

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

January 20, 2011

1. CALL TO ORDER/ROLL CALL

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, January 20, 2011 in the Commissioners' Meeting Room, County Building, Marshall, Michigan.

Chairman Kale called the meeting to order and requested the Deputy Clerk to call the roll.

Present: Comrs. Behnke, Todd, Haadsma, Frisbie, Camp, VanSickle and Kale

Staff Present: Administrator/Controller Kelli Scott, Assistant County Administrator Brad Wilcox, Corporation Counsel Richard Lindsey, HR Director Kim Archambault, and Executive Assistant/Deputy Clerk Chris McComb

2 and 3. INVOCATION AND PLEDGE OF ALLEGIANCE

The Board held a moment of silence in honor of Terry Cook, former Calhoun County employee, followed by Comr. Behnke leading the Pledge of Allegiance.

4. APPROVAL OF AGENDA

"Moved Comr. Haadsma, supported by Comr. Todd to approve the January 20, 2011 Calhoun County Board of Commissioners meeting agenda as presented."

On a voice vote, Motion CARRIED

5. APPROVAL OF MINUTES

"Moved Comr. VanSickle, supported by Comr. Todd to approve the minutes of the January 6, 2011 Calhoun County Board of Commissioners Regular Meeting as presented."

On a voice vote, Motion CARRIED

## 6. CITIZEN COMMENTS

Jerry Keller of Battle Creek encouraged the Board to keep the Ott Preserve the way it is and not put asphalt down. He stated that it's a nice park and it doesn't need a road through the middle of it.

Julie Ferris, who lives by the Ott Preserve, stated that a nature preserve is no place for asphalt and asked the Board to please keep it the way it is.

Chavez Russell, who lives down the street from the preserve, would like to see it stay the way it is.

Tether Ferris, also lives down the street from the preserve, is against paving the preserve. He stated that it's a preserve, not a county park so leave it the way it is.

Jonathon Jones, Battle Creek, stated he has no objection to paving the Ott Preserve, but the paved trail is supposed to be 10 feet wide. He stated he went out and measured and expansion of the trail would cause damage to the existing tree line.

Herbert Hoss of 1209 E Michigan stated he is strongly opposed to the asphalt, as the Preserve is a place of peace and quiet.

Tom Garnett, who lives in Kalamazoo and is President of the Calhoun County Trailway Alliance, stated there has been no decision made on the trailway. He stated that some spaces will retain their character by using other materials. He stated that when the grant was prepared for MDOT, they used the cost of the most expensive type of trail so they would have the funds to build the best type of trail they could. The Alliance has looked thoroughly at the trail and it has been approved by MDOT and the County. He assured everyone that care will be taken to protect the integrity of the preserve and the idea was to provide access to the preserve to everyone. He stated that the Alliance will be starting a Facebook page soon so everyone can keep abreast of what is happening.

Judy Robinson, who attended on behalf of Congressman Walberg, extended an invitation to a town hall meeting Friday, January 21 at 1:00pm at Burnham Brook.

## 7. ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS

Carl Gibson, Senior Services, announced the 2nd Annual Marshall Senior Health Fair in April. The fair will be held during spring break at the Marshall Middle School and will consist of 45 - 50 vendors. The event is a cooperative venture with Oaklawn Hospital and the City of Marshall.

Carl Gibson also made available a few copies of the senior times available, stating they may be helpful to the Commissioner who will serve on the Senior Allocation Committee.

## 8. SPECIAL ORDER OF BUSINESS

### A. Coordinating Council's Yearly Report Card

The Coordinating Council's Yearly Report Card was presented by Anji Phillips. She explained that the report card shows data sets that compare Calhoun County with other counties. The report card also

includes information and referral trees that give citizens helpful referral information. Many county organizations contribute to the book and help with the big picture of Calhoun County.

Comr. Camp inquired if the report card information was available on the [tcc.calhoun.org](http://tcc.calhoun.org) website. Phillips confirmed that the information was also available on the website.

B. Special tribute to Judge Harter

Comr. Haadsma read into record a special tribute to Judge Phillip Harter, who retired in 2010 from his position as Probate Judge.

Res. 6-2011

“Move Comr. Camp, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners approve the special tribute to Judge Phillip Harter.”

On a voice vote, Motion CARRIED

WHEREAS JUDGE HARTER has served as a dedicated and much appreciated Calhoun County Probate Court Judge; and

WHEREAS JUDGE HARTER was a 1971 graduate of Albion College and a 1974 graduate of Wayne State University Law School. He began his career working for the Legal Aide Society, served as an assistant prosecuting attorney, and then worked in private practice for a number of years.

WHEREAS JUDGE HARTER became a Calhoun County Probate Judge in 1984 and served in that capacity for 26 years. During that time, he also served as Chairperson of the Michigan Supreme Court Task Force on Guardianships and Conservatorships that explored ways in which to improve the interests of those being assisted. He also served as a member of the Michigan Supreme Court bar examination staff from 1976 through 1991 and was elected as a “fellow” of the Michigan Bar Foundation that honors members that have demonstrated outstanding legal ability and devotion to the welfare of their community, State and Nation.

WHEREAS JUDGE HARTER also served as the past Chairperson for the State Bar of Michigan Probate and Estate Planning Section Council, the Probate Law Committee, and the Probate Rules Committee for the Michigan Probate Judges Association. He reviews cases for the *Michigan Probate and Estate Planning Journal*, is a lecturer at annual Probate and Estate Planning Conferences, and has maintained an active web site devoted to probate matters.

WHEREAS JUDGE HARTER retired from the Calhoun County Probate Court on December 31, 2010; and

WHEREAS the Board of Commissioners and staff of Calhoun County appreciate the depth and breadth of knowledge, commitment to public service, and dedication, Judge Harter has shown during the entire course of his career; and

NOW, THEREFORE, BE IT RESOLVED, that the Calhoun County Board of Commissioners wish to sincerely thank JUDGE HARTER for his 26 years of service and offer best wishes for a long and happy retirement.

9. CONSENT AGENDA

Res. 7-2011

A. Petitions, Communications, Reports

1. Resolution from Van Buren County calling for the withdrawal of Memorandum 16 in Act 346.
2. Resolution from Ottawa County calling for the withdrawal of Memorandum 16 in Act 346.
3. Resolution from Charlevoix County calling for the withdrawal of Memorandum 16 in Act 346.
4. Tekonsha Community Schools Change of Regular Election Date.

B. Resolutions

1. Workforce Development Chief Officers Board  
(Term expires December 31, 2012)

{a} Julie Camp

“Move Comr. Haadsma, supported by Comr. Behnke to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the Consent Agenda of the January 20, 2011 Regular Meeting as presented.”

On a voice vote, Motion CARRIED

10. SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS

Comr. Todd stated that the Solid Waste Committee met and Pennfield Township folks can be at ease because their recycling project will be funded for at least another year.

11. UNFINISHED AND OLD BUSINESS

There was none.

12. NEW BUSINESS AND COUNTY ADMINISTRATOR’S REPORT

Administrator/Controller Scott reminded the Board that Friday, January 21 was their orientation at Kellogg Community College's Spring Lake Room from 8:30 - 4:30.

Administrator/Controller Scott also provided an update on a personal property tax discovery program started last year with Tax Management Associates. She explained that the program assists the local assessors in carrying out duties under the General Property Tax Act and assures that personal property

is appropriately valued and placed on the tax roll. She stated that personal property is more self reporting and there is not a formal process in place to confirm what is being reported. She also stated both County and local entities would benefit from the program, as about 300 business were identified and the local units are responsible for the collection of delinquent taxes.

#### A. Appointment of Equalization Contractual Level 4

Administrator/Controller Scott stated Calhoun County is required to have an Equalization Director who is a Level 4. She stated the County had a full time Level 4 until 2007 but since then has contracted with someone to come in, review the work of equalization staff, sign the tax roll and the state documents. In 2009, Deputy Equalization Director John Hippensteel was working on his Level 4 so the County discontinued the contract with the Level 4, as the State allowed for a 12 month window for Hippensteel to get his certification. Hippensteel would have gotten the certification but they changed the program and he had to reapply for the program. Hippensteel has done a good job heading the department. She stated they have asked the current Kalamazoo Equalization Director to contract as the Calhoun County Level 4. Scott stated her name was Bonnie Payton and she has been in the business over 20 years. She said Payton will work part time with Kalamazoo while contracting with Calhoun County. She stated Calhoun County doesn't have a choice in the short term, as we will be out of compliance without a Level 4. She stated there is a with or without cause termination clause in Payton's contract.

Comr. Behnke applauded staff for learning to be economical and partnering with another county.

Comr. VanSickle stated he agreed with Behnke, but questioned what Payton's duties would be and what time frame they would be done in.

Corporation Counsel Lindsey clarified that the language in the contract was to ensure that the duties are taken care of and it doesn't matter when she is in the office because Hippensteel handles the day to day operations.

Comr. Haadsma echoed Comr. Behnke, stating that it was good to see Calhoun County reaching out at a time when collaboration of counties is imperative.

#### Res. 8-2011

"Move Comr. Camp, supported by Comr. Todd to adopt the following: Resolved the Calhoun County Board of Commissioners approve the contract with Bonnie Payton for Level 4 Equalization Services to begin at the amended date of January 24, 2011."

On a roll call vote, Yes – 7, Motion CARRIED

#### B. Staffing Pattern Change Request

Administrator/Controller Scott stated the staffing pattern change request comes from the Health Department, Environmental Health Division and they have proposed to replace two Sanitarian II positions with Sanitarian I. She stated this will provide for a positive budget impact, as the pay scale for the Sanitarian I is slightly lower.

Res. 9-2011

“Move Comr. Todd, supported by Comr. Camp to adopt the following: Resolved the Calhoun County Board of Commissioners approve the Health Department staffing pattern change request to change Sanitarian II positions with Sanitarian I.”

On a roll call vote, Yes – 7, Motion CARRIED

C. Hazardous Waste Agreement with Kalamazoo County

Administrator/Controller Scott stated the Hazardous Waste Agreement came from the Department of Public Works and the Department of Environmental Health and is another collaboration with Kalamazoo County. She stated Calhoun County currently provides 4 – 1 day household hazardous waste collections per year. She stated this proposal leverages the size of the Counties and proposes 2-3 days per week for 50 weeks per year. She stated the contract allows for a maximum of \$6000 per year billed based on usage and the money comes from the Solid Waste Management Fund.

Res. 10-2011

“Move Comr. Todd, supported by Comr. Haadsma to adopt the following: Resolved the Calhoun County Board of Commissioners so hereby approve the Hazardous Waste Agreement with Kalamazoo County.”

On a roll call vote, Yes – 7, Motion CARRIED

D. Amendment to Consolidated Dispatch Lease Agreement.

Administrator/Controller Scott stated that the original lease was entered into in 2009 and because the center was new the utilities had to be estimated. She stated the utilities were included in the lease rate with the agreement they would be reviewed after a year and then revise. She stated the amendment will be effective March 1, it will reduce the lease payment \$3000 and will require a separate meter for dispatch. She stated their electricity costs were much higher than expected so removing them from the County’s electric bill will create a savings.

Res. 11-2011

“Move Comr. Frisbie, supported by Comr. Behnke to adopt the following: Resolved the Calhoun County Board of Commissioners approve the amendment to the Calhoun County Consolidated Dispatch Authority.”

On a roll call vote, Yes – 7, Motion CARRIED

13. CITIZENS’ TIME

Doug Sofia, 249 Garfield in Battle Creek, stated that 2011 will mark the anniversary of the Ott being a biological preserve. He stated the dynamics of the preserve will be changed if the new paths are approved because the Infrastructures that are being discussed are very permanent. He stated he would

be happy to take anyone for a walk in the Ott and show them what it's like. He claimed he never thought it was going to be turned into a recreational area.

Jerry Keller, Battle Creek, stated he has lived by the Ott for a long time and he sees no reason to change it from pristine to asphalt.

#### 14. COMMISSIONERS' TIME

Comr. VanSickle stated that he had a question on the petitions that are on the consent agenda, as these are real concerns, items of legislative concern and it doesn't seem that the Board is legislatively active. He stated he believed the Board needs to be more involved in what's happening at the state level. He stated he would like to be on a legislative committee.

Comr. Camp stated that the Board does have legislative liaison positions and the County is active with Michigan Association of Counties but she agrees with Comr. VanSickle. She stated she enjoys working with Tiffany Eichorst on the Southwest Michigan Solid Waste Consortium and she also appreciates multi county efforts.

Comr. Kale thanked Kate Segal for having him as her guest to the Governor's State of the State address. The emphasis from the new Governor is Business Model Measurables, which is better service for less money and tying revenue sharing with best practices.

#### 15. CLAIMS PAYABLE LISTING

##### A. Claims Payable List for January 1 – 13, 2011

##### Res. 12-2011

"Move Comr. VanSickle, supported by Comr. Behnke to adopt the following: Resolved the Calhoun County Board of Commissioners approve the Claims Payable List for January 1 – 13, 2011 in the amount of \$837,518.12."

On a roll call vote, Yes – 7, Motion CARRIED

#### 16. ANNOUNCEMENTS

Comr. Todd stated that in the first week of February, he wasn't sure of the time or exact date so check the shopper, but the Pennfield Exchange Club will be having their annual pancake supper.

Comr. Frisbie confirmed that the Exchange Club pancake supper is on February 4 at the Pennfield High School cafeteria.

Comr. Kale announced that people can sign up for the the Calhoun County Challenge at [www.calhouncountychallenge.com](http://www.calhouncountychallenge.com). There are currently 434 people signed up and 237 lbs lost.

Comr. Kale also stated that Albion is 3rd place in the nation in the Readers Digest Cheer for your Home Town. The City can win \$10,000 - \$40,000 for a project in the City. He asked everyone to vote at [www.rd.com](http://www.rd.com), stating people can vote up to 10 times per day, and the contest goes until February 7.

17. CLOSED SESSION

“Move Comr. Todd, supported by Comr. Behnke to approve the Calhoun County Board of Commissioners retiring to closed session to discuss strategy and negotiation sessions connected with negotiations of collective bargaining agreement and to discuss pending litigation.”

On a roll call vote, Yes – 7, Motion CARRIED

18. ADJOURNMENT

The meeting was adjourned at 9:45 p.m. at the call of the Chair.

cam

---

Chairman  
Calhoun County Board of Commissioners

---

Clerk  
Calhoun County Board of Commissioners