

# CLINTON COUNTY BOARD OF COMMISSIONERS

**Chairperson**  
Robert Showers  
**Vice-Chairperson**  
Kenneth B. Mitchell  
**Members**  
Valerie Vail-Shirey  
David W. Pohl  
Bruce DeLong  
John Andrews  
Dwight Washington

**COURTHOUSE**  
**100 E. STATE STREET**  
**ST. JOHNS, MICHIGAN 48879-1571**  
**989-224-5120**



**Administrator/Controller**  
John F. Fuentes  
**Clerk of the Board**  
Debra A. Sutherland

**DATE 08/29/2023** The Clinton County Board of Commissioners met on Tuesday, August 29, 2023 at 9:00 a.m. with Chairperson Robert Showers presiding.

**MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE** Chairperson Showers called for a moment of silence. The pledge of allegiance was given to the flag of the United States of America.

**ROLL CALL** Roll was called with a quorum of the members in attendance: Val Vail-Shirey, David Pohl, Bruce DeLong, Kenneth B. Mitchell, Robert Showers, John Andrews and Dwight Washington.

**COUNTY PERSONNEL** John Fuentes, Todd Campbell, Stephanie Dush and Joel Haviland

**VISITORS** Liz Braddock, Karen Gillespie, Jim Grant, Janine Dyer, Riley Nelson, John Zimmerman, Don Vandenberg, Ron Balzer, Dustin Howard, Melany Mack, Rob Mack, Dennis Strahle, Tim Krause, Doug Smith, Theresa Hubbard, Charels Hauser, Taylor Bass, Thomas Banks, Fred Boling, Lisa Boling, Mike Coyne, Maggie Sayles, Julia Hutchison, Alannah Woodring, Chelsea Hoppes and David Hanson

**AGENDA** The agenda was presented for review and approval.  
**BOARD ACTION:** Commissioner DeLong moved, seconded by Commissioner Mitchell to approve the agenda as printed. Motion carried.

**APPROVAL OF MINUTES** The July 25, 2023 Board of Commissioners' Meeting minutes were presented for review and approval.  
**BOARD ACTION:** Commissioner DeLong moved, seconded by Commissioner Washington to approve the minutes as printed. Motion carried.

**ADMINISTRATOR/CONTROLLER'S REPORT** John Fuentes, County Administrator/Controller provided the following report:

- The Administration Office is finalizing the budget recommendations for 2024 for submission to the committee next month.
- Mr. Raphael Kasen has been hired as the new Community Development Director and will begin September 18, 2023.

**PUBLIC COMMENTS** Chairperson Showers called for public comments.

- Theresa Hubbard, 1124 E. Alward Road, Olive Township, voiced concern regarding the direction of the Citizens Advisory Committee and the restrictive template provided by Foster, Swift, Collins & Smith.

- Fred Boling, 8256 Cutler Road, Bath Township, noted that this is the third meeting he has attended to report the noise pollution in his neighborhood from the dog kennel across the street. He added that it has been significantly better in the last three to four weeks. Mr. Boling reported his efforts investigating kennel licenses and noise ordinances. He requested a permanent resolution to stop this.
  - Administrator/Controller Fuentes added that he has submitted his response to legal counsel for review before issuing.
- Rich Nelson, 5730 Paxton, referenced a gravel pit site and expressed concern about future digging next to his home.
- Dennis Strahle, 12833 W. Clark Road, Eagle Township, reported that the first meeting for the Eagle Township Planning Commission will be held today.
- Lisa Boling, 8256 Cutler Road, Bath Township, spoke of the stress caused from the barking dogs in her neighborhood. Mrs. Boling expressed frustration as she does not feel that anyone wants to help resolve the situation.

MID-MICHIGAN DISTRICT  
HEALTH DEPARTMENT  
UPDATE – LIZ BRADDOCK

Chairperson Showers introduced Liz Braddock, Health Officer with the Mid-Michigan District Health Department. Ms. Braddock submitted a written monthly report prior to the meeting and noted the following:

- Beach monitoring was completed last week and E.coli levels are still acceptable;
- Additional clinics have been added for routine childhood vaccinations;
- The Marijuana Operation and Oversight Grant will be ending on September 15<sup>th</sup>. Clinton County applied and is distributing educational material to promote safe use and safe storage of medical and recreational marijuana. Bath Township has a dispensary and they have been provided with the educational materials;
- The August Monthly Newsletter emphasizes:
  - National Immunization Month;
  - Algal bloom awareness, there have not been any detections in Clinton County this year;
  - Caution of animal bites, rabies is on the increase in the state of Michigan;
- Further Commissioners' discussion included:
  - Proper drug disposal:
    - Program at the Sheriff's Office for drop-off;
    - Health Department provides bags to deactivate medication which can be thrown away.;
  - Struggling with childhood vaccine rates, attempts are being made to increase awareness.

GRANGER WASTE  
SERVICES UPDATE –  
TAYLOR BASS

Chairperson Showers introduced Taylor Bass, Community Relations Specialist with Granger Waste Services.

- Ms. Bass introduced some of her colleagues, John Zimmerman, Director of Marketing and Public Relations; Tim Krause, Director of Engineering; along with consultants Charles Hauser and Jim Grant. She invited the members to contact her for a tour of the Granger facility, or with any questions.

ZONING

Commissioner Vail-Shirey presented the following zoning matters:

PC-22-23 MA  
ZONE MAP AMENDMENT  
JAMES GOBLE ON BEHALF  
OF QUIET WATERS FARM  
LLC  
REZONE FROM A-2 TO MR  
PAXTON ROAD BETWEEN  
ANDERSON ROAD AND  
FINDLAY ROAD  
ESSEX TOWNSHIP  
SECTION 26

PC-22-23 MA (OR 192-23) An application for a Zoning Map Amendment (Rezoning) submitted by James Goble, on behalf of Quiet Waters Farm LLC, requesting to rezone approximately 65 acres from A-2 (General Agriculture) to MR (Mineral Resource Extraction) located on Paxton Rd. between Anderson Rd. and Findlay Rd., in Section 26 of Essex Township

**BOARD ACTION:** Commissioner Vail-Shirey moved, seconded by Commissioner Pohl to concur with the recommendation of the Planning Commission, and approve the application for a Zone Map Amendment submitted by James Goble on behalf of Quiet Waters Farm LLC. Voting on the motion by roll call vote, those voting aye were Washington, Vail-Shirey, DeLong, Andrews, Mitchell, Pohl and Showers. Seven ayes, zero nays. Motion carried.

PC-23-23 SLU  
SPECIAL LAND USE PERMIT  
DAVID HANSON ON BEHALF  
OF MIKE AND JULIE  
FRENCH (STEEL STREET  
RENTALS, LLC) FOR  
APPROVAL OF THE  
OUTDOOR COMMERCIAL  
DISPLAY OF SHEDS,  
CABINS, CHICKEN COOPS  
AND HUNTING BLINDS  
BINGHAM TOWNSHIP  
SECTION 22

PC-23-23 SLU An application for a Special Land Use Permit submitted by David Hanson, on behalf of property owners Mike and Julie French (Steel Street Rentals, LLC), requesting approval for the outdoor commercial display of sheds, cabins, chicken coops, and hunting blinds at 2153 S. US-27 in Section 22 of Bingham Township

**BOARD ACTION:** Commissioner Vail-Shirey moved, seconded by Commissioner DeLong to concur with the recommendation of the Planning Commission, and approve the application for a Special Land Use Permit submitted by Mike and Julie French (Steel Street Rentals, LLC). Voting on the motion by roll call vote, those voting aye were Andrews, Washington, Vail-Shirey, Mitchell, Pohl, DeLong and Showers. Seven ayes, zero nays. Motion carried.

PC-24-23 MA  
ZONE MAP AMENDMENT  
DOUG AND LAURA SMITH  
REZONE FROM A-2 TO RR  
CORNER OF S. HOLLISTER  
ROAD AND E. ALWARD  
ROAD  
VICTOR TOWNSHIP  
SECTION 24

PC-24-23 MA (OR 193-23) An application for a Zoning Map Amendment (Rezoning) submitted by Doug and Laura Smith requesting to rezone approximately 18 acres from A-2 (General Agriculture) to RR (Rural Residential) located at 8753 S. Hollister Rd., approximately 1090 feet south of the corner of S. Hollister Rd. and E. Alward Rd., in Section 24 of Victor Township

**BOARD ACTION:** Commissioner Vail-Shirey moved, seconded by Commissioner Mitchell to concur with the recommendation of the Planning Commission, and approve the application for a Zone Map Amendment submitted by Doug and Laura Smith. Voting on the motion by roll call vote, those voting aye were DeLong, Andrews, Washington, Vail-Shirey, Pohl, Mitchell and Showers. Seven ayes, zero nays. Motion carried.

PC-26-23 SLU  
SPECIAL LAND USE PERMIT  
MIKE COYNE FOR  
EXPANSION OF EXISTING  
ABOVE GROUND BULK  
STORAGE OF PETROLEUM-  
BASED PRODUCTS  
BINGHAM TOWNSHIP  
SECTION 28

PC-26-23 SLU An application for a Major Change of Special Land Use Permit has been submitted by Mike Coyne requesting approval for the expansion of existing above ground bulk storage of petroleum-based products on the property located at 3800 S. US-27 in Section 28 of Bingham Township

**BOARD ACTION:** Commissioner Vail-Shirey moved, seconded by Commissioner DeLong to concur with the recommendation of the Planning Commission, and approve the application for a Major Change of Special Land Use Permit submitted by Mike Coyne. Voting on the motion by roll call vote, those voting aye were Andrews, Pohl, Vail-Shirey, DeLong, Mitchell, Washington and Showers. Seven ayes, zero nays. Motion carried.

PC-27-23 SLU  
SPECIAL LAND USE PERMIT  
KEITH KONEVAL IN  
CONJUNCTION WITH  
PROPERTY OWNER  
B.E.M.S. GROUP LLC  
APPROVAL FOR  
DEVELOPMENT OF DUAL  
STORAGE/RETAIL FACILITY  
BINGHAM TOWNSHIP  
SECTION 15

PC-27-23 SLU An application for a Special Land Use Permit submitted by applicant Keith Koneval, in conjunction with property owner B.E.M.S. Group LLC, requesting approval for development of a dual Storage/Retail facility to be located on S. Scott Rd. in Section 15 of Bingham Township

**BOARD ACTION:** Commissioner Vail-Shirey moved, seconded by Commissioner DeLong to concur with the recommendation of the Planning Commission, and approve the application for a Special Land Use Permit submitted by Keith Koneval in conjunction with property owner B.E.M.S. Group LLC. Voting on the motion by roll call vote, those voting aye were Mitchell, Pohl, Vail-Shirey, DeLong, Andrews, Washington and Showers. Seven ayes, zero nays. Motion carried.

PC-28-23 SLU  
SPECIAL LAND USE PERMIT  
VALERIE VAIL-SHIREY IN  
CONJUNCTION WITH  
PROPERTY OWNER  
CLAUDE VAIL  
APPROVAL FOR  
DEVELOPMENT OF  
TEMPORARY MEDICAL  
HARDSHIP HOUSING UNIT  
VICTOR TOWNSHIP  
SECTION 34

Commissioner DeLong presented the following item:

PC-28-23 SLU An application for a Special Land Use Permit submitted by Valerie Vail-Shirey, in conjunction with the property owner Claude Vail, requesting approval for the development of a temporary medical hardship housing unit to be located on 10505 S. Upton Rd. in Section 34 of Victor Township

**BOARD ACTION:** Commissioner DeLong moved, seconded by Commissioner Pohl to concur with the recommendation of the Planning Commission, and approve the application for a Special Land Use Permit submitted by Valerie Vail-Shirey, in conjunction with property owner Claude Vail, and specifying that the required bond be set in the amount of \$3,000.00. Voting on the motion by roll call vote, those voting aye were Washington, Andrews, Pohl, Mitchell, DeLong and Showers. Commissioner Vail-Shirey abstained. Six ayes, zero nays, one abstention. Motion carried.

PC-30-23 MA  
ZONE MAP AMENDMENT  
JOSEPH ALBERS, BLUE  
HARVEST ENERGY, LLC ON  
BEHALF OF PROPERTY  
OWNER HCH LLC IN CARE  
OF COPPER COMMERCIAL  
GROUP  
REZONE FROM A-2 TO C-3  
BINGHAM TOWNSHIP  
SECTION 10

PC-30-23 MA (OR 194-23) An application for Zone Map Amendment (Rezoning) has been submitted by Joseph Albers, Blue Harvest Energy, LLC, on behalf of property owner HCH LLC care of Copper Commercial Group, requesting to rezone approximately 28.63 acres from A-2 (General Agriculture) to C-3 (Highway Service Commercial). The vacant property is located approximately 290 feet west of the southbound US-127 highway offramp on M-21, in Section 10 of Bingham Township

**BOARD ACTION:** Commissioner Vail-Shirey moved, seconded by Commissioner DeLong to concur with the recommendation of the Planning Commission, and approve the application for a Zone Map Amendment submitted by Joseph Albers, Blue Harvest Energy, LLC, on behalf of property owner HCH LLC care of Copper Commercial Group. Voting on the motion by roll call vote, those voting aye were Pohl, Andrews, DeLong, Vail-Shirey, Washington, Mitchell and Showers. Seven ayes, zero nays. Motion carried.

APPROVAL OF  
COMMISSIONERS'  
EXPENSE ACCOUNTS

Commissioners' expense accounts were presented for review and approval.

**BOARD ACTION:** Commissioner DeLong moved, seconded by Commissioner Washington to approve the expense accounts, subject to review by the Chair and Clerk. Motion carried.

## COMMITTEE REPORTS

The following are reports of Committee meetings:

### WAYS AND MEANS COMMITTEE MEETING

Commissioner DeLong, Chairperson of the Ways and Means Committee, reported on a meeting held August 24, 2023.

ATTENDANCE AT  
COMMITTEE MEETING

**Members Present:**

Bruce DeLong, W&M Committee Chairperson  
David Pohl  
John Andrews  
Ken Mitchell  
Val Vail-Shirey – Arrived at 9:03 a.m.  
Robert Showers, Ex-Officio Member

**Members Excused:**

Dwight Washington

**Staff Present:**

John Fuentes	Todd Campbell
Cindy Moser	Joel Haviland
Craig Thelen	Kate Neese
Chris Collom	Penny Goerge
Kyle Thornton	Eric Harger
Steve Wiswasser	Julia Hutchison

**Others Present:**

Janine Dyer, Eagle Township  
John Zimmerman  
Dennis Strahle, Eagle Township  
Kyle Mazurek, ITC Company  
Cynthia Stump, ITC Company  
Michele Strasz, Capital Area United Way  
Tim Krause  
Taylor Bass  
Kathy Oberg  
Charles Houser  
Steve Willis

CALL TO ORDER/APPROVAL  
OF AGENDA

1. Ways and Means Committee Chairperson DeLong called the meeting to order at 9:00 a.m. Commissioner Mitchell moved, seconded by Commissioner Pohl, to approve the agenda as amended. Motion carried.

Deletion to Agenda: Access/Policies & Procedures for Clinton County Properties – Agenda Item #5

Additions to Agenda:

- Pratt Road – Second Amendment to Buy and Sell Agreement – Agenda Item #9A
- Giffels Webster Proposal – Zoning Ordinance Amendments – Agenda Item #13A

PUBLIC COMMENTS

2. Ways and Means Committee Chairperson DeLong requested limited public comments. There were none.

CAPITAL AREA A.L.I.C.E.  
(ASSET LIMITED, INCOME  
CONSTRAINED, EMPLOYED)  
DATA

3. Ways and Means Committee Chairperson DeLong introduced Michele Strasz from the United Way of South-Central Michigan (UWSCMI) to present ALICE data for Clinton County.
  - ALICE is an acronym for Asset Limited, Income Constrained, Employed – households that earn more than the federal poverty level, but less than the basic cost of living for the county (the ALICE threshold);
  - ALICE households (22%) plus those in poverty (8%) in Clinton County can't afford the essentials, leaving 6,800 families in our community requiring additional support;
  - It was noted that many families will no longer be eligible for Medicaid and child-care has become a huge challenge;

- Information was provided to the members regarding the 2-1-1 program of Central Michigan that connects people with thousands of nonprofit and government resources in their area;
- Ms. Strasz answered questions from the members and discussed the importance of partnerships in the community to help reduce disparities and support ALICE families in the community, specifically when it comes to policy making.

No action required.

ITC COMPANY  
ITC ELECTRIC  
TRANSMISSION LINE  
UPDATE

4. Ways and Means Committee Chairperson DeLong introduced Kyle Mazurek and Cynthia Stump from ITC Company to provide an update regarding its intent to construct new transmission lines in Mid-Michigan, including through portions of Clinton County.
  - The ITC filed its Construction Plan with the Michigan Public Service Commission (MPSC) through its subsidiary, Michigan Electric Transmission Company, LLC (METC) on August 14th;
  - The Plan includes the Nelson Road to Oneida Project with approximately 40 miles of electric transmission line extending from the existing Nelson Road Substation located in Gratiot County to the existing Oneida Substation in Eaton County;
  - Mr. Mazurek distributed maps showing the proposed and alternate routes;
  - The four western townships (Eagle, Westphalia, Dallas, Lebanon) and the villages affected within those townships have received notice from ITC regarding their construction plan;
  - Meetings have been scheduled throughout the communities for residents to meet with the ITC team, provide feedback, and have their questions answered; the affected property owners will also be notified directly regarding the public meetings;
  - The MPSC has one year from the filing date to review the construction plan, and additional information can be found at [www.mifuturegrid.com](http://www.mifuturegrid.com).

No action required.

ACCESS/POLICIES &  
PROCEDURES FOR  
CLINTON COUNTY  
COURTHOUSE

5. **REMOVED FROM AGENDA**

CLINTON COUNTY OFF-  
ROAD VEHICLE ORDINANCE

6. Ways and Means Committee Chairperson DeLong introduced Administrator/Controller Fuentes to discuss a draft ordinance authorizing and regulating the operation of off-road vehicles (ORVs) on roads in Clinton County.
  - Administrator/Controller Fuentes notified the members that he and Sheriff Dush have consulted with the Clinton County Road Commission regarding an off-road vehicle ordinance and as a result, a draft ordinance is being presented for their consideration, subject to the 45-day public hearing requirement;
  - The purpose of this ordinance is to designate roads, establish operating conditions and outline license and registration requirements;
  - The proposed ordinance is applicable to county roads that fall under the jurisdiction of the Clinton County Road Commission, and this ordinance does not apply to state roads or streets within a city or village;

- Discussion followed regarding individual townships, cities, and villages; it was noted they have the discretion to further restrict the ordinance if they desire to do so by adopting an overlapping ordinance within their district;
- It was noted this ordinance does not apply to golf carts.

**COMMITTEE RECOMMENDATION:** Commissioner Pohl moved, seconded by Commissioner Mitchell, to recommend approval of a public hearing to take place during the October 31st Board of Commissioners Meeting for the purpose of adopting an ordinance authorizing and regulating the operation of Off-Road Vehicles (ORVS) on roads in Clinton County, and further direct the County Clerk to publish notice of the public hearing not less than 45 days before the public hearing in accordance with MCL 324.81131 (2), by certified mail, to the county road commission, to the legislative body of each township and municipality located within the county, to the state transportation department if the road intersects a highway, and, if state forestland is located within the county, to the department. Motion carried.

**BOARD ACTION:** Commissioner DeLong moved, seconded by Commissioner Pohl to concur with the committee recommendation. Motion carried.

WASTE MANAGEMENT

RESOLUTION 2023-16

SOLID WASTE  
MANAGEMENT PLAN  
AMENDMENT UPDATE

7.

- A. Ways and Means Committee Chairperson DeLong introduced Kate Neese, Waste Management Coordinator, to provide an update regarding the Solid Waste Management Plan Amendment.
- The process to amend the Clinton County Solid Waste Management Plan began last fall with a request from Granger Waste Services; as a result, the Board of Commissioners moved to establish the Solid Waste Planning Committee at their November 2022 meeting and approved the committee appointments at the January 2023 organizational meeting;
  - Since that time, the DWM has been working closely with the Solid Waste Planning Committee, Michigan Department of Environment, Great Lakes, & Energy (EGLE), Granger, and the public;
  - The request from Granger includes two amendments to the Clinton County Solid Waste Management Plan: 1) to include one additional county for waste import and export (Branch County) and 2) change the total area sited for use at the Grand River Landfill to include the closed, but licensed portion, of the landfill;
  - Taylor Bass from Granger distributed a handout to the members that covered frequently asked questions relating to the Clinton County Solid Waste Amendment Request;
  - The Solid Waste Planning Committee approved the draft Plan Amendment (10-1) at their meeting on August 8, 2023, and if approved by the Board, will be sent to all local municipalities for their review and vote; the amendment requires a 67% majority to pass or fail; if it passes, the DWM will then submit the Plan Amendment request to EGLE for final review;
  - Coordinator Neese spoke briefly regarding Michigan's new solid waste statute that was signed into law in December 2022; it was noted the current Solid Waste Management Plans remain in effect until a new Materials Management Plan is approved, and the Materials Management Plan update will require a separate committee.

**COMMITTEE RECOMMENDATION:** Commissioner Andrews moved, seconded by Commissioner Pohl, to **recommend** approval of a resolution authorizing the proposed amendments to the Clinton County Solid Waste Management Plan. Motion carried.

**BOARD ACTION:** Commissioner DeLong moved, seconded by Commissioner Washington to concur with the committee recommendation. Voting on the motion by roll call vote, those voting aye were Vail-Shirey, DeLong, Pohl, Mitchell, Andrews, Washington and Showers. Seven ayes, zero nays. Motion carried.

ANNUAL RECYCLING  
OPTIONS REPORT

- B. Ways and Means Committee Chairperson DeLong introduced Kate Neese, Waste Management Coordinator, to provide an annual report on residential recycling options and costs for Clinton County.
- The members reviewed the annual recycling options report;
  - Coordinator Neese notified the members that this information will be shared with local municipalities, various committees, and the Department's website.

**COMMITTEE RECOMMENDATION:** Commissioner Mitchell moved, seconded by Commissioner Pohl, to **recommend** receiving and placing on file the Annual Recycling Options Report. Motion carried.

**BOARD ACTION:** Commissioner DeLong moved, seconded by Commissioner Pohl to concur with the committee recommendation. Motion carried.

INFORMATION  
TECHNOLOGY -  
BOARD ROOM AUDIO  
EQUIPMENT REQUEST

8. Ways and Means Committee Chairperson DeLong introduced Craig Thelen, Information Technology Director, to discuss an upgrade to the audio and visual equipment in the Board of Commissioners Room.
- County IT and Administration have been in contact with Smart Offices to upgrade the audio and visual equipment in the Commissioners Boardroom with the goal of enhancing the audio and the visual displays for the commissioners and the public when holding meetings at the dais or in the back;
  - The proposal includes two large display screens on the south and west walls, along with wireless microphones for commissioners;
  - When the dais area is being used, there will be two TVs hanging from the ceiling facing the dais and the projector will display presentations to the public;
  - The system can also be used by anyone wishing to present digital material on-site or through zoom;
  - A new sound system will also be installed considering the two meeting areas; the new equipment will allow users to activate different components depending on where the meeting is being held;
  - This project can also incorporate acquisition of iPads for the Commissioners to receive their Board and Committee materials electronically to improve efficiency and eliminate the need for printed materials, provided there is consensus on the following items:
    - Commissioners will agree to utilize the County-issued device as the exclusive source for their meeting packets (no more printed packets);
    - County-issued devices will be equipped with a standardized county email address to send and receive official communications;
    - Commissioners will be assigned the County-issued device to ensure they have access to send and receive official communications.



**COMMITTEE ACTION:** Commissioner Pohl moved, seconded by Commissioner Andrews, to approve up to \$60,000 for the purchase of AVI equipment in the Board of Commissioners room, as outlined and approved in the capital improvements section of the 2023 budget and the acquisition of iPads for the Board of Commissioners as outlined in the staff recommendation. Motion carried.

**BOARD ACTION:** Commissioner DeLong moved, seconded by Commissioner Mitchell to concur with the committee recommendation. Voting on the motion by roll call vote, those voting aye were DeLong, Washington, Mitchell, Vail-Shirey, Andrews, Pohl and Showers. Seven ayes, zero nays. Motion carried.

PARKS AND GREEN SPACE  
INDEMNIFICATION AND  
HOLD HARMLESS  
AGREEMENT FOR PARK  
GAME EQUIPMENT

9. Ways and Means Committee Chairperson DeLong introduced Kyle Thornton, Parks and Green Space Coordinator, to discuss a proposed Indemnification and Hold Harmless Agreement for park game equipment at the county parks.
- Parks and Green Space Coordinator Thornton is recommending the County require an indemnification and hold harmless agreement be signed for use of park game equipment (moonwalk, bounce house, dunk tank, giant slide) at Motz County Park, as required by the County Park Rules Ordinance;
  - The agreement will require users to provide liability and property damage insurance and ensure the County and Parks Department are listed in the policy as additional or named insured;
  - This agreement has been reviewed and approved by legal counsel.

**COMMITTEE RECOMMENDATION:** Commissioner Vail-Shirey moved, seconded by Commissioner Mitchell, to **recommend** approving the Indemnification Hold Harmless Agreement for Motz County Park and the Clinton County Parks and Green Space Department. Motion carried.

**BOARD ACTION:** Commissioner DeLong moved, seconded by Commissioner Vail-Shirey to concur with the committee recommendation. Voting on the motion by roll call vote, those voting aye were Mitchell, Pohl, Vail-Shirey, DeLong, Andrews, Washington and Showers. Seven ayes, zero nays. Motion carried.

PRATT ROAD PROPERTY  
SECOND AMENDMENT TO  
BUY AND SELL  
AGREEMENT

- 9A. Ways and Means Committee Chairperson DeLong introduced Todd Campbell, Deputy Administrator, to discuss an amendment to the Buy and Sell Agreement for the purchase of the property located on Pratt Road in Riley Township for a new park site.
- The Board of Commissioners (BOC) approved the original Buy and Sell Agreement for the purchase of the property located at 7575 W. Pratt Road at the November 29, 2022, meeting;
  - Additionally, the BOC approved the first amendment to the Buy/Sell Agreement at the April 18, 2023 meeting; the first amendment extended the County's Due Diligence deadline from April 30, 2023 to June 30, 2023 and extended the closing date of on or before June 1, 2023 to on or before August 1, 2023 (there is a provision that automatically extends the closing to no later than September 15, 2023);
  - The Buy/Sell Agreement calls for the Seller to complete three site improvements (construction of an all-season, gravel parking lot, emergency access pathway around a portion of the water feature and a swimming beach) prior to closing on the property;

- The Seller has completed two of the three site improvements that are included in the Buy/Sell Agreement; however, the swimming beach site improvement is being held up while they are waiting for a permit from the state;
- As a result of the Seller not being able to complete the swimming beach site improvement due to pending required permit approvals from the State Department of Environment Great Lakes and Energy (EGLE), staff is recommending the Ways & Means Committee consider approving a Second Amendment to the Buy/Sell Agreement to avoid further delay caused by factor(s) outside of the parties' control;
- The proposed amendment would exclude the completion of the swimming beach site improvement from the closing on the property by Clinton County, and as a result, the purchase price would reflect the unfinished project by placing \$35,000 of the purchase price in escrow with the title company until the Seller completes the swimming beach site improvement;
- The amendment also places a deadline of June 30, 2024 for the Seller to complete the swimming beach project to receive the \$35,000 in escrow; if the Seller does not complete the swimming beach project by June 30, 2024, the Seller would forfeit the \$35,000 in escrow and the County would take the \$35,000 from escrow to hire a contractor to complete the swimming beach site improvement;
- Staff has discussed these items with the property owner, and they are agreeable to making the proposed changes to the Buy/Sell Agreement as presented to close by the deadline of September 15, 2023.

**COMMITTEE RECOMMENDATION:** Commissioner Pohl moved, seconded by Commissioner Andrews, to **recommend** approval of the second amendment to the Buy/Sell Agreement for 7575 W. Pratt Road, DeWitt, MI (Riley Township), as presented and to authorize the Board Chairperson to sign the Buy/Sell Agreement as amended, and to authorize the County Administrator to sign all necessary closing documents for the purchase of 7575 W. Pratt Road, DeWitt, MI (Riley Township). Motion carried.

**BOARD ACTION:** Commissioner DeLong moved, seconded by Commissioner Pohl to concur with the committee recommendation. Voting on the motion by roll call vote. Those voting aye were Mitchell, Pohl, Washington, Vail-Shirey, DeLong, Andrews and Showers. Seven ayes, zero nays. Motion carried.

AMENDED 2023 TAX RATE  
STATE L-4029 FORM

10. Ways and Means Committee Chairperson DeLong introduced Eric Harger, Equalization Director, to discuss the amended 2023 Tax Rate Request Form L-4029.
  - Director Harger notified the members that September 30th is the statutory deadline for submittal of the 2023 Tax Rate Request Form L-4029 for all local units of government that levy in December;
  - Staff discovered a clerical error in the previously approved document; therefore, they are presenting an amended form L-4029 for review and approval;
  - Per statute, Form L-4029 is to be reviewed and adopted by the County Board of Commissioners (BOC), and signed by the Chair of the BOC and Clinton County Clerk;
  - Once approved, the Equalization Director will ensure it is sent to the State Tax Commission after receipt of a signed copy following the August 29<sup>th</sup> Board of Commissioners meeting;
  - Commissioner Mitchell commended Director Harger for his recent assistance with the Michigan Association of Counties (MAC) Board.

**COMMITTEE RECOMMENDATION:** Commissioner Vail-Shirey moved, seconded by Commissioner Pohl, to **recommend** approving the amended L-4029 form as presented. Motion carried.

**BOARD ACTION:** Commissioner DeLong moved, seconded by Commissioner Vail-Shirey to concur with the committee recommendation. Motion carried.

CENTRAL DISPATCH  
CIP REQUEST  
CHADWICK ROAD TOWER  
LIGHTING REPLACEMENT

11. Ways and Means Committee Chairperson DeLong introduced Chris Collom, Central Dispatch Director, to discuss the lighting replacement at the Chadwick Road Tower.
- Director Collom is requesting support and approval to contract with the State of Michigan to replace the tower lighting system on the Chadwick Tower;
  - The Michigan Public Safety Communications System (MPSCS) maintains all the Clinton County towers and replaced the lighting systems on the southeast and southwest towers in 2022;
  - The MPSCS completes annual preventative maintenance and on-demand repairs on the towers, contracting with the MPSCS for this project will ensure the MPSCS will continue to maintain the lighting systems.

**COMMITTEE RECOMMENDATION:** Commissioner Mitchell moved, seconded by Commissioner Pohl, to **recommend** authorizing Central Dispatch to partner with the Michigan Public Safety Communications System to replace the lighting system at the Chadwick Tower for an amount up to \$20,000, as outlined and approved in the major capital improvements section of the 2023 budget. Motion carried.

**BOARD ACTION:** Commissioner DeLong moved, seconded by Commissioner Mitchell to concur with the committee recommendation. Voting on the motion by roll call vote, those voting aye were Washington, Vail-Shirey, Andrews, Pohl, Mitchell, DeLong and Showers. Seven ayes, zero nays. Motion carried.

ARPA UPDATE

12. Ways and Means Committee Chairperson DeLong introduced Administrator/Controller Fuentes to provide an update regarding the status of American Rescue Plan Act (ARPA) projects.
- Administrator/Controller Fuentes provided an update regarding the broadband project; a timeline for the BEAD Grant program is being developed and the Broadband Task Force plans to meet on Monday, August September 18<sup>th</sup> to gather input regarding broadband needs, evaluate FCC fabric map changes, and discuss how to pursue an ISP partnership for future applications;
  - Administrator/Controller Fuentes provided a quarterly update to the members from LEAP regarding the Technical Assistance portion of the Clinton County Small Business Relief Program; an additional 10 hours were worked by LEAP staff during the second quarter and LEAP remains committed to working the hours necessary to deliver on the full scope of work attached to this program;

- Discussion took place regarding a request from the Clinton Area Ambulance Service Authority (CAASA) to use ARPA funds to cover the cost of wages and benefits for one community paramedic position who will provide support to predominately older adults; Guidehouse has reviewed the request and determined that additional program details would need to be provided to develop a more thorough eligibility assessment; discussion followed and Administrator/Controller Fuentes was directed to notify CAASA that the County does not wish to provide funding for the program.

No action taken.

## PLANNING UPDATE

13. Ways and Means Committee Chairperson DeLong introduced Joel Haviland, Building Official, Zoning and Soil Erosion Administrator from the Community Development Department to provide a planning update.
- PC-22-23 MA (OR 192-23) – Application for a Zoning Map Amendment (Rezoning); Planning Commission recommends approval;
  - PC-23-23 SLU – Application for a Special Land Use Permit; Planning Commission recommends approval;
  - PC-24-23 MA (OR 193-23) – Application for a Zone Map Amendment (Rezoning); Planning Commission recommends approval;
  - PC-26-23 SLU – Application for a Special Land Use Permit; Planning Commission recommends approval;
  - PC-27-23 SLU – Application for a Special Land Use Permit; Planning Commission recommends approval;
  - PC-28-23 SLU – Application for a Special Land Use Permit; Planning Commission recommends approval; discussion took place regarding a recommended bond in the amount of \$3,000 to finalize the permit;
  - PC-30-23 MA (OR 194-23) – Application for Zone Map Amendment (Rezoning); Planning Commission recommends approval.

No action required.

## GIFFELS WEBSTER PROPOSAL ZONING ORDINANCE AMENDMENTS

- 13A. Ways and Means Committee Chairperson DeLong introduced Joel Haviland, Building Official, Zoning, and Soil Erosion Administrator from the Community Development Department to discuss a proposal received from Giffels Webster regarding potential zoning ordinance amendments.
- Following the County's reformatting of the Zoning Ordinance and the completion of the Comprehensive Plan update (5-year review) in 2022, the Planning Commission and staff identified a list of potential amendments to the County's Zoning Ordinance;
  - The initial discussion of proposed ordinance amendments began in October 2022; however, Planning Commission priorities were shifted to other priorities beginning in the fourth quarter of 2022 preventing further consideration of these potential amendments;
  - The Planning Commission discussed the proposed zoning ordinance amendments at their July 2023 meeting, and it was determined that they would like to move forward with the project;
  - Staff requested/received a cost estimate from Giffels Webster to assist the County on the project; the County budgeted \$10,000 annually in 2022 & 2023 and is currently proposed in the 2024 draft budget (totaling \$30,000);
  - The proposal is for a not-to-exceed amount of \$31,625 and the expected timeline would have the project kicking off in September 2023 and completed by the end of the first quarter of 2024.

**COMMITTEE RECOMMENDATION:** Commissioner Vail-Shirey moved, seconded by Commissioner Pohl, to **recommend** approving the proposal from Giffels Webster to conduct the zoning ordinance amendments project in an amount not to exceed \$31,625 and to authorize the County Administrator to sign all necessary documents. Motion carried.

**BOARD ACTION:** Commissioner DeLong moved, seconded by Commissioner Pohl to concur with the committee recommendation. Voting on the motion by roll call vote. Those voting aye were Pohl, Mitchell, Washington, Vail-Shirey, DeLong, Andrews and Showers. Seven ayes, zero nays. Motion carried.

SEPTEMBER 2023  
COMMITTEE MEETING  
CALENDAR

14. Ways and Means Committee Chairperson DeLong introduced discussion regarding the September 2023 Open Meetings and Events Calendar.

**COMMITTEE RECOMMENDATION:** Commissioner Pohl moved, seconded by Commissioner Andrews, to **recommend** approval of the September 2023 Open Meetings and Events Calendar as presented. Motion carried.

**BOARD ACTION:** Commissioner DeLong moved, seconded by Commissioner Washington to concur with the committee recommendation. Motion carried.

ACCOUNTS PAYABLE  
INVOICES PAID TOTALS

15. Ways and Means Committee Chairperson DeLong introduced discussion regarding the accounts payable invoices paid.

**COMMITTEE ACTION:** Commissioner Mitchell moved, seconded by Commissioner Pohl, to approve the invoices paid from July 8 through August 4, 2023, in the amount of \$1,308,483.81. Motion carried.

COMMISSIONERS'  
COMMENTS

16. Ways and Means Committee Chairperson DeLong requested Commissioners comments. There were none.

ADMINISTRATOR'S REPORT

17. Ways and Means Committee Chairperson DeLong requested the administrator's report from Administrator/Controller Fuentes.

- The members received an annual report from the Michigan Association of Counties (MAC) providing an overview of the benefits received as part of Clinton County's membership with MAC;
- Administrator/Controller Fuentes notified the members that the County has been approached by the City of DeWitt, DeWitt Charter Township and Southern Clinton County Municipal Utilities Authority to discuss the possibility of an interlocal agreement for county-provided IT support services.

ADJOURNMENT OF  
COMMITTEE MEETING

18. Ways and Means Committee Chairperson DeLong adjourned the meeting at 11:13 a.m.

**HUMAN RESOURCES  
COMMITTEE MEETING**

Commissioner Vail-Shirey, Chairperson of the Human Resources Committee, reported on a meeting held August 24, 2023.

ATTENDANCE AT  
COMMITTEE MEETING

**Members Present:**

Val Vail-Shirey, HR Committee Chairperson  
Bruce DeLong  
David Pohl  
John Andrews  
Ken Mitchell  
Robert Showers, Ex-Officio Member

**Members Excused:**

Dwight Washington

**Staff Present:**

John Fuentes	Todd Campbell
Penny Goerge	Cindy Moser
Steve Wiswasser	

**Others Present:**

Janine Dyer	Dennis Strahle
Kathy Oberg	Steve Willis

CALL TO ORDER/ APPROVE  
OF AGENDA

PUBLIC COMMENTS

LETTERS OF AGREEMENT  
WITH COLLECTIVE  
BARGAINING UNITS AT  
SHERIFF'S OFFICE

1. Human Resources Committee Chairperson Vail-Shirey called the meeting to order at 11:13 a.m. Commissioner DeLong moved, seconded by Commissioner Pohl, to approve the agenda. Motion carried.
2. Human Resources Committee Chairperson Vail-Shirey requested limited public comments. There were none.
3. Human Resources Committee Chairperson Vail-Shirey introduced Administrator/Controller Fuentes to discuss the proposed letters of agreement with the three collective bargaining units at the Sheriff's Office.
  - The proposed letters of agreement will issue the same one-time employee retention benefit that was authorized for unrepresented employees during the July Board of Commissioners meeting, and the project will be complete;
  - The agreements state that the parties mutually agree the Employer will issue a one-time retention benefit in the amount of \$2,500 to each member of the bargaining units as follows: payable 50% upon Board approval and 50% six months from date of approval;
  - These payments are subject to standard taxes, withholdings, and deductions, but shall not be included for any purpose in pension calculations or contributions, either as FAC for Defined Benefit Plan participants, or earnings for Defined Contribution Plan participants;

**COMMITTEE RECOMMENDATION:** Commissioner Mitchell moved, seconded by Commissioner DeLong, to **recommend** approving the Letters of Agreement as presented for COAM (Clinton County Command Officers Unit), POAM (Clinton County Corrections Officers Association), and Capitol City Labor Program (Road Patrol Unit). Motion carried.

**BOARD ACTION:** Commissioner Vail-Shirey moved, seconded by Commissioner DeLong to concur with the committee recommendation. Voting on the motion by roll call vote, those voting aye were DeLong, Washington, Mitchell, Vail-Shirey, Andrews, Pohl and Showers. Seven ayes, zero nays. Motion carried.

COMMITTEE/COMMISSION APPOINTMENTS

4. Human Resources Committee Chairperson Vail-Shirey introduced discussion regarding committee/commission appointments.
  - Administrator/Controller Fuentes notified the members that Mr. Raphael Kasen has accepted the full-time Community Development Director position and he will begin employment with Clinton County on Monday, September 18, 2023; as a result, it is requested he be appointed to the Broadband Task Force as the Community Development representative;
  - Similarly, the members are also being asked to appoint Clinton County's new RESA Superintendent, Scott Koenigskecht as the RESA representative on the Broadband Task Force;
  - Lastly, it is recommended that Todd Kruse from Frontier be removed from the Task Force as the Internet Service Provider (ISP); a new ISP representative will be appointed once the County secures an ISP partner for pursuing the BEAD Grant.

BOARDBAND TASK FORCE APPOINTMENTS  
RAPHAEL KASEN,  
COMMUNITY DEVELOPMENT DIRECTOR  
SCOTT KOENIGHSKNECHT,  
RESA SUPERINTENDENT  
REMOVE TODD KRUSE FROM FRONTIER AS INTERNET PROVIDER

**COMMITTEE RECOMMENDATION:** Commissioner Pohl moved, seconded by Commissioner DeLong, to **recommend** making the following appointments/removals for the Broadband Task Force:

- Appoint Raphael Kasen as the Community Development Director;
- Appoint Scott Koenigskecht as the RESA Superintendent;
- Remove Todd Kruse from Frontier as the Internet Service Provider representative.

Motion carried.

**BOARD ACTION:** Commissioner Vail-Shirey moved, seconded by Commissioner DeLong to concur with the committee recommendations. Motion carried.

ADMINISTRATOR'S REPORT

5. Human Resources Committee Chairperson Vail-Shirey requested the administrator's report.
  - Administrator/Controller Fuentes discussed a previous recommendation that was made during the July 13<sup>th</sup> Ways and Means Committee, and subsequently approved by the Board of Commissioners, relating to the Business Needs Study for the Prosecutor's Office;
  - Administrator/Controller Fuentes clarified that the intent of the recommendation was to issue a **one-time** hiring incentive (only applicable for the current vacancies at the time of approval) and **one-time** retention incentive (only applicable for the current personnel at the time of approval); it was further clarified that this will not be an on-going benefit;
  - As stated previously, the County will evaluate the need to consider continuing the hiring incentive in the future.

**COMMITTEE RECOMMENDATION:** Commissioner Pohl moved, seconded by Commissioner DeLong, to **recommend** clarifying that the **one-time** hiring incentive and **one-time** retention incentive that were both authorized for the Prosecutor's Office during the July Board of Commissioners Meeting were only applicable for the current vacancies and personnel at the time of approval and are not on-going benefits; the County will evaluate the need to consider continuing the hiring incentive in the future. Motion carried.

**BOARD ACTION:** Commissioner Vail-Shirey moved, seconded by Commissioner DeLong to concur with the committee recommendation. Motion carried.

COMMISSIONERS'  
COMMENTS

6. Human Resources Committee Chairperson Vail-Shirey requested Commissioners' Comments.
  - Commissioner Vail-Shirey expressed her appreciation to her fellow Commissioners and Administration for their condolences during the recent passing of her mother;
  - Commissioner Showers discussed potential economic developments within the County.

ADJOURNMENT OF  
COMMITTEE MEETING

7. Human Resources Committee Chairperson Vail-Shirey adjourned the meeting at 11:33 a.m.

**END OF COMMITTEE  
REPORTS**

COMMISSIONERS'  
COMMENTS

Chairperson Showers called for Commissioners' comments.

- Commissioner Vail-Shirey expressed gratitude for the following:
  - Applicants attendance on the zoning matters presented at the meeting today.
  - Attendees at the Citizens Advisory Committee meetings and acknowledged the comments.
  - Those that extended support at the passing of her mother.

ADJOURNMENT

**BOARD ACTION:** With no further business to come before the Board, Chairperson Showers adjourned the meeting at 9:58 a.m.



Debra A. Sutherland, Clerk of the Board

NOTE: These minutes are subject to approval on September 26, 2023.