

CALHOUN COUNTY
PROCEEDINGS OF THE
BOARD OF COMMISSIONERS

April 7, 2011

1. CALL TO ORDER/ROLL CALL

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

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

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

Staff Present: Administrator/Controller Kelli Scott, Corporation Counsel Richard Lindsey, Human Resources Director Kim Archambault, Deputy Clerk Chris McComb and Administrative Assistant Katie Kelly

2 and 3. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Richard Schlee, Pastor of Ceresco Baptist Church as a guest of Comr. Frisbie. This was followed by Comr. VanSickle leading the Pledge of Allegiance.

4. APPROVAL OF AGENDA

“Moved Comr. Camp, supported by Comr. Todd to approve the agenda of the April 7, 2011 Calhoun County Board of Commissioners as presented.”

On a voice vote, Motion CARRIED

5. APPROVAL OF MINUTES

“Moved Comr. VanSickle, supported by Comr. Haadsma to approve the minutes of the March 17, 2011 Calhoun County Board of Commissioners Special Session as presented.”

On a voice vote, Motion CARRIED

“Moved Comr. VanSickle, supported by Comr. Behnke to approve the minutes of the March 17, 2011 Calhoun County Board of Commissioners Regular Meeting as presented.”

On a voice vote, Motion CARRIED

6. CITIZEN COMMENTS

Judy Robinson of Pennfield Township was present representing Congressman Wahlberg and brought his greetings. She stated if there was anything the Congressman or his office could do to help the County, they could contact him.

7. ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS

There were none.

8. SPECIAL ORDER OF BUSINESS

- A. Kevin Linders from Consumers Energy presented an incentive check in the amount of \$45,014.40 from their Energy Optimization Program. He stated Calhoun County has been active in the program and this rebate was from the installation of high efficiency chillers at the Justice Center.
- B. Comr. Todd read into record the Equal Pay Day Proclamation 2011.

Equal Pay Day Proclamation 2011

WHEREAS, forty six years after the passage of the Equal Pay Act and Title VII of the Civil Rights Act, women, especially minority women, continue to suffer the consequences of unequal pay; and

WHEREAS, according to the U.S. Census Bureau, year-round, full-time working women in 2009 earned only 77% of the earnings of year-round, full-time working men, indicating little change or progress in pay equity; and

WHEREAS, wage disparity persists across all educational levels and in all states, as women with a college degree or higher lose \$713,000 over a 40-year period versus a \$270,000 loss for women who did not finish high school; and

WHEREAS, there were 68 million women in the workforce in 2008, a significant increase from 18.4 million in 1950, and women are projected to be 50 percent of the labor force by 2010; and

WHEREAS, over a working lifetime, this wage disparity costs the average American woman and her family an estimated \$700,000 to \$2 million in lost wages, impacting Social Security benefits and pensions; and

WHEREAS, fair pay equity policies can be implemented simply and without undue costs or hardship in both the public and private sectors; and

WHEREAS, fair pay strengthens the security of families today and eases future retirement costs, while enhancing the American economy; and

WHEREAS, Tuesday, April 12 symbolizes the time in the new year in which the wages paid to American women catch up to the wages paid to men from the previous year,

NOW, THEREFORE, I, Art Kale, do hereby proclaim Tuesday, April 12, 2011:

EQUAL PAY DAY

Calhoun County urges the citizens of Calhoun County to recognize the full value of women's skills and significant contributions to the labor force.

Res. 31-2011

“Move Comr. Haadsma, supported by Comr. Behnke to approve the Equal Pay Day Proclamation 2011, proclaiming Tuesday, April 12, 2011 as Equal Pay Day.”

On a voice vote, Motion CARRIED

Comrs. Todd and Kale presented the proclamation to Barb Fredericks and Mary Lindson from the Albion Business and Professional Women, who gave some statistics on the difference in pay for men and women, stated that things have come a long way but still have a long way to go then thanked the Commissioners for the Proclamation.

9. CONSENT AGENDA

- A. Petitions, Communications, Reports
 - 1. Jackson County Resolution 03-11.9, Approving Jackson County's Legislative Agenda
- B. Resolutions
 - 1. Summit Pointe Board of Directors Appointment
(Term Expires March 31, 2014)
{a} George Strander
 - 2. Calhoun County Board of Health Appointment
(Term to Expire December 31, 2013)
{a} Nelson Almeida-Dominguez

Res. 32-2011

“Motion by Comr. Behnke, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners to approve the Consent Agenda as presented.”

On a voice vote, Motion CARRIED

10. SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS

Comr. VanSickle commented that he attended the Michigan Association of Counties conference and it was very informative. He stated the Governor was a speaker and it was interesting that he is concerned about unfunded mandates. He stated he attended sessions on energy conservation and new Commissioner information.

Comr. Kale stated he also attended the new Commissioner session as well as a property tax impact on budget and road tax sessions. He stated he met a lot of people from other counties, everyone is talking about collaborating and it's moving forward quickly.

Comr. Camp stated the most meaningful session she attended was reflecting on agriculture and tourism.

Comr. Haadsma stated he had also attended and that the Commissioners had all tried to attend different sessions so they could get as much information to bring back and share as they could. The session he found most meaningful was about medical services provided by counties and issues faced by the homeless.

11. UNFINISHED AND OLD BUSINESS

There was none.

12. NEW BUSINESS AND COUNTY ADMINISTRATOR'S REPORT

Administrator/Controller Scott stated that the check that was received from Consumers was one of 5 rebates the County had applied for and received because of the Honeywell Project, a \$7.5 million project that has touched all of the County buildings. She stated the goal of the project was to see a significant savings over the life of the 20 year grant and the rebates received for the chiller, lighting in all buildings, and new boilers in the Justice Center and the Juvenile Home have totaled \$80,455. She acknowledged Katie Kelly, who has been doing the grant writing and reporting and Brad Wilcox for overseeing the work.

Administrator/Controller Scott reminded the Commissioners that Administration forwarded an email from Enbridge offering helicopter rides over the oil spill areas.

Administrator/Controller Scott expressed her appreciation to the Commissioners who were able to attend the Michigan Association of Counties Legislative Conference. She stated this was the most attendance from Commissioners she had seen. She stated the Governor's message had a lot of detail to be worked out but the Legislators are moving forward. She stated while the counties have not been included in the mandated collaboration, it is highly likely they will be in the future. She also stated MAC has a service corporation that can help with feasibility studies.

A. Authorization of Trailway Agreement Negotiations

Administrator/Controller Scott stated that what was presented was the resolution promised at the Town Hall Meeting. She stated there has been a lot of work done in conjunction with the Parks Trustee Board, Road Commission, the Trailway Alliance and the Friends of the Ott to address most of the concerns of all groups. She stated the resolution is to authorize County Administration to negotiate an agreement between the groups and outline rules to let the project move forward and to not affect the fiscal situation of the County. She stated the next step will be to bring that agreement back along with a grant agreement for Board approval.

Corporation Counsel Richard Lindsey reviewed the maps with the Commissioners and the audience, showing the proposed trail, explaining the routes and the voting options of the Commissioners.

Res. 32-2011

“Moved Comr. Behnke, supported by Comr. Frisbie resolved, that Calhoun County Administration be authorized to negotiate an agreement between the Calhoun County Road Commission, the Calhoun County Parks Trustee Board, the Calhoun County Trailway Alliance, the Friends of the Ott, to provide for the trail proposed in the Michigan Natural Resources Trust Fund Application to approximately follow the western boundary of the Ott Preserve from north to south along the approximate route identified by the Friends of the Ott in its presentation on March 17, 2011. Said agreement would incorporate to the extent possible the principles identified by Park Trustee Chris Vreeland in his e-mail to Corporation Counsel dated 3/11/11 and would include limitations on the size and type of equipment allowed in the Ott Preserve so as to reasonably minimize the impact on the Ott Preserve. This resolution does not authorize the acceptance of the MDNR grant until such time as the above-referenced agreement is approved by the Calhoun County Board of Commissioners.

Comr. Haadsma stated he understood that representatives from the Friends of the Ott, Trailway Alliance and at least one person from the State walked the proposed trail with Mr. Lindsey and they provided an authorization that they would agree to the proposal.

Corporation Counsel Lindsey stated that was correct, that the Friends of the Ott had concerns about the trail and it's placement but those would be addressed in the agreement itself, where things would be more detailed.

Comr. Frisbie thanked Corporation Counsel Lindsey for all of his work on the effort. He also stated that it's been a long time coming, it's been a lot of teeth gnashing and emotions and he's happy that a compromise has been found that addresses a lot of people's concerns.

Comr. Camp inquired if the grant application would be modified in May.

Corporation Counsel Lindsey stated that he did not anticipate a need to modify the grant because the grant does not state where the trail would be.

Comr. Camp stated she had been monitoring phone calls, comments and emails and there had been some conjecture that what was addressed in the proposal was too vague. She stated she would like to underscore that the Commissioners would have oversight and they would be kept apprised of developments. She stated there have also been questions about the source of the grant and she stated Michigan DNR Trust Fund was established through harvesting of minerals and trees within State parks, the money is designated for projects such as this, and the grant funds cannot be transferred other state or local budgetary needs under any circumstances. She stated it was the Commissioners hope and belief that the conservation community could come together and that the entities who were willing to donate money to an endowment will now be able to do so and the annuity will be drawn off to do the maintenance on the trail so it will not be a financial burden on the County.

Comr. Kale commented on the term vagueness, stating the Commissioners did not want to pre-negotiate with the resolution they put forth, as this should be an ongoing compromise with all parties. He stated he had walked the Ott with the different groups and he complimented them on their professionalism. He stated his expectation is that discussions will move forward and everyone will negotiate in good faith and expeditiously. He stated if progress wasn't being made, the Commissioners

will revisit the issue and may decide to go in another direction. He stated there was an urgency to negotiate and reach an agreement and it was also important there is no cost to the County so there needs to be maintenance money set aside.

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

B. Budget Adjustment for GIS Website

Administrator/Controller Scott stated that the County did not have a GIS expert a couple years ago so it was decided it was in the County's best interest to contract with someone to provide the GIS system website. She stated there is now a GIS technician on staff and we have the server capacity to host our own site. She stated they were asking for an up-front investment of \$22,000 to update software and the maintenance of the GIS website. She stated the savings in eliminating the contract would be approximately \$2600 per month. She also stated there is an existing GIS fund so the money will not be taken from the General Fund.

Res. 33-2011

"Move Comr. Behnke, supported by Comr. Camp to approve \$22,620 for the purchase of software to update and maintain the County's GIS website, then a yearly maintenance fee of \$2,500 per year for the software."

Comr. VanSickle inquired if the removal of these funds from that budget will jeopardize any other projects.

Administrator/Controller Scott stated that the funds were an accumulated balance set aside for GIS.

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

C. Request to Accept Additional Funding From the State of Michigan to Purchase Computers and to Fund a New Part-Time Regional Planner

Administrator/Controller Scott stated this grant allows the Emergency Management Services to purchase computers and hire a Homeland Security Planner. She stated the grant does not require a match from the County and it has no impact on the general fund.

Emergency Management Director Dunham stated their computers are very outdated and do not satisfy the minimal requirements for Emergency Management. He stated the position is for the region, provides future development for the Citizen Corps and other areas that relate to homeland security and it will be under strict requirement guidelines from the 5th District.

Res. 34-2011

"Moved Comr. Camp, supported by Comr. Behnke to resolve to accept additional funding from the Michigan State Police, Emergency Management and Homeland Security Division, which will be used to hire a new part-time 5th District Regional Board Planner and to purchase computers for the EOC, and to approve the associated budget amendment."

Comr. Camp inquired if this was from the 2008-2009 grants and if it was an annual grant.

Emergency Management Director Dunham stated it was from the 2008-2009 grants and he anticipated it to be an annual grant.

Comr. Camp stated she appreciated their foresight in keeping their technology updated.
On a roll call vote, Yes – 7, Motion CARRIED

D. Agreement with Community Action for Housing Rehabilitation

Administrator/Controller Scott stated the Agreement came to the Board in the fall but it was not fully executed by Community Action so it has come back through. She stated that some of the procedural aspects have been changed, as well as the County department who is overseeing it. She stated there is no budgetary impact; the Board just needs to approve the Administrative Agreement. She stated it provides for the rehabilitation of 6 houses in the county but outside the city limits of Battle Creek in the next 2 years. She stated the administrative fees would be given to Community Action for administering the grant.

Treasurer Rosenbaum stated that her office is always looking for grant money for Calhoun County citizens and this was something that would provide a lot of help. She then introduced Nina Smith from the Treasurer's Office and Amy Rose Wallace-Robinson from Community Action. Ms. Smith stated that it is a deferred loan product so homeowners are not required to pay back the loan until they sell the property. She stated Community Action has administered the program in the past and they will process applications, award grant monies and coordinate the repairs.

Comr. Kale inquired how someone would get involved in the process and Comr. Haadsma inquired if there was a concentration in certain geographic areas.

Ms. Smith stated people can contact Community Action and loans were awarded on a first come, first qualified process if they fit the criteria of the loan. She stated the only location criteria were to be in the County and outside the city limits of Battle Creek.

Comr. Camp stated she had heard people in the townships talk about how their inability to do repairs. She inquired if the information on these loans would be distributed to the townships.

Ms. Smith stated they would be happy to send out the information to the townships.

Res. 35-2011

"Move Comr. Behnke, supported by Comr. Todd resolved, to approve as presented the Agreement Between Calhoun County Board of Commissioners and Community Action Agency of South Central Michigan and to authorize the Board Chairperson to sign the agreement on behalf of Calhoun County."

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

E. Adoption of Calhoun County Anti-Fraud Policy #286 and Policy #105

Administrator/Controller Scott stated that the Anti-Fraud Policy was presented at the recommendation of the financial auditors because the County did not have one. She stated Policy #105 was a combination of three older policies and serves as an introduction to the remainder of the policies.

Res. 36-2011

“Move Comr. Behnke, supported by Comr. VanSickle, resolved, to Adopt the Calhoun County Anti-Fraud Policy #286, and to Adopt Policy #105, replacing and deleting existing policies #105, 110, and 115, as presented.”

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

13. CITIZENS TIME

Tom Garnett, President of the Calhoun County Trailway Alliance, stated it was nice to come to the point of bringing the trail to an amicable solution. He thanked the Commissioners for bringing the groups together for the town hall meeting. He recognized the County Administrator and the County Attorney and stated Corporation Counsel Lindsey took steps to bring everything together quickly and they will move forward in an atmosphere of cooperation.

Doug Sophia, President of the Friends of the Ott, recognized that this has cost the taxpayers a lot of money, they did not seek to strain the budget and he was glad that their concerns were not dismissed. He thanked everyone for taking the time to find a resolution. He thanked the Administrative Staff, stating the Administrator and Corporation Counsel have gone above and beyond and he was looking forward to working with them.

14. COMMISSIONERS' TIME

Comr. Todd thanked Administration and Corporation Counsel for a job well done on the Trailway Project. He thanked the Friends of the Ott and the Trailway Alliance for their patience and their willingness to work together for future generations.

Comr. Frisbie stated that the Administrator Review Committee was looking for an evaluation tool because they need something more objective than what has been used in the past.

Comr. Camp stated it is good to get updates on the oil spill from the EPA.

Comr. Camp stated she serves on the Information Technology Committee and the new County website is very interesting. She stated people can sign up for vendor notices, get information, residents can apply for Boards and Committees and they can get Board agendas and watch the meeting videos too.

Comr. Kale stated all parties involved regarding the Ott Preserve and the Trailway were terrific and he expects the cooperation and professionalism to continue.

Comr. Camp stated to the Commissioners that she appreciates the need to dive into collaboration and she would like to bring the townships to the table for those types of discussions.

15. CLAIMS PAYABLE LISTING

A. Claims Payable List for March 12 – April 1, 2011

Res. 37-2011

“Move Comr. Behnke, supported by Comr. Todd to adopt the following: Resolved the Calhoun County Board of Commissioners approve the Claims Payable List for March 12 – April 1, 2011 in the amount of \$2,377,706.88.”

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

16. ANNOUNCEMENTS

There were none.

17. ADJOURNMENT

The meeting was adjourned at 8:20 p.m. at the call of the Chair.

cam

Chairman
Calhoun County Board of Commissioners

Clerk
Calhoun County Board of Commissioners