

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

September 18, 2008

The Regular Session of the Calhoun County Board of Commissioners convened at 7:08 p.m., Thursday, September 18, 2008 in the Albion City Council Chambers, Albion City Hall, 112 West Cass Street, Albion, Michigan.

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

Staff Present: Asst. County Administrator Bradley Wilcox, Finance Director Mark Stuhldreher, Sheriff Allen Byam, Corporation Counsel Nancy Mullett, Solid Waste Management Director Tiffany Eichorst, Friend of the Court Deputy Administrator Thomas Whitesell, Senior Services Manager Carl Gibson and Deputy Clerk/Board Aide Mary Lou Barrett.

INVOCATION AND PLEDGE OF ALLEGIANCE:

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

APPROVAL OF AGENDA:

“Motion by Comr. Rae, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the September 18, 2008 agenda as presented.”

Voice Vote: Motion CARRIED

APPROVAL OF MINUTES:

“Motion by Comr. Bolger, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the August 21, 2008 minutes as presented.”

Voice Vote: Motion CARRIED

CITIZENS' COMMENTS:

County Clerk-Register Candidate John La Pietra introduced himself and advised that he is running as a Green Party candidate and is present tonight on behalf of the Party to distribute a Call for Dark Earth Hour. Mr. La Pietra urged the Board to join with the Party in recognizing the third Thursday of each month as Dark Earth

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Hour when all lights and non-essential electrical appliances should be turned off to cut back on energy consumption and to support the need for a responsible new energy policy.

Community Corrections Case Manager Dawn Bradley thanked the Board for switching Board meeting locations and making the meetings more accessible to the citizens of Calhoun County.

Mr. Gardy Berezonsky, Marengo Township resident, addressed the proposed upgrade to the county's phonemail system, stating that he does not believe the upgrade is required as most everyone has email capability.

ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS:

Senior Services Manager Carl Gibson advised that the Senior Services Department has funding to assist with paying security deposits for Maple Grove Apartment residents.

Mr. Gibson distributed flyers regarding a health care forum presented by Battle Creek Health Systems and advised that Dr. Harrison Bloom shall be the presenter at the Burnham Brook Center. Mr. Gibson advised that the Department is a supporting sponsor for the event.

SPECIAL ORDER OF BUSINESS:

Special Tribute to Larry Anderson

Comr. Solis read the following tribute into the record.

Res. 143-2008

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

WHEREAS, it is the distinct privilege of the Calhoun County Board of Commissioners to recognize and offer our sincere thanks to Larry Anderson for his willingness to accept the duties and responsibilities as Calhoun County Health Officer during an interim period of time until a new Health Officer could be selected; and

WHEREAS, Larry Anderson dedicated himself to performing an outstanding job, was instrumental in preparing the FY 2009 budget for the Health Department, and significantly improved the morale of the staff.

NOW, THEREFORE, WE, the Calhoun County Board of Commissioners offer this small tribute of our appreciation to **LARRY ANDERSON** for his service to his community, through his outstanding job as Interim Health Officer of Calhoun County. We extend our sincere best

wishes to him in his future endeavors.”

Voice Vote: Motion CARRIED

Health Board Member Solis advised that he has worked closely with Mr. Anderson and has seen the improvement Mr. Anderson had upon the morale of the staff. Comr. Solis thanked Mr. Anderson for accepting the tough position as Interim Health Officer.

Chairwoman Segal presented the tribute to Mr. Anderson. Mr. Anderson stated that he accepted the position with much trepidation. Mr. Anderson advised that he laid out his expectations and developed open communications with the staff; and that he provided the information that the staff required to perform their jobs, and the staff delivered quality performances. Mr. Anderson stated that he anticipates a smooth transition with Mr. Rutherford. Mr. Anderson thanked Mr. Wilcox and his staff during the Department’s major renovation of the W.I.C. Program, advising that excellent support was provided from the maintenance department and information technology staff.

Family Day Proclamation

Comr. Solis read into the record the following proclamation.

Res. 144-2008

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

WHEREAS, the use of illegal and prescription drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children; and

WHEREAS, 13 years of surveys conducted by The National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families the less likely they are to smoke, drink and use illegal drugs; and

WHEREAS, frequent family dining is associated with lower rates of teen smoking, drinking, illegal drug use and prescription drug abuse; and

WHEREAS, the correlation between frequent family dinners and reduced risk for teen substance abuse is well documented; and

WHEREAS, parents who are engaged in their children’s lives – through such activities as frequent family dinners – are less likely to have children who abuse substances; and

WHEREAS, family dinners have long constituted a substantial pillar of family life in America.

NOW, THEREFORE, I, Kate S. Segal, Chairwoman of the Calhoun County Board of Commissioners, do hereby proclaim the fourth Monday of every September as

***Family Day – A Day to Eat Dinner with Your Children***

and urge all citizens to recognize and participate in its observance.”

Voice Vote: Motion CARRIED

Chairwoman Segal presented the tribute to Substance Abuse Council Director Suzanne Horsfall.

“Global Citizens’ River Conservation Day” Proclamation

Chairwoman Segal read and presented the following proclamation to Solid Waste Management Director Tiffany Eichorst.

Res. 145-2008

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

WHEREAS, Calhoun County and the Calhoun County Road Commission has worked with the City of Battle Creek, the City of Springfield, the Calhoun County Drain Commissioner, and the surrounding townships of Bedford, Emmett, Leroy, Newton, and Pennfield to form the Battle Creek Area Clean Water Partnership to develop a watershed management plan for a portion of the Kalamazoo River watershed; and

WHEREAS, he Battle Creek Area Clean Water Partnership has the goal of helping to protect and restore our rivers and lakes to provide the recreational uses and wildlife habitats once common in the area and to protect the drinking water sources of the area through public education; and

WHEREAS, the Battle Creek Area Clean Water Partnership will conduct a clean up of a portion of the Kalamazoo River Watershed on October 4<sup>th</sup>, beginning at 8:30 a.m. at Bailey Park..

NOW, THEREFORE, I, Kate Segal, Chairwoman of the Calhoun County Board of Commissioners, do hereby proclaim *Saturday, October 4, 2008*, as

**“GLOBAL CITIZENS RIVER CONSERVATION DAY”**

and encourage citizens to participate in this worthwhile project to help restore this wonderful natural resource to its full beauty and potential.”

Voice Vote: Motion CARRIED

Ms. Eichorst stated that the Partnership has been cleaning the rivers for seven or eight years accompanied by 500 volunteers who assist.

Ms. Eichorst announced that the Household Hazardous Clean-Up is this Saturday and that tire collections are the week of October 6 through the 11th.

**CONSENT AGENDA:**

**Res. 146-2008**

“Motion by Comr. Bolger, supported by Comr. Rae, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the following September 18, 2008 Consent Agenda as presented:

A. Petitions, Communications, Reports:

- (1) Resolution received from St. Joseph and Antrim Counties supporting House Bill No. 5398 {Michigan Vehicle Code Amendment}. (Referred to the Legislative Liaisons)
- (2) Copy of a communication to the owners of Nels Farm in Albion received from the Michigan Department of Agriculture advising of MAEAP Farmstead System verification approval. (Received and placed on file, with a copy remitted to Health Officer James Rutherford)
- (3) Copy of a response by Leroy Township and Calhoun County residents remitted to the Michigan Department of Environmental Quality opposing a proposed project to construct a path with turn-around through wetlands for access to Graham Lake. (Received and placed on file, with a copy remitted to Health Officer James Rutherford)
- (4) Resolution received from Mecosta County opposing House Bill No. 6112

{ Corrections Officers Compulsory Arbitration Act }. (Referred to the Legislative Liaisons, with a copy remitted to Sheriff Allen Byam)”

Voice Vote: Motion CARRIED

PETITIONS AND NEW BUSINESS:

County Administrator/Controller’s Report

FY 2009 Friend of the Court’s Cooperative Reimbursement Program Grant Agreement

Friend of the Court Administrator Thomas Whitesell requested the Board’s approval of the grant from the state for the period covering October 2008 through September 2009. Mr. Whitesell advised that the grant provides two-thirds funding of the required services relating to child support. Mr. Whitesell further advised that the Court’s budget for the period of October 1 through December 31, 2008 has been approved and that the local match for the period of January 1, 2009 through September 30, 2009 shall be subject to the county 2009 budget process.

Res. 147-2008

“Motion by Comr. Solis, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the Friend of the Court’s Fiscal Year 2009 Cooperative Reimbursement Program (IV-D Child Support Enforcement) Grant Agreement CSFOC-09-13001 between the Michigan Department of Human Services and the County of Calhoun for the period of October 1, 2008 through September 30, 2009 in the total amount of state and federal funding of \$2,777,749; further, authorize the Board Chairwoman to execute said Grant Agreement on behalf of the County. Nothing in this approval shall be construed so as to prohibit the County from asserting a claim against the State for reimbursement of mandated local expenditures in providing services required by federal and/or state law/regulation.”

Comr. Rae inquired how the Program would be affected should the county not be able to fund the match. Mr. Whitesell responded that the Court is required to provide the federal and state mandated functions, and that if the grant is not approved, the county would be liable to provide the services regardless.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

FY 2008-2009 Secondary Road Patrol Grant Application

Sheriff Allen Byam advised that the application for \$214,964 is for the Department’s annual grant received since 1978 which funds three Road Patrol officers. Sheriff Byam stated that no local match is required.

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Res. 148-2008

“Motion by Comr. Rae, supported by Comr. Bolger, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the FY 2008-2009 Secondary Road Patrol Grant Application in the amount of \$214,964 for the period commencing October 1, 2008 through September 30, 2009; further, authorize the Board Chairwoman to execute said Application on behalf of Calhoun County for remittance to the Michigan Office of Highway Safety Planning.”

Comr. Rae inquired whether the funding can be used for things other than the items stated within the budget narrative. Sheriff Byam responded no, that the funding can only be utilized for accident investigation and prevention.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

County PhoneMail System Upgrade

Asst. County Administrator Bradley Wilcox advised that the county’s current system is 18 years old and that Siemens IC Networks, the system manufacturer, dropped new development and expansion for that phone platform in the year 2000. Mr. Wilcox stated that Siemens continues to provide support for the existing system on a best effort basis under the current maintenance agreement, however, will not provide any new products or upgrades and provides only refurbished replacement parts at an increased cost. Mr. Wilcox continued that Siemens has advised that extending the life of the current system could increase the risk of extended downtime due to equipment obsolescence and parts availability.

Mr. Wilcox stated that due to the obsolescence of equipment and outdated technology the Administrative Services Department reviewed a leasing situation to spread out the cost over four years. The financing would be through Siemens Financial Services. Mr. Wilcox advised that with the equipment warranty the county shall be able to avoid the maintenance cost and apply the savings to the lease cost.

Mr. Wilcox advised that the cost of the lease is covered within the 2008 existing budget and that the Department shall be requesting the lease amount in the 2009 budget process, which amounts to an approximate one percent increase.

Res. 149-2008

“Motion by Comr. Moore, supported by Comr. Todd, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the plan to upgrade the county-wide phonemail system at a cost of \$59,469.12, as recommended by the Administrative Services Department; further, authorize the Board Chairwoman to execute a four {4} year municipal lease with Siemens IC Networks for the total amount of \$59,469.12 on behalf of Calhoun

County.”

Comr. Bolger inquired what would happen should the county not upgrade. Mr. Wilcox responded that Siemens is currently providing a best effort, however, providing no guarantees to repair and the maintenance is becoming more expensive. Mr. Wilcox further addressed the risk of down time due to lack of available replacement parts. Comr. Bolger inquired whether the upgrade shall be done to the systems within all of the county facilities. Mr. Wilcox responded Yes.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

Kalamazoo Community Mental Health and Substance Abuse Services FY 2009 Budget

Kalamazoo Community Mental Health and Substance Abuse Services Director Pam Pellerito presented the P.A. 2 budget of \$327,111, advising that this year the Substance Abuse Council will be receiving \$120,000.

Res. 150-2008

“Motion by Comr. Rae, supported by Comr. Arnquist, adopt the following: Resolved by the Calhoun County Board of Commissioners approve the FY 2008/2009 budget presented by Kalamazoo Community Mental Health and Substance Abuse Services (ATTACHMENT A).”

Comr. Solis advised that next year the Substance Abuse Task Force will be looking at a plan for the county and hopes to do business differently to be more effective and make major improvements, and encouraged Board members to participate in that process.

Comr. Rae stated that Kalamazoo Community Mental Health and Substance Abuse Services is way ahead of the Mid-South Substance Abuse Commission, and advised Ms. Pellerito that the county is very glad to be working with Kalamazoo Community Mental Health and Substance Abuse Services.

Chairwoman Segal thanked all of the treatment providers, stating that all of their efforts are greatly appreciated.

Roll call vote: Yes - 7 Motion CARRIED Unanimously

August 2008 Financial Statements

Finance Director Mark Stuhldreher reported that property tax revenue is at 46 percent of the budget compared to 59 percent of the budget in 2007 due to delay in Battle Creek tax collections getting to the county. Expenditures are right on target. Mr. Stuhldreher advised that the Employee Benefit Fund through the July report indicates that the county is in good shape.

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CITIZENS' TIME:

Ms. Bradley advised that October is Domestic Violence Awareness Month during which there shall be two events; e.g., the Mens March on October 2 commencing at 5:30 p.m. beginning at the Sojourner Truth Monument; and the Seventh Annual Domestic Abuse Violence Information Fair on Saturday, October 18 from 11:00 a.m. to 3:00 p.m. at Lakeview Square Mall.

Mr. Creighton Burrows, Marshall resident, thanked the City of Albion for providing the nice meeting room and an authentic American flag.

Mr. Burrows stated that he has heard nothing regarding the Sheriff relocating his office back to the county seat. Mr. Burrows pointed out that the Sheriff is in violation of the Constitution and the laws of this state.

Ms. Horsfall thanked the Board for re-designating the substance abuse coordinating agency, stating that the treatment providers are enjoying working with Kalamazoo Community Mental Health and Substance Abuse Services.

Mr. Berezonsky advised that Marshall has a Clean-Up Day on October 4 commencing at the Service Building.

COMMISSIONERS' TIME:

Comr. Rae advised regarding the location of the Sheriff's Office, that the Sheriff is not in violation of the law. Comr. Rae pointed out that the Attorney General's ruling states that the Sheriff's Office should be at the county seat. Comr. Rae advised that the Board has been working with the Department to put together a study to address what can be done to resolve this issue.

Chairwoman Segal encouraged everyone to attend the Walk A Mile In My Shoes March and support awareness of domestic abuse violence.

Comr. Rae inquired whether the high water shall affect the river clean-up. Chairwoman Segal responded that the water level should be receded, however, the volunteers may not go as far down on the banks if the water is still high.

CLAIMS PAYABLE LISTING:

Res. 151-2008

“Motion by Comr. Solis, supported by Comr. Moore, 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 \$1,504,447.62 for the week of September 9, 2008.”

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Roll call vote: Yes - 7 Motion CARRIED Unanimously

ANNOUNCEMENTS:

Comr. Solis encouraged everyone to attend the Festival of the Forks in Albion which commences on Friday, highlighted by the parade on Saturday at 10:00 a.m.

Comr. Todd wished his eldest daughter Destiny a Happy Seventh Birthday on Friday.

ADJOURNMENT:

The meeting adjourned at 7:49 p.m. at the call of the Chair.

mlb