

**CALHOUN COUNTY**  
**PROCEEDINGS OF THE**  
**BOARD OF COMMISSIONERS**

January 18, 2007

The Regular Session of the Calhoun County Board of Commissioners convened at 7:04 p.m., Thursday, January 18, 2007 in the Commissioners' Meeting Room, County Building, Marshall, Michigan.

Roll Call: Present: Comrs. Arnquist, Bolger, Moore, Rae, Segal, Solis and Todd.

INVOCATION AND PLEDGE OF ALLEGIANCE:

A Moment of Personal Prayer was observed; followed by the Pledge of Allegiance, led by Comr. Arnquist.

APPROVAL OF AGENDA/ADDENDUM:

“Motion by Comr. Rae, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the January 18, 2007 agenda and addendum as presented.”

Voice Vote: Motion CARRIED

APPROVAL OF MINUTES:

“Motion by Comr. Bolger, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the December 21, 2006 minutes as presented.”

Voice Vote: Motion CARRIED

CITIZENS' TIME:

Ms. Pearl Gray-McWhorter, Battle Creek resident, stated that she is opposed to the new aircraft carrier being named after President Ford.

Ms. Gray-McWhorter advised that the City of Battle Creek is in financial difficulty with three loans that the taxpayers must pay for.

Mr. Gardy Berezonsky, Marengo Township resident, addressed the proposed 2006 Homeland Security Grant Program intergovernmental agreements, questioning whether the agreements should be for 2007. Mr.

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Berezonsky urged the Board to table the agreements, pointing out that the agreements were just received by Board Members and he believes the Board should have time to study them prior to voting.

Mr. Jerry Keller, Battle Creek resident, requested Board members speak into their microphones.

**SPECIAL ORDER OF BUSINESS:**

**“Martin Luther King, Jr. Day” Resolution**

Comr. Todd read the following resolution and advised that he shall present the resolution to Carl Word of the Battle Creek Urban League.

**Res. 8-2007**

“Motion by Comr. Rae, supported by Comr. Moore, resolved by the Calhoun County Board of Commissioners approve the following resolution:

WHEREAS, Dr. Martin Luther King, Jr., is known for being one of the greatest orators of the twentieth century, and perhaps in all of American history. In the 1950s and 1960s, his words led the Civil Rights Movement and helped change society. He is best known for helping achieve civil equality for African Americans. His speeches presented a turning point in the Civil Rights Movement, however, show that his true goal was much larger than that: He hoped to achieve acceptance for all people, regardless of race or nationality; and

WHEREAS, every year, on the third Monday in January, we reflect on the great movement for civil rights that transformed our country and remember and honor Dr. King’s life and recommit ourselves to working for the dream that Dr. King envisioned — An America where the dignity of every person is respected, where human rights are protected, where all stand equal before the law, and where each person is judged by the content of their character.

NOW, THEREFORE, WE, the Calhoun County Board of Commissioners, honor Dr. Martin Luther King, Jr. for his strength of character and his leadership, and in celebration of his birthday we rejoice in his achievements during this National holiday observance of

**“MARTIN LUTHER KING, JR. DAY”**

in Calhoun County and urge our citizens to recognize and support the ideals of human dignity and equal opportunity to which this nation is committed.”

Voice Vote: Motion CARRIED

National Earned Income Tax Credit Day Resolution

Chairwoman Segal read the following resolution and presented it to Director of the Community Action Agency of Southcentral Michigan and Battle Creek City Commissioner Nancy McFarland.

Res. 9-2007

“Motion by Comr. Rae, supported by Comr. Solis, resolved by the Calhoun County Board of Commissioners approve the following resolution:

WHEREAS, the Earned Income Tax Credit (EITC) was established by the Federal Government in 1975 to help working families; and

WHEREAS, the EITC is now the Nation’s largest anti-poverty program for low to moderate income families; and

WHEREAS, in 2005 more than 660 thousand Michigan families received over One Billion, Two Hundred Million Dollars as EITC; and

WHEREAS, money received from EITC flows back into local communities to buy goods and services; and

WHEREAS, over 60 percent of families in Calhoun County are eligible for EITC; and

WHEREAS, over half the eligible families who could get the credit do not file for it because they lack information or affordable assistance; and

WHEREAS, the *Community Action Agency of South Central Michigan, United Way of Greater Battle Creek and Neighborhood Services of Battle Creek*, in partnership with *Guardian Inc.*, and the *W. E. Upjohn Institute*, have launched a marketing campaign and have created an information website at [www.youearnedit.org](http://www.youearnedit.org) to raise awareness of the Earned Income Tax Credit for citizens of our community.

THEREFORE, WE, the Calhoun County Board of Commissioners, applaud and support National EITC Day, February 1, 2007, for its goal of ensuring that working families receive all the tax credits they have earned.”

Voice Vote: Motion CARRIED

Ms. McFarland advised that from 2003 data regarding Calhoun County, there were 60,000 tax filers of which 36,000 fell into the earned income tax credit range; however, that only 10,000 applied for the credit. Ms.

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McFarland stated that the average credit received is \$1,700. Ms. McFarland advised that tax filers may amend their filings back to three years and encouraged residents to go to the website provided to find out regarding the credit and to pass the word along to others.

CONSENT AGENDA:

Res. 10-2007

“Motion by Comr. Bolger, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the January 18, 2007 Consent Agenda as presented:

A. Resolutions:

- (1) Area Agency on Aging Advisory Committee Appointments
  - {a} Kate Segal -- Term Expires December 31, 2008
  - {b} Barbara Mason -- Term Expires December 31, 2007
  
- (2) Board Rules Review Workshop Appointment and Extension of Workshop Assignment to February 28, 2007
  - {a} Betty Arnquist
  
- (3) Calhoun County Agricultural Preservation Board Appointments (Terms Expire December 31, 2009)
  - {a} Sue Ann Jessup – Township Representative
  - {b} Wayne Cornell -- Agricultural Representative
  
- (4) Calhoun County Metropolitan Planning Commission Appointment
  - {a} Robert Bolton -- Term Expires December 31, 2009"

Voice Vote: Motion CARRIED

PETITIONS AND NEW BUSINESS:

County Administrator/Controller's Report

Calhoun County Retirement Savings Plan Thirteenth Amendment

County Administrator/Controller Greg Purcell advised that a technical amendment is required to bring the Plan into compliance due to changes in the law and certain Internal Revenue Service administrative rulings.

Treasurer Ann Petredean advised that she is the Administrator of the 401 (k) Savings Plan, and that the amendment is purely a house keeping matter to comply with the federal law.

Res. 11-2007

“Motion by Comr. Solis, supported by Comr. Moore, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Thirteenth (13<sup>th</sup>) Amendment to the Calhoun County Retirement Savings Plan; further, authorize the County Administrator/Controller to execute said Amendment on behalf of Calhoun County.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Calhoun County Retirement Savings Plan Fourteenth Amendment

Asst. County Administrator Wendee Woods advised that for the past year Administration has worked on enhancements to the Defined Benefit Plan, and that the amendment presented allows for the transfer of 401 (k) Savings Plan assets to the Defined Benefit Plan for the purchase of additional service credit.

Res. 12-2007

“Motion by Comr. Arnquist, supported by Comr. Solis, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Fourteenth (14<sup>th</sup>) Amendment to the Calhoun County Retirement Savings Plan; further, authorize the County Administrator/Controller to execute said Amendment on behalf of Calhoun County.”

Comr. Rae inquired whether the amendment shall affect the budget. Ms. Woods responded No.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

2006 Homeland Security Grant Program Intergovernmental Funding Agreements  
and Transfer of Ownership/Equipment Receipt/Acceptance for Purchases Agreement

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Mr. Purcell advised that the funding for homeland security programs has gone through a change in the way funds will be dispersed. The State has adopted a regional approach to homeland security investment and is now funding regional homeland security planning boards. Mr. Purcell apologized for the lateness of receipt by Board members, advising that the agreements were just received.

Emergency Management Coordinator Larry Utterback advised that Calhoun County is a member of the Fifth District Board which includes Allegan, Barry, Berrien, Branch, Cass, Kalamazoo, St. Joseph and Van Buren Counties and the City of Battle Creek. Mr. Utterback stated that the regionalization process started by the state in 2005; further, pointed out that the agreements always “run” a year behind. Mr. Utterback advised that the intergovernmental agreements shall allow the counties and Battle Creek City to share the funds for equipment. Mr. Utterback advised that each planning board is required to have a governmental agency act as the fiduciary and Van Buren County volunteered.

Mr. Purcell requested Mr. Utterback advise regarding the equipment that shall be purchased. Mr. Utterback advised that all the equipment purchases shall be determined by the regional planning board and that he cannot say what Calhoun County’s share shall be yet. Mr. Utterback advised that two regional planners are in his office and that their salaries and benefits will be covered, however, that no one really knows what else is planned for yet.

Comr. Rae inquired whether the grant funding is primarily for equipment purchases. Mr. Utterback responded that the funding is for planning, including the writing of emergency response plans; equipment needs to respond to emergencies; training and exercises.

Comr. Moore inquired whether the fiduciary shall rotate between the member counties. Mr. Utterback responded that the state has not mandated that the fiduciary rotate, and advised that Van Buren County volunteered and all the other counties agreed. Comr. Moore inquired how the Fifth District shall handle the disposition of equipment that is received from the grant funding. Mr. Utterback responded that he believes that once ownership of the equipment is transferred to the counties, the equipment belongs to that county and there are no requirements regarding disposal of the equipment.

Mr. Purcell requested that Mr. Utterback provide the Board with a report in three to six months of how the grant funds shall be expended.

Sheriff Allen Byam advised that in the past the homeland security grant funds came directly to the county and were used for response equipment and for addressing security issues. Sheriff Byam stated that with the regional approach much of the equipment shall be shared. Sheriff Byam advised that there is a matter of urgency in approving the agreements as they must be executed and returned by February 1.

Chairwoman Segal inquired whether all the counties shall be awarded funding equally or whether the funds shall be determined on a population basis. Mr. Utterback responded “Equally.”

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Comr. Todd stated that he likes the concept of a regional approach, however, questioned the insurance requirements for the equipment to be received. Mr. Purcell advised that the equipment will have to be included within the county's insurance policy. Comr. Todd inquired whether storage space for the equipment shall be an issue. Mr. Utterback responded that based upon the amount of funding for the region, he believes the equipment shall be more personal use equipment, not trucks or tanks. Mr. Utterback advised that storage shall not be an issue.

Res. 13-2007

“Motion by Comr. Arnquist, supported by Comr. Rae, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the 2006 Homeland Security Grant Program Intergovernmental Funding Agreement between Van Buren County and Calhoun County, the 2006 Homeland Security Grant Program Intergovernmental Funding Agreement between Calhoun County and the City of Battle Creek, and the Transfer of Ownership/Equipment Receipt and Acceptance for Purchases Under Federal Award Agreement; further, authorize the Board Chairperson to execute said Intergovernmental Funding Agreements on behalf of Calhoun County, and authorize the Emergency Management Coordinator to execute the Transfer of Ownership/Equipment Receipt and Acceptance for Purchases Under Federal Award Agreement on behalf of the County.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Commissioners' Committee/Workshop Assignments

Mr. Purcell questioned the term of the appointments. Chairwoman Segal advised that the terms are for two years expiring December 31, 2008.

Comr. Bolger requested the term be stated within the resolution.

Res. 14-2007

“Motion by Comr. Solis, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Commissioners' committee appointments, as amended, with appointment terms to expire December 31, 2008.” (ATTACHMENT A)

Roll call vote: Yes - 7 Motion CARRIED Unanimously

CITIZENS' TIME:

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Ms. Gray-McWhorter advised that she is back in her home, however, that it is unfit. Ms. Gray-McWhorter stated that she asked the County Treasurer whether anyone had the authority to break into her house, and no one had such authorization. Ms. Gray-McWhorter advised that she has worked out an arrangement with the Treasurer to get her taxes paid. Ms. Gray-McWhorter advised that she went before the City Commission and asked the Commission why City employees had entered her house, cutting the lock out of the door, and stealing her plumbing, furnace, the toilets and all the fixtures. Ms. Gray-McWhorter requested the Board's assistance in getting people to treat her right.

Ms. Gray-McWhorter further advised that her home was built by the Kellogg family and is pictured on film with patients in the yard as she has seen it, however, cannot get a copy of the film. Ms. Gray-McWhorter inquired whether the Board can assist her in acquiring a copy of that film.

Mr. Keller objected to the Board's intent to remove the Board meetings from the county seat. Mr. Keller pointed out that the County Board meetings are to be conducted at the county seat because it is a central location within the county and therefore residents do not have to drive to the other side of the county to attend. Mr. Keller stated that everything revolves around the City of Battle Creek, to which he personally does not appreciate. Mr. Keller stated that if the City is providing transportation to the county meetings, then conducting the Board meetings there would be fine.

Mr. Berezonsky questioned why a Commissioner is being appointed to the Calhoun County Agricultural and Industrial Society, since Mr. Purcell advised him last Summer that the Society has nothing to do with the County. Mr. Berezonsky stated that the appointment does not make sense to him as the Society is a private organization. Mr. Berezonsky inquired whether all of the committees shall be providing reports.

**CLAIMS PAYABLE LISTINGS:**

Res. 15-2007

“Motion by Comr. Bolger, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve payment of the list of claims against the county in the total amount of \$510,804.65 for the week of January 3, 2007; further, approve payment of the list of claims against the county in the total amount of \$578,207.51 for the week of January 9, 2007.”

Roll call vote: Yes - 7 Motion CARRIED Unanimously

**ANNOUNCEMENTS:**

Chairwoman Segal announced that the Board's Retreat shall be Saturday, January 27 at 8:30 a.m. until 4:30 p.m. in the Law Library in Marshall.

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RECESS:

The Board recessed at 7:48 p.m. at the call of the Chair.

mlb