the entire document to update/correct the department name, Development Official title and public act corrections.

WHEREAS, the Eaton County Planning Commission held a duly advertised and noticed public hearing on **March 5, 2024**; and

WHEREAS, the Eaton County Planning Commission has taken action on **March 5, 2024** to recommend approval of the text amendment:

WHEREAS, after careful consideration of the amendment, the Eaton County Board of Commissioners approved the aforementioned text amendment as follows:

Yeas	15
Nays	0
Abstaining	0
Absent	0

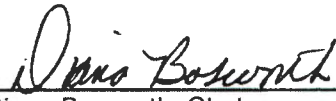
I, Diana Bosworth, Clerk for the County of Eaton, do hereby certify that the above and foregoing is a true copy of the amendment to the Eaton County Land Development Code (Zoning Ordinance), as amended and passed by the Eaton County Board of Commissioners on **March 20, 2024** and now on record in the office of the Clerk of said County.

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of said County at the City of Charlotte, Michigan, the

20th day of March, 2024



Jim Mott, Chairman
Eaton County Board of Commissioners



Diana Bosworth, Clerk
Eaton County Board of Commissioners

EATON COUNTY BOARD OF COMMISSIONERS

March 20, 2024

RESOLUTION TO APPROVE DCA-3-24-2

Introduced by the Public Works and Planning Committee

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

PREAMBLE: The Eaton County Land Development Code, an Ordinance adopted by the Commissioners of the County of Eaton pursuant to Public Act 183 of 1943, and administered pursuant to Public Act 110 of 2006, may be amended from time to time by following procedures outlined in Article 13 of the Development Code.

WHEREAS, Eaton County Planning Commission initiated a petition for a Comprehensive Amendment to the Eaton County Land Development Code (Zoning Ordinance). Amendments are proposed to the following: Article 5 Definitions (amend Sections 5.3.16 P), Article 7 Land Development Districts (amend Sections 7.4A.2, 7.4A.3 and 7.4A.4), Article 12 Non-Conformities (amend Sections 12.2.2 A, and 12.2.5) and Article 14 Specific Provisions and Requirements (amend Section 14.25 Surface Mine and 14.27 Communication Towers and Antennas).; and

WHEREAS, the Eaton County Planning Commission held a duly advertised and noticed public hearing on **March 5, 2024**; and

WHEREAS, the Eaton County Planning Commission found the requested amendment to be consistent with the required findings of fact (Items A through G) contained in Section 13.6 of the Eaton County Land Development Code; and

WHEREAS, the Eaton County Planning Commission has taken action on **March 5, 2024** to recommend the adoption of the ordinance amendments for reasons stated at the meeting.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the County of Eaton, Michigan having considered the findings of facts and recommendations hereby:

APPROVES the request by Eaton County Planning Commission for a Comprehensive Amendment to the Eaton County Land Development Code (zoning ordinance). Amendments are proposed to the following: Article 5 Definitions (amend Sections 5.3.16 P), Article 7 Land Development Districts (amend Sections 7.4A.2, 7.4A.3 and 7.4A.4), Article 12 Non-Conformities (amend Sections 12.2.2 A, and 12.2.5) and Article 14 Specific Provisions and Requirements (amend Section 14.25 Surface Mine and 14.27 Communication Towers and Antennas).

At the regular meeting of the Eaton County Board of Commissioners on March 20, 2024 the Resolution regarding the approval of said request was adopted.

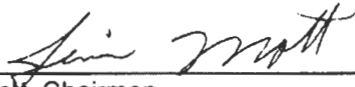
Those voting Aye: Commissioners Barnes, Mulder, Augustine, Haskell, Pearl-Wright, Mudry, Youngquist, Brehler, Droscha, Toomey, Hansen, Lautzenheiser, Mott, Holmes, and Rogers.

Those voting Nay: None.

Abstention: None.

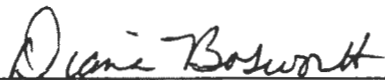
Absent: None.

Motion carried.



Jim Mott, Chairman
Eaton County Board of Commissioners

I hereby certify that the above Ordinance amending the Eaton County Land Development Code, which was approved, is a true and correct copy of that recorded in the official minutes of March 20, 2024 of the Eaton County Board of Commissioners.



Diana Bosworth, Clerk
Eaton County Board of Commissioners

EATON COUNTY LAND DEVELOPMENT CODE

ZONING ORDINANCE AMENDMENT DCA-3-24-2

District Change Amendment DCA-3-24-2 to amend the Land Development Code (Zoning Ordinance) of Eaton County, as enacted in 1981 pursuant to the provisions of Public Act 110 of 2006, as amended.

An application for a District Change Amendment for a Comprehensive Amendment to the Eaton County Land Development Code (zoning ordinance). Amendments are proposed to the following: Article 5 Definitions (amend Sections 5.3.16 P), Article 7 Land Development Districts (amend Sections 7.4A.2, 7.4A.3 and 7.4A.4), Article 12 Non-Conformities (amend Sections 12.2.2 A, and 12.2.5) and Article 14 Specific Provisions and Requirements (amend Section 14.25 Surface Mine and 14.27 Communication Towers and Antennas).

WHEREAS, the Eaton County Planning Commission held a duly advertised and noticed public hearing on **March 5, 2024**; and

WHEREAS, the Eaton County Planning Commission has taken action on **March 5, 2024** to recommend approval of the text amendment:

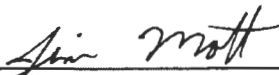
WHEREAS, after careful consideration of the amendment, the Eaton County Board of Commissioners approved the aforementioned text amendment as follows:

Yeas	15
Nays	0
Abstaining	0
Absent	0

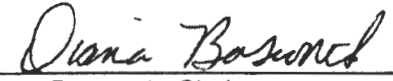
I, Diana Bosworth, Clerk for the County of Eaton, do hereby certify that the above and foregoing is a true copy of the amendment to the Eaton County Land Development Code (Zoning Ordinance), as amended and passed by the Eaton County Board of Commissioners on **March 20, 2024** and now on record in the office of the Clerk of said County.

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of said County at the City of Charlotte, Michigan, the

20th day of March, 2024



Jim Mott, Chairman
Eaton County Board of Commissioners



Diana Bosworth, Clerk
Eaton County Board of Commissioners

EATON COUNTY BOARD OF COMMISSIONERS

MARCH 20, 2024

**RESOLUTION AMENDING RESOLUTION 14-9-102
APPROVING THE ESTABLISHMENT OF A PROJECT ASSESSED CLEAN ENERGY
(PACE) PROGRAM**

Introduced by the Public Works and Planning Committee

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

WHEREAS, the Board of Commissioners of Eaton County, Michigan previously adopted Resolution 14-9-102, a Resolution approving the establishment of a property assessed clean energy program ("PACE Program") and creating a PACE district pursuant to Act No. 270, Public Acts of Michigan, 2010, as amended ("PACE Statute"), for the purpose of promoting the use of renewable energy systems and energy efficiency improvements by owners of certain real property; and

WHEREAS, the Board of Commissioners established a PACE Program as described in the PACE Report, so as to provide a property owner based method of financing and funds for projects, including owner-arranged financing from a commercial lender, which funds and financing shall be secured and repaid by assessments on the property benefited, with the agreement of the record owners, such that no County moneys, general County taxes or County credit of any kind whatsoever shall be pledged, committed, impaired or used in connection with any project as required by, and subject to the Pace Statute; and

WHEREAS, the Board of Commissioners hereby finds that financing PACE projects is a valid public purpose because it stimulates economic development, improves property values, reduces energy costs, reduces greenhouse gas emissions, and increases employment in the County; and

WHEREAS, the types of projects that may now be financed under the PACE Program include, but are not limited to: insulation in walls, roofs, floors, foundations, or heating and cooling distribution systems; storm windows and doors; multi-glazed windows and doors; heat-absorbing or heat-reflective glazed and coated window and door systems; and additional glazing, reductions in glass area, and other window and door system modifications that reduce energy consumption; automated energy control systems; heating, ventilating, or air-conditioning and distribution system modifications or replacements; caulking, weather-stripping, and air sealing; replacement or modification of lighting fixtures to reduce the energy use of the lighting system; energy recovery systems; day lighting systems; installation or upgrade of electrical wiring or outlets to charge a motor vehicle that is fully or partially powered by electricity; measures to reduce the usage of water or increase the efficiency of water usage; any other installation or modification of equipment, devices, or materials approved as a utility cost-savings measure by the Board of Commissioners; a fixture, product, device, or interacting group of fixtures, products, or devices on the customer's side of the meter that use one or more renewable energy resources to generate electricity.

Renewable energy resources include, but are not limited to: biomass; solar and solar thermal energy; wind energy; geothermal energy and methane gas captured from a landfill.

WHEREAS, Public Act 270 of 2010 has been recently amended with the passage of Senate Bills 302 & 303 of 2023; and

WHEREAS, the projects that may now be financed under the PACE Program have been amended to provide the option for property owners of retrofits or rehab projects to waive the energy savings guarantee; for new construction, the energy savings guarantee is no longer required; require that new construction be built above Michigan's energy code; allow for the financing of environmental hazard projects including mitigation of lead, heavy metal, or PFAS contamination in potable water systems, mitigation of lead paint contamination; mitigation of the effects of floods or drought; and increase the resistance of property against severe weather.

WHEREAS, it has been determined that the PACE Program and PACE Report approved in 2014 requires amendment to be consistent with the amended statute; and

WHEREAS, an amended PACE Program Report has been prepared and reviewed.

NOW, THEREFORE BE IT RESOLVED, that the Eaton County Board of Commissioners amends Resolution No. 14-9-102 approving amendments to the Eaton PACE Program and adopts the amended PACE Program Report attached to this resolution.

BE IT FURTHER RESOLVED, that all other provisions of the PACE Program and PACE Report not amended herein shall remain in full force and effect.

BE IT FURTHER RESOLVED, that all resolutions and parts of resolutions are, to the extent of any conflict with this resolution, hereby rescinded. Carried unanimously.