

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 9/23/2024 The Clinton County Board of Commissioners met on Monday, September 23, 2024 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, Cindy Moser, and Joel Haviland

VISITORS Gayla Phillips, Kim Wieber, Zack Larsen, Gideon Larsen, Ari Larsen, Patricia Feldpausch, Taylor Feldpausch, Chelsea Wakley, Owen Wakley, Elleigh Wakley, Vienne Tello, Ella Everett, Andrea Tello, Asher Diemer, Maggie Diemer, Keith Jones, George Nicholson, Julie Peters, Jodi Winsetti-Noel, Kelly Jurman, Gloria Barker, Ruby Eastman, Karen Kusenda, Jan Upton and Grace Lacke

AGENDA The agenda was presented for review and approval.

BOARD ACTION: Commissioner Mitchell moved, seconded by Commissioner Washington to approve the agenda as printed. Motion carried.

APPROVAL OF MINUTES The following minutes were presented for review and approval:

- August 27, 2024 Board of Commissioners Meeting
- August 27, 2024 Closed Session (1st session)
- August 27, 2024 Closed Session (2nd session)

BOARD ACTION: Commissioner DeLong moved, seconded by Commissioner Washington to approve the minutes as printed. Motion carried.

COMMUNICATIONS The following communications were received:

1. Crawford County Resolution Opposing the Use of State Lands by Camp Grayling by Permit
2. Email from Jan Motz regarding Clinton County Agricultural Preservation Board

BOARD ACTION: Commissioner DeLong moved, seconded by Commissioner Vail-Shirey to acknowledge receipt of the communications. Motion carried.

ADMINISTRATOR/
CONTROLLER'S REPORT

John Fuentes, County Administrator/Controller offered a reminder of the Board of Commissioners meeting on Tuesday, October 8, 2024 at 6:00 p.m. to conduct the fiscal year 2025 budget hearing.

PUBLIC COMMENTS

Chairperson Showers called for public comments.

- Zack Larsen, instructor with Living Stone Homeschool Co-op, introduced a group of homeschool students in attendance to observe government in action.
- Gloria Barker, landowner in Clinton County, commented on behalf of landowners participating in the Walker Road Solar Project of what they believe to be remaining constraints in the wind and solar ordinances. Ms. Barker distributed a letter to the members.
- George Nicholson, Ovid Township, spoke of issues with neighbor. Administrator/Controller Fuentes will follow up with Mr. Nicholson.

RESOLUTION 2024 – 21
HONORING THE 50TH
ANNIVERSARY OF THE
CLINTON COUNTY
HISTORICAL SOCIETY

Chairperson Showers introduced Kelly Jurman, Director of the Clinton County Historical Museum and member of the Clinton County Historical Society. Ms. Jurman requested the Board of Commissioners adoption of a resolution honoring the 50th Anniversary of the Clinton County Historical Society. In addition, Ms. Jurman invited the members to attend the re-opening of the carriage house at the Clinton County Historical Museum on Saturday, October 12, 2024 at 11:00 a.m.

BOARD ACTION: Commissioner Mitchell moved, seconded by Commissioner Washington to adopt the Resolution Honoring the 50th Anniversary of the Clinton County Historical Society. Motion carried.

APPROVAL OF PA116
FARMLAND APPLICATIONS

The following PA116 Farmland Applications were presented for approval:

- 2024-1, Robert J. & Sharon Fitzpatrick, Lebanon Township, Section 5
- 2024-2, Robert J. & Sharon Fitzpatrick, Lebanon Township, Section 5

BOARD ACTION: Commissioner Vail-Shirey moved, seconded by Commissioner DeLong to approve the PA116 Farmland Applications submitted by Robert J. & Sharon Fitzpatrick and direct the Clerk to forward the applications to the state. Motion carried.

ZONING

Commissioner Vail-Shirey presented the following:

RESOLUTION 2024 – 22
TO ADOPT AN ORDINANCE
TO AMEND REGULATIONS
FOR MEDICAL HARDSHIP
HOUSING OPPORTUNITY
AND REGULATE
ACCESSORY DWELLING
UNITS

BOARD ACTION: Commissioner Vail-Shirey moved, seconded by Commissioner Washington to adopt the Resolution Adopting an Ordinance to Amend Regulations for Medical Hardship Housing Opportunity and Regulate Accessory Dwelling Units. Voting on the motion by roll call vote, those voting aye were Commissioners Andrews, Pohl, Vail-Shirey, DeLong, Mitchell, Washington and Showers. Seven ayes, zero nays. Motion carried.

RESOLUTION 2024 – 23
TO ADOPT AN ORDINANCE
TO AMEND REGULATIONS
FOR MINERAL EXTRACTION
USE BY SPECIAL LAND USE

BOARD ACTION: Commissioner Vail-Shirey moved, seconded by Commissioner Mitchell to adopt the Resolution Adopting an Ordinance to Amend Regulations for Mineral Extraction Use by Special Land Use. Voting on the motion by roll call vote, those voting aye were Commissioners Pohl, Andrews, DeLong, Vail-Shirey, Washington, Mitchell and Showers. Seven ayes, zero nays. Motion carried.

MID-MICHIGAN DISTRICT
HEALTH DEPARTMENT
UPDATE

Liz Braddock submitted the Mid-Michigan District Health Department’s monthly newsletter for her monthly update, which was included in the Board of Commissioners’ meeting packet.

BOARD ACTION: Commissioner Pohl moved, seconded by Commissioner DeLong to accept the monthly update and place on file. Motion carried.

APPROVAL OF
COMMISSIONERS’
EXPENSE ACCOUNTS

Commissioners’ expense accounts were presented for review and approval.

BOARD ACTION: Commissioner DeLong moved, seconded by Commissioner Mitchell 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 September 12, 2024.

ATTENDANCE AT
COMMITTEE MEETING

Members Present:

Bruce DeLong, W&M Committee Chairperson
David Pohl
John Andrews
Ken Mitchell
Val Vail-Shirey
Dwight Washington
Robert Showers, Ex-Officio Member

Staff Present:

John Fuentes	Rob Wooten
Cindy Moser	Penny Goerge
Amy Wirth	Sheriff Dush

Others Present:

Gary Boersen – Bath Township
Nicole Fickes – Victor Township

CALL TO ORDER/APPROVAL
OF AGENDA

1. Ways and Means Committee Chairperson DeLong called the meeting to order at 9:02 a.m. Commissioner Vail-Shirey moved, seconded by Commissioner Washington, to approve the agenda. Motion carried.

PUBLIC COMMENTS

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

**2025 RECOMMENDED
BUDGET DISCUSSION**

3. Ways and Means Committee Chairperson DeLong introduced John Fuentes, County Administrator/Controller to present the 2025 recommended budget.

FINANCIAL REVIEW

- A financial review was presented to the Board of Commissioners which is available for viewing in its entirety on the Clinton County website:
 - The members discussed taxable value projections for Clinton County; after growing at an annual rate of 7.5% for 2024 and 5.5% in 2025, taxable value is projected to return to the pre-covid average growth of 3% in 2026, 2027, and 2028;
 - Discussion took place regarding post-employment benefits (OPEB):
 - The County's most current funding level as of the December 31, 2023 financial statement is 157%;
 - The retiree health care trust fund is stable, and no annual contribution is currently required;
 - Administration is recommending that the County increase the frequency of this valuation from biennially to an annual basis, to reduce the time in between measurement dates to provide more useful information for budgetary planning purposes on an ongoing basis;
- Discussion followed regarding pension:
 - Overall, the County has 74% of employees enrolled in the defined contribution (DC) program, with 26% employees who remain in the defined benefit (DB) program;
 - The current funding level for the DB program as of December 31, 2023, is 99%; annual contributions of \$2.4 million are recommended to continue through 2028 to maintain projected funding in the target range of 90%-110%; this will draw down the General Fund (GF) assigned pension reserve balance;
- Administrator/Controller Fuentes discussed the public improvement fund; equipment replacement totals \$15.1 million, leaving \$8.5 million for major improvement projects;
- In summary, budgets remain affected by inflationary pressures within the economic environment, particularly related to labor markets and health insurance costs; revenue growth is limited given the nature of local government financing in the State of Michigan; meeting pension obligations and capital improvement needs will continue to be challenging; and availability of funding for new programming opportunities will be limited;
- Discussion took place regarding operational flexibility as a continued strategy for Clinton County.

2025 RECOMMENDED BUDGET

- Administrator/Controller Fuentes presented details and answered questions regarding the 2025 recommended budget which is available for viewing in its entirety on the Clinton County website:
 - The total recommended budget for all funds is \$64 million;
 - The proposed operating millage for the July 2025 tax levy is recommended at the maximum allowable rate after Headlee rollback of 5.7866 mills; Headlee rollback provisions may, however, require an additional slight reduction to the recommended rate;
 - Administrator/Controller Fuentes detailed the general fund staffing increase by a net of 1.9 full-time equivalent positions (FTE); these changes include an increase of 1.0 FTE in the Prosecuting Attorney's Office and an increase in the Sheriff's Department of 1.0 FTE; there was reorganization with the Community Development Department resulting in an increase of 1.0 FTE; and general fund staffing was reduced by 1.0 FTE in the Prosecuting Attorney's office due to a grant change;
 - Wages and salaries for non-union personnel are scheduled for a 3% increase in 2025; bargaining units under contract will receive the contractually determined amount;

- Discussion followed regarding the Community Development Department; Administrator/Controller Fuentes was asked to explore options regarding financial participation from the general law townships that are utilizing this service;
- The members discussed the economic development portion of the recommended budget:
 - Clinton Career Network:
 - Questions were raised regarding the Clinton Career Network program administered by Clinton County RESA;
 - Commissioner Mitchell expressed his frustration that CCRESA has not secured enough sponsorships to fund this program on their own; he believes the program is effective but does not believe they should rely on taxpayers to fund this program;
 - Commissioner Pohl spoke in support of continuing a \$10,000 contribution toward the program as recommended in the budget and encouraged the members to attend the event and talk to some of the local school districts regarding the benefits of this program;
 - Administrator/Controller Fuentes was asked to meet with the CCRESA Superintendent to outline future expectations regarding the submission of future budget requests and regular reporting;
 - Capitol Council of Governments (CAPCOG):
 - Chairperson Showers reported the annual dues have increased from \$5,000 to \$10,000; Administrator/Controller Fuentes was asked to confirm this dollar amount and adjust the budget as necessary;
 - Chairperson Showers discussed the economic development projects that he believes have benefited and will continue to benefit Clinton County, thanks to Clinton County's participation with Lansing Economic Area Partnership (LEAP) and Capitol Council of Governments (CAPCOG);
- The members discussed operations at the Prosecutor's Office and Administrator/Controller Fuentes outlined the factors that contribute for the recommended addition of an Assistant Prosecuting Attorney position:
 - The implementation of a policy for prosecutor review of search warrant requests from law enforcement;
 - Substantial increases in the volume of evidence necessary for review on warrant requests from county-wide law enforcement agencies due to use of body-worn camera technology and other digital evidence;
 - To support improved efficiency and effectiveness using vertical prosecution for special victim and drug-related offenses which are prevalent in the County and typically more complex; and
 - The anticipated addition of a fourth specialty court docket (veterans court) which require additional staff time beyond prosecution.
- Discussion took place regarding operations at the Sheriff's Office:
 - The recommended budget includes one (1.0) new FTE in the uniform division and the increase of one billing clerk position from 0.6 FTE to full-time to provide additional administrative staff to process FOIA requests which include video records created by using body-worn cameras;

- Sheriff Dush discussed his goal to add two (2) more deputies to the budget in future years to provide adequate shift coverage; Sheriff Dush spoke of his desire to create a stronger presence in the schools and protect officer's safety;
- The members discussed their concerns about keeping the community safe and it was suggested these two (2) additional positions be added to the recommended budget in 2025 to better protect the community.

COMMITTEE RECOMMENDATION: Commissioner Vail-Shirey moved, seconded by Commissioner Mitchell, to **recommend** including two (2.0) additional FTE positions in the uniform division for 2025, in addition to the one (1) new FTE that is already included in the recommended budget. Motion carried.

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

*PUBLIC HEARING
SCHEDULED*

- The public hearing will take place on Tuesday, October 8th at 6:00 p.m. and the final budget will be presented for adoption at the October 29th Board of Commissioners meeting.

No action required.

COMMISSIONERS'
COMMENTS

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

ADMINISTRATOR'S REPORT

5. Ways and Means Committee Chairperson DeLong requested the administrator's report from Administrator/Controller Fuentes. There was no report.

ADJOURNMENT OF
COMMITTEE MEETING

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

**WAYS AND MEANS
COMMITTEE MEETING**

Commissioner DeLong, Chairperson of the Ways and Means Committee, reported on a meeting held September 19, 2024.

ATTENDANCE AT
COMMITTEE MEETING

Members Present:

Bruce DeLong, W&M Committee Chairperson
David Pohl
Ken Mitchell
Dwight Washington
Val Vail-Shirey
John Andrews
Robert Showers, Ex-Officio Member

Staff Present:

John Fuentes	Todd Campbell
Joel Haviland	Cindy Moser
Christina McEmber	Penny Goerge
Rob Wooten	Undersheriff Gute
Amy Wirth	

Others Present:

Gary Boersen, Bath Township
Jan Motz – Greenbush Township

CALL TO ORDER/APPROVAL OF AGENDA

1. Ways and Means Committee Chairperson DeLong called the meeting to order at 9:00 a.m. Commissioner Michell moved, seconded by Commissioner Vail-Shirey, to approve the agenda. Motion carried.

PUBLIC COMMENTS

- 2. Ways and Means Committee Chairperson DeLong requested limited public comments.
 - Gary Boerson, Bath, Michigan – Spoke in support of reactivating the Clinton County Agricultural Preservation Board, stating that reactivation will allow farmland owners in Clinton County to participate in state and federal programs, and protect farmland for future generations; it was further noted there are tax benefits in some cases and he emphasized the Ag Preservation Board operates under the ordinance that was approved by the Board of Commissioners and recommendations must be made to the BOC for approval prior to the referral to a federal or state program. *(Mr. Boerson provided his written statement in its entirety that is included in the agenda packet)*
 - Jan Motz, Greenbush Township – Spoke in support of reactivating the Clinton County Agricultural Preservation Board noting that the farming economy is under stress and options for farmland are important for constituents; Ms. Motz emphasized the importance of having a choice if that is the desire of a farm owner, as many land owners want to preserve the farm they worked so hard to create.

FACILITY AND FLEET SERVICES

3. Ways and Means Committee Chairperson DeLong introduced Rob Wooten, Facility and Fleet Services Director, to discuss capital improvement requests.

COURTHOUSE GENERATOR/ATS REPLACEMENT PROJECT

- A.
 - The existing generator and automatic transfer switch (ATS) at the Courthouse are at the end of their useful lives and experiencing several maintenance issues;
 - There was \$1,000,000 budgeted in the 2023 Capital Improvement Plan for this replacement project; architecture and engineering services required \$27,967.69 and the remaining budget of \$972,032.31 was reappropriated to the 2024 budget;
 - A request for proposals (RFP) was posted on August 13, 2024 and four bids were received by the deadline on September 5th with the low bid being \$942,505;
 - Director Wooten outlined the tentative project budget that totals \$1,060,000;
 - It was noted this project would also expand capability of the Courthouse to remain fully operational in the case of a power outage.

COMMITTEE RECOMMENDATION: Commissioner Pohl moved, seconded by Commissioner Vail-Shirey, to **recommend** approving up to \$1,060,000 for the Courthouse Generator/ATS Replacement Project. 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 Commissioners DeLong, Andrews, Washington, Vail-Shirey, Pohl, Mitchell and Showers. Seven ayes, zero nays. Motion carried.

COURTHOUSE IN-FLOOR
HEAT SYSTEM REPAIRS
PROJECT

- B.
- There was \$50,000 budgeted in the 2023 Capital Improvement Plan for Courthouse in-floor heat system repairs;
 - It has been determined that a larger portion of the repairs can be completed by county staff than initially thought (rather than contractors) resulting in a significant cost savings; therefore, the updated project budget of \$30,000 needs to be reappropriated to the 2024 budget.

COMMITTEE RECOMMENDATION: Commissioner Vail-Shirey moved, seconded by Commissioner Mitchell, to recommend reappropriating and approving up to \$30,000 for the Courthouse in-floor heat system repairs project. 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 Commissioners Andrews, Pohl, Vail-Shirey, DeLong, Mitchell, Washington and Showers. Seven ayes, zero nays. Motion carried.

SHERIFF'S OFFICE
CENTRAL SQUARE – RMS
TRAINING REQUEST

4. Ways and Means Committee Chairperson DeLong introduced Undersheriff Gute to discuss a training request from the Sheriff's Office.
- It was reported the budget has had \$2 million set aside for the purchase of new public safety software, however at the June Ways and Means Committee meeting it was determined that both the Sheriff's Office and Central Dispatch would continue using the current records and jail management system by Central Square Technologies (OneSolution), and work towards improving it as the development occurs for the four public safety applications including Computer Aided Dispatch (CAD), Mobile Data Communications (MDC), Records Management Systems (RMS), and Jail Management System (JMS);
 - Undersheriff Gute is requesting the use of some of the funds that were set aside for a new system to instead be used for on-site training for all end users in the entire RMS/JMS systems;
 - By staying with the Central Square product and using a portion of this money for training, there will still be a significant cost savings.

COMMITTEE RECOMMENDATION: Commissioner Vail-Shirey moved, seconded by Commissioner Mitchell, to **recommend** authorizing the Sheriff's Office request for the training of all end users in the proper usage of the public safety software system in amount not to exceed \$155,000. Motion carried.

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

MSUE AGREEMENT FOR
EXTENSION SERVICES
FY 2025

5. Ways and Means Committee Chairperson DeLong introduced discussion regarding an annual agreement for extension services provided by Michigan State University for FY 2025.
- The total cost of \$222,623 for the annual agreement has been included in the 2025 MSU Extension budget; this amount reflects a 3% increase from last year, for the same level of service.

COMMITTEE RECOMMENDATION: Commissioner Pohl moved, seconded by Commissioner Andrews, to **recommend** approving the 2025 Agreement for Extension Services provided by Michigan State University. Motion carried.

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

FARMLAND PRESERVATION
PROGRAM DISCUSSION

6. Ways and Means Committee Chairperson DeLong introduced discussion regarding the Farmland Preservation Program.
- At the request of Commissioner Vail-Shirey, the members received a copy of Resolution 2013-9 that was passed in 2013 deactivating the County Agricultural Preservation Board for an indefinite period;
 - Commissioner Vail-Shirey:
 - Advised that she has been approached by members of the Parks and Green Space Commission and Planning Commission to reinstate the Agricultural Preservation Board so state and federal funds can be utilized when they are made available;
 - She is asking the Board of Commissioners to consider rescinding the resolution and reactivate the Ag Preservation Board, emphasizing that no funding is being requested;
 - She further stated that given the pressures on agriculture today, both from development and renewable energies, she believes it is highly appropriate to provide this opportunity as an option to maintain some open space and agricultural land in Clinton County;
 - Commissioner Andrews asked how renewable energy development was related to the Ag Preservation Board, and Commissioner Vail-Shirey discussed issues of land development and the pressures being placed on local farm owners;
 - Commissioner Showers provided written comments to be read and inserted into the official record:

Colleagues,

I thought we had buried this corpse 10 years ago.

Seems there are some people who want to resurrect the dead.

All Farmland preservation schemes are created to stop change to the existing rural economic, social and institutional order. If an economic project becomes a potential the alarm bells will go off that the precious farmland will be lost, and agricultural production will suffer. In reality, the implementation of proper zoning practices will minimize the impact of economic development. Once again, the real concern for preservationists is change to their rural way of life.

In theory the purpose of Farmland preservation is to pay the owner the fair market value of his land minus the required match to guarantee it will always be farmland and never used for economic development.

On May 28, 2013, the Board of Commissioners passed Resolution 2013-9 that put into abeyance the county agricultural Board and other related issues as a factual case for preservation was never presented.

This Board can only reactivate a farmland preservation committee on two conditions.

1. Funding from state, federal or other sources become available to the extent that a purchase of development rights program would be viable without local funds and /or

2. Development is occurring that will lead to a substantial reduction of agricultural land.

The provisions are clear. Advocates must prove a factual substantial threat to agriculture not someone's subjective perception of what constitutes a threat. A pragmatic measurement.

Note. No County funds will be available for any reason.

Those pushing for reactivation say they only want the Board to have the committee explore the availability of state and federal funding. Committee members will receive no per diem or expense reimbursement. No mention of county administrative expenses. This is nonsense. You can't get a little pregnant!!

THE MOTIVE.

WHAT IT SAYS:

The scheme tells landowners they are making a morally and socially inappropriate decision to sell or lease their land for economic development, green energy projects or residential projects. To correct this egregious error in the landowner's judgement they will assuage his or her loss of lease or sale income by offering him preservation dollars.

Proponents typically look to the public for obtaining the necessary funding by imposing additional property tax burdens on the general public and business within the county. The taxpayer derives no benefit from such a transaction.

The Rub.

State and Federal preservation programs require a landowner to absorb the first 25% of the value of his property to qualify for a payment of 75% of the property value. Unless a landowner is committed to a preservation philosophy, he or she will not look too favorably upon reducing what he could obtain for the land from an outright sale. Hence preservationists need the taxpayer's money to cover the landowners 25% match.

Currently landowners can sign up for income tax credits under Michigan Public Act 116. As of this writing 19.7% of Clinton County landowners are enrolled in this program. This income tax abatement program requires the land be used only for agricultural purposes. It negates economic development. It would appear that the other 80.3% of landowners find this program too restrictive.

It should be noted that State Law permits Solar and Wind arrays on land receiving PA 116 income tax credit.

Not surprisingly we never hear from preservationists about alternative means for funding the 25% match. A private land conservancy can be created, and funding can be obtained through donations. Or one of the ten Townships for whom we provide planning and zoning services can assume those responsibilities and form a farmland preservation program for their township and ask their taxpayers to pay a millage to cover the match.

WHAT EXACTLY IS RURAL CULTURE?

Rural culture is centered on an agrarian lifestyle. The local village or town if there is one is the social center of the community. The township hall serves this function otherwise. As a rule of thumb populations in rural townships are +/- 3000 people

Economic Structure.
Rural Economic life centers around one of the following. Farming, Animal Husbandry, Logging, Fishing, Mineral Extraction or Tourism.

In rural Clinton County crop production and animal husbandry are the core economic drivers.

Social Structure.

The same families have lived in the community for generations. Outsiders who would choose to live in a rural community without existing family ties or are from a minority will find it difficult to be fully assimilated. Many families can trace their lineage back to their country of origin. My mother-in-law's family published a family history of those who settled in Westphalia, Michigan in the 1840s. In the 1790s they migrated from the northern Alps region of Italy and moved into Westphalia Germany. Many family members still live in the Village today. Some older residents can still speak German.

Institutional Structure.

Existing farms many of which are centennial farms, churches and business establishments in the Local Township or village have changed very little. New businesses rarely start up as the populations are not large enough to sustain them.

THE COMMON MINDSET.

The common mindset of a rural person is change to the existing social, economic, or institutional order by any magnitude will bring dire results.

We witnessed this mindset of no change as follows:

Witness the anger and verbal abuse we experienced over the proposed mega site. Many are still demanding we end our relationship with LEAP. Signing the Non-Disclosure Agreement was somehow evil. Funny the local township board signed the same nondisclosure agreement our then board chair signed yet they somehow ducked all of the anger and verbal abuse we received, in fact one member of that board is still serving after the purge.

Recall at a recent Board meeting when a young couple asked for a variance to build a new home on their property and sell the old one. Recall how their township board officials in attendance expressed their opposition for fear of new people coming in?!

Witness the rural mindset expressed in the Lansing State Journal story when a township resident was asked what they thought about a small manufacturing firm receiving some tax abatements from the local township. The resident said, "We don't need more jobs in this township!!"

Keeping things the way that they are is at the heart of rural culture.

Rural Culture is a way of life many of our constituents including my family members have lived for many generations and couldn't imagine living any other way. That is their right and we respect that. However, to ask other county residents to pay more millage to maintain a rural way of life is a blatant form of theft.

COUNTY GOVERNMENT INVOLVEMENT

This proposal is fraught with political ramifications.

We are being asked to strike a blow against economic development and the intrusion of outsiders.

Political Ramifications.

1. The board of commissioners is being asked to be in opposition to sound economic development, green energy projects or residential development by reactivation of this committee. It says to the State and Federal governments we oppose sound economic development.

Essentially declaring our opposition to change.

This movement flies in the face of the strong measures we have taken to protect the interests of agricultural and suburban residents. We have in fact embraced landowner's rights as set forth in State and Federal law. This recognition is reflected in our master plan and governing ordinances.

We are an objective fact driven board not swayed by subjective emotional and political whims of the left or right. We have worked hard to cultivate the reputation of being a fact driven board that examines all sides of an issue with a pragmatic lens and is guided by applicable laws and policies.

A QUESTION OF FACT:

To repeat the premise: All farmland preservation schemes contend that crop production and animal husbandry will be harmed if economic projects or green energy arrays are developed.

Is this contention true?

FACTS AND ANALYSIS

RESIDENTIAL GROWTH THREAT:

Population numbers are taken from US Census Reports for the period of 2010-2020.

There are 13 General Law Townships in Clinton County. These townships contain the majority of agricultural production land and animal husbandry operations.

In the 10-year period represented above with no notable changes in the last 4 years, only 6 of these general townships grew by 348 residents. The other 7 general law townships lost 321 residents. So, in the aggregate there was a net gain of 27 residents in 10 years. Population growth has been essentially stagnate. The 6 that have seen growth border on a village or city or have growth around manmade lakes.

Residential growth does not constitute a legitimate threat to farmland.

COMMERCIAL GROWTH THREAT.

Commercial growth has essentially been nonexistent in these 13 general law townships. There is no factual based data to substantiate that commercial growth has contributed to the loss of farmland in these rural townships.

Commercial growth does not constitute a legitimate threat to farmland.

INDUSTRIAL GROWTH THREAT.

Non-Existent

REASONS FOR MINIMAL POPULATION, COMMERCIAL and INDUSTRIAL GROWTH.

Inadequate infrastructure (Water and Sewer Availability), immediate access to major highways or shopping amenities are the primary reasons for the lack of interest on the part developers to pursue projects within these jurisdictions.

None of our general law townships have water or sewer infrastructure that would cover the entire township. Our rural villages, Elsie, Fowler, Maples Rapids, Ovid and Westphalia provide water and sewer services for their residents and businesses. However, all of these villages would require major capital infusions to bring their infrastructure up to a level that could accommodate large commercial or residential development.

No developer is going to invest millions of dollars in rural areas that don't have adequate water and sewer systems and immediate access to major highway systems.

There is no pent-up market demand for developers to consider making huge investments in rural infrastructure.

Residential, Commercial or Industrial development do not constitute a threat to farmland.

GREEN ENERGY DEVELOPMENT THREAT

From a report written by Dr. William Knudson of the MSU Agriculture Dept. dated June 30, 2023 titled Farmland Use in Michigan states the following:

There are 9.7 million acres of land used as farmland.

Most of the land in Michigan is forested and makes up 20 million acres, which is 55% of the states total land mass.

The other 45% = 16 million acres.

This acreage is broken down in usage as follows:

7.2 million acres is used for crops, fruits and vegetables, Nursery, Floriculture and Greenhouse.

2.5 million for pasture, farm buildings. It is noted that a few farmers did not complete census forms. But has no significant impact on totals.

6.3 million acres are used for roads, structures in urban areas and towns, (houses and buildings) and other minimal uses.

Michigan Energy producers such as Consumers Energy, DTE were asked by State government to investigate and report on how many acres of solar arrays, not wind turbines would it require to equal the yearly energy produced by coal. It was their consensus that they would need 144,000 acres. This equates to 0.014% of all ground used in agriculture.

Clinton County Land.

Clinton County has 236,086 acres of agricultural land categorized as such in County BS&A software

From various maps prepared by citizens, (said maps have not been verified as being completely accurate) there are purported to be 6,000 acres under lease or right to lease for green energy projects. Or 0.025% of reported agricultural ground. It is interesting to note that Bengal Township who took over their Planning and Zoning about 10 years ago because of their resistance to wind turbines has recently decided that 6% of their agricultural acres can be zoned for solar energy arrays!! Keep in mind that wind turbines do not hinder the growth of crops under them.

There clearly is no measurable threat to crop production or animal husbandry in Clinton County.

Other Sources of Expertise and Governmental Action.

I have personally spoken with Neil Boring, Director of the Michigan Department of Agriculture and Rural Development and Dr. Sarah Mills, Center for Local, State, and Urban Policy at the Gerald R. Ford School of Public Policy at the University of Michigan. Val Shirey and I met with Mary Schultz Associate Director of the Michigan State University Extension Center for Local Government Finance and Policy and Dr. Steven Miller Assistant Professor in the Department of Agricultural, Food and Resource Economics. He specializes in applied economic methods for forecasting and impact analysis in the agricultural sector. I asked all of these highly qualified experts the following question. Could they provide any nonbiased studies or suggest any publications that addressed the impact of the construction of commercial, residential or green energy projects on agricultural production and food stuffs?

None were offered.

State and Federal Action

Here is a logical question and conclusion.

If there was a full-blown verifiable threat to agricultural production and animal husbandry, is it not logical the State and Federal Governments controlled by either Democrats or Republicans would have a robust body of evidence to verify said threat and take appropriate action to stop it?

The bottom line is this. The fear of change to the rural way of life is the core issue. Not the unsubstantiated threat to crop production and animal husbandry.

This issue is a local issue not a county issue. Those townships that administer their own planning and zoning functions can always start a township sponsored farmland preservation committee and pass a local township millage. Those townships that utilize county planning and zoning can take over these functions. create a farmland preservation committee and pass a local township millage.

There is no demonstrated evidence of a threat to agricultural production or animal husbandry in Clinton County and therefore no reason for the Board of Commissioners to reactivate a committee or commit county resources to any farmland preservation scheme.

- Commissioner Showers believes it is not the county's role to form an Ag Preservation Committee; rather, this should be done through the local municipality if desired;
- Commissioner Vail-Shirey expressed her sadness to see these pages written and discussion followed regarding facts versus opinions relative to this topic.

COMMITTEE RECOMMENDATION Commissioner Vail-Shirey moved, seconded by Commissioner Pohl, to recommend rescinding Resolution 2013-9 that deactivated the County Ag Preservation Board for an indefinite period.

Discussion followed:

- Commissioner Pohl:
 - Expressed his support for this motion and warned that at the time there is a threat, it is too late to deal with it; the time to put together structure is before there is a serious threat;
 - Noted this can become a tool under certain circumstances;

- Stated the County has spent a lot of money on economic development, and he always thought farming was economic development as well;
- Suggested the County set up this opportunity to provide options for people to look at; he is not advocating whether they do it or not, rather he supports putting it on the table as an alternative for people;
- Commissioner Washington:
 - Agrees that farmland is critical for the community and people's way of life, however, this type of matter raises a lot of simple and complex questions for a short, limited conversation;
 - Discussed the strong need for land use management planning;
- Commissioner Vail-Shirey spoke of the recent impacts and pressures on farms and how leases for renewable energy are driving prices up;
- Commissioner Washington noted it pains him to see farmland loss to development; however, there is a need for growth in Clinton County;
- Commissioner Vail-Shirey believes that if the county is involved in economic development, the county should also support providing this tool to county residents;
- Commissioner Pohl suggested setting up a committee to answer more questions, explore options and determine benefits, in an effort to protect the county's resources;
- Commissioner Showers stated this is not a county problem; he suggested the other municipalities can create their own Ag Preservation Committee and explore their options, and find a way to fund it themselves; he reiterated that he has demonstrated through facts, not opinions, there is no threat to farmland;
- Commissioner Vail-Shirey noted for the record that she would never put her personal 200 acres in this program; but she would never deny anyone else the opportunity; she believes the County should support this effort without funding;
- Commissioner Pohl referenced a section in the resolution referring to a reactivation trigger being funding that becomes available; he believes funding sources have opened up enough to meet that criterion;
- Discussion followed regarding the Clinton County Farmland Development Rights Ordinance that was adopted by the Board of Commissioners on November 25, 2002, and Administrator/Controller Fuentes confirmed that the ordinance has not been rescinded through the Resolution (2013-9) and therefore remains in effect; the Ag Preservation Board can be reactivated by rescinding resolution;
- Commissioner Andrews notified the members that he has talked to a number of his constituents and none of the people he spoke with are interested in spending their tax dollars on this effort;
- Commissioner Washington noted the trend for local control, and he believes this matter should be explored by the local municipalities;
- Administrator/Controller Fuentes clarified that the townships that have their own zoning can develop an ag preservation ordinance independent of the county and adopt a program of their own; however, a township can't administer a program independently unless they administer their own zoning authority;
- Commissioner Vail-Shirey warned that there are state and federal funds that won't come to Clinton County if this motion fails;
- Commissioner Andrews responded that the local municipalities have the option to administer their own zoning and adopt this program if so desired.

Voting on the motion by roll call vote, those voting aye were Commissioners Vail-Shirey and Pohl. Those voting nay were Commissioners Mitchell, Washington, Andrews and DeLong. Two ayes, four nays. Motion failed.

PLANNING UPDATE

7. Ways and Means Committee Chairperson DeLong introduced Joel Haviland, Acting Director, and Christina McEmber, Planner, to provide a planning update.
 - The following zoning matters will be brought to the Clinton County Board of Commissioners for review and consideration:
 - OR 221-24 – Proposed Zoning Ordinance Amendment to amend regulations for medical hardship housing opportunity and regulate accessory dwelling units;
 - OR 222-24 – Proposed Zoning Ordinance Amendment to amend regulations for mineral extraction use by special land use.
 - **Planning Commission Request for Professional Services:**
 - Administrator/Controller Fuentes notified the members that the Planning Commission has requested funding by the Board of Commissioners to provide professional services of an acoustic consultant to review and rewrite the noise section of the draft Utility-Scale Battery Energy Storage System Ordinance and the current Utility Solar Energy System and Utility Wind Energy System Ordinances, to help ensure the language used is technically correct, consistent with standard practices for environmental noise, and contains criteria that can be readily interpreted and easily implemented;
 - If approved, it is the goal of the Planning Commission to have the recommended language returned in time for the November PC Meeting to be considered as part of the adoption of the Utility-Scale Battery Energy Storage System Ordinance for referral to the BOC in November;
 - The Utility Solar Energy System and Utility Wind Energy System Ordinance amendments would require a public hearing to be scheduled in November or December;
 - Discussion followed regarding the nuisances involved with reviewing and rewriting each of the ordinances separately;
 - Discussion followed regarding the Planning Commission's objective of finding a neutral party to perform this evaluation and the credentials were provided for the acoustic consultant, Darren Brown at K&S Engineers, who has 30 years of experience.

COMMITTEE RECOMMENDATION: Commissioner Vail-Shirey moved, seconded by Commissioner Mitchell, to **recommend** approval of \$30,000 for professional services of an acoustic consultant to review and rewrite the noise section of the three identified ordinances as requested by the Planning Commission. 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 Commissioners Vail-Shirey, DeLong, Pohl, Mitchell, Andrews, Washington and Showers. Seven ayes, zero nays. Motion carried.

OCTOBER 2024 COMMITTEE MEETING CALENDAR

8. Ways and Means Committee Chairperson DeLong introduced discussion regarding the October 2024 Open Meetings and Events Calendar.

COMMITTEE RECOMMENDATION: Commissioner Pohl moved, seconded by Commissioner Vail-Shirey, to **recommend** approval of the October 2024 Open Meetings and Events Calendar. Motion carried.

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

ACCOUNTS PAYABLE INVOICES PAID TOTALS

9. Ways and Means Committee Chairperson DeLong introduced discussion regarding the accounts payable invoices to be paid.

COMMITTEE ACTION: Commissioner Mitchell moved, seconded by Commissioner Washington, to approve the invoices paid from August 3 through September 6, 2024, in the amount of \$1,572,320.59. Motion carried.

COMMISSIONERS' COMMENTS

10. Ways and Means Committee Chairperson DeLong requested Commissioners comments.

- The members discussed the collaboration that took place between Capitol Council of Governments, Clinton County Road Commission and City of St. Johns to obtain funding for the mill and fill street project that is currently taking place on a portion of M-21 within the City of St. Johns; Commissioner Showers also thanked Senator Sam Singh for advocating for the county in this regard.

ADMINISTRATOR'S REPORT

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

- Administrator/Controller Fuentes notified the members that he has begun conversations with Clinton County RESA regarding the Clinton Career Network and obtained some information regarding sponsorships (as requested at the last Ways and Means Committee meeting); he will continue to work with CCRESA on providing additional information.

ADJOURNMENT OF COMMITTEE MEETING

12. Ways and Means Committee Chairperson DeLong adjourned the meeting at 10:56 a.m.

END OF COMMITTEE REPORTS

COMMISSIONERS' COMMENTS

Chairperson Showers called for Commissioners' comments.

There were none.

ADJOURNMENT

BOARD ACTION: With no further business to come before the Board, Chairperson Showers declared the meeting adjourned at 9:34 a.m.

Debra A. Sutherland

Debra A. Sutherland, Clerk of the Board

NOTE: These minutes are subject to approval on October 29, 2024.