

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

May 5, 2011

1. CALL TO ORDER/ROLL CALL

The Regular Session of the Calhoun County Board of Commissioners convened at 7:00 p.m., Thursday, May 5, 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, Assistant County Administrator Brad Wilcox and Administrative Assistant Katie Kelly

2 and 3. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Len Schoenherr, Pastor of Marshall United Methodist Church, as a guest of Comr. VanSickle, followed by the Pledge of Allegiance.

4. APPROVAL OF AGENDA

"Moved Comr. Todd, supported by Comr. Haadsma to approve the agenda of the May 5, 2011 Calhoun County Board of Commissioners as presented."

On a voice vote, Motion CARRIED

5. APPROVAL OF MINUTES

"Moved Comr. Behnke, supported by Comr. Todd to approve the minutes of the April 12, 2011 Calhoun County Board of Commissioners Equalization Meeting as presented."

On a voice vote, Motion CARRIED

6. CITIZENS TIME

Edward Winegar, Battle Creek, stated there was a contract signed with the Masonic Temple Finance Corporation in 1993, at which time the County agreed to lease the parking lot on the north side of their building, pave the parking lot and pay for parking spots for 90 months. He claims they never received a payment and they are owed over \$18,900. He claims the Masonic Temple has taken back the parking lot and are renting spots to people who have offices in the Courthouse but he would like this settled and they be paid the money they are owed.

Tom Tarkiewicz, City Manager of the City of Marshall, stated he was in attendance to answer any questions the Commissioners may have on the assessing agreement between the County and the City. He stated the Marshall City Council approved the revised agreement the prior Monday night. He stated the City has gone through 7 or 8 assessors in approximately 18 years and they feel there would be more continuity and additional staff support by moving the service to the County.

7. ELECTED/APPOINTED COUNTY OFFICIALS' COMMENTS

Art Farmer, Supervisor of Lee Township, expressed concerns over the protest procedure that would be in place if the assessing agreement between the City of Marshall and Calhoun County was approved. He stated if there is a protest procedure the person who is doing the assessing will have to, at times, represent City residents against County Equalization and that could be difficult. He thanked the Board for considering his concerns and asked that they let him know if the issue had been addressed.

8. SPECIAL ORDER OF BUSINESS

Comr. Haadsma read into record the National Teen Pregnancy Prevention Month Proclamation.

WHEREAS, May has been designated as National Teen Pregnancy Prevention Month; and

WHEREAS, Wednesday, May 4 has been designated at the 10<sup>th</sup> Annual National Teen Pregnancy Prevention Day; and

WHEREAS, locally the Teen Pregnancy Prevention Partnership (TP3) engages diverse partners county wide such as individuals, organizations schools, and local government to support teen pregnancy prevention; and

WHEREAS, the teen pregnancy rate in Calhoun County has been one of the highest in Michigan for nearly 2 decades with a current rate of 80 per 1000 women under the age of 19 compared to the Michigan rate of 54 per 1000 women; and

WHEREAS, teen child bearing has far reaching health impact with infants more likely to be born prematurely, to be low birth weight, to be more likely to suffer abuse and neglect; and

WHEREAS, high rates of teen parenthood lead to a continuing negative cycle with daughters born to teens 3 times more likely to be a teen mom and sons of teens 2 times more likely to be incarcerated; and

WHEREAS, teen parenthood has far reaching social and economic impact on our community affecting rates of school dropout, access to higher education, access to employment opportunities, lower incomes, and higher rates of households headed by a single mother;

NOW, THEREFORE BE IT RESOLVED THAT the Calhoun County Board of Commissioners do hereby proclaim May 2011 as

#### NATIONAL TEEN PREGNANCY PREVENTION MONTH

In Calhoun County and encourage citizens to recognize the far reaching impact of the high teen birth rate in our community and to support individuals, organizations, schools and policies that help reduce teen pregnancy.

#### Res. 42-2011

“Moved Comr. Haadsma, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners proclaim May as National Teen Pregnancy Prevention Month and May 4, 2011 as the 10<sup>th</sup> Annual National Teen Pregnancy Prevention Day.”

On a voice vote, Motion CARRIED.

### 9. CONSENT AGENDA

#### A. Petitions, Communications, Reports

1. Baiting in Michigan Resolution from Oscoda County
2. Marshall Township Resolution on Dispatch Funding
3. Huron County Legislative Agenda
4. City of Battle Creek Notice of Public Hearing to Establish Commercial Rehabilitation District #100
5. City of Battle Creek Notice of Public Hearing for an Obsolete Property Rehabilitation District Certificate

#### B. Resolutions

1. Senior Millage Allocation Committee Re-Appointments  
(Terms Expire April 20, 2014)
  - {a} Jill Booth
  - {b} Arlene Bolton

10. SPECIAL COMMITTEE/WORKSHOP/BOARD REPORTS

Comr. Camp noted that the Commissioners would find a periodic summary report in their emails on behalf of the Workforce Development Group.

Comr. Haadsma stated that he and Comr. Kale had attended the Community Action “road show” in which program information was presented. He stated there would be “road shows” in the other three counties Community Action represents.

Comr. Kale stated that the Budget Committee had met and they will be meeting pretty much monthly moving forward as they try to balance revenues and expenses and the Committee will keep everyone posted. Comr. Camp asked that the Commissioners be provided with information about the level of services that are mandated and non-mandated as well funding sources. Comr. Kale stated that the level of service had been discussed in the meetings and they would address Comr. Camp’s other question.

11. UNFINISHED AND OLD BUSINESS

There was none.

12. NEW BUSINESS AND COUNTY ADMINISTRATOR’S REPORT

Administrator/Controller Scott reminded the Commissioners that The Coordinating Council substance abuse work group will meet on Monday, May 9 at 9a.m. to hear proposals from substance abuse providers and make recommendations that will be brought before the Commissioners.

Scott stated the Legislative Liaisons Committee met and will be crafting a legislative priority sheet to put the County priorities in front of the Commissioners and local legislators to take to the State and try to affect the decisions that are impacting the County.

A. Acceptance of the 2011 Survey and Remonumentation Grant

Calhoun County Planning Consultant Jennifer Bomba explained that the grant has been received every year since its inception in 1993. She introduced Bob Carr, who is appointed by the Board to function as surveyor for the County. She stated the allocation this year is \$89,610, with \$12,000 in County match funds, which are earmarked through the capture of deed fees.

Res. 44-2011

“Moved Comr. Camp, supported by Comr. Haadsma to approve the following: Resolved the Calhoun County Board of Commissioners approve the award of funds from the State of Michigan Office of Land, Survey, and Remonumentation (OLSR) for the 2011 Survey and Remonumentation Grant to be administered by the Calhoun County Planning Department.”

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

## B. Emergency Management Division Part-Time Regional Planner Position

Administrator/Controller Scott stated that because of the staffing controls built into the budget, the Board was required to approve any staffing allocation changes. She stated this position is grant funded and the grant acceptance was already approved by the Board, but staffing allocation approval was also needed.

### Res. 45-2011

“Moved Comr. Frisbie, supported by Comr. Camp to approve the following: Resolved the Calhoun County Board of Commissioners does hereby allow the creation of a part-time Regional Planner position, increasing the staffing for the Emergency Management Division by .6 FTE.”

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

## C. Assessing Contract with the City of Marshall

Administrator/Controller Scott stated Items 12C, 12D and 12E were all related to the Assessing Contract with the City of Marshall. She stated the City of Marshall believed the contract would be good for their citizens because it would allow, among other things, increased hours for customer service. She stated the Marshall assessing clerk would work out of the Equalization office, though still on the City payroll, as outlined in the Employee Leasing Agreement. She stated the benefit to the County would be that the Marshall clerk would help with deed entry and clerk duties, currently done by appraisers, and this would free up the appraisers to do more field work and staff could be more available to the local units. Scott stated the employee is a long time employee of the City and she would be left on the City payroll and the position would be moved to the County payroll through attrition. She stated this contract will give the County another full time assessor who will work under the supervision of Bonnie Payton, Equalization Director. She stated there is an amendment to Bonnie’s contract on this agenda to pay her per parcel as the assessor on record for the City and she was appointed as such by the City. Scott stated that concerns are being addressed, including that this will affect how the Equalization staff serves the townships. She stated the County had contacted the State Tax Commission about the perceived “conflict of interest” with the person who represents the smaller entities working for the County and they believe that as long as there is supervision by a Level 4 and the Equalization work is kept separate, there are still enough checks and balances. Scott stated this model had been used successfully in other Counties and there will be no change in the essential work of the Equalization office. She stated the contract has many clauses that will allow either side to end the relationship if the arrangement isn’t working as expected. She commented that she believes this is the direction that government entities are going to have to start going in, sharing services and working together.

Deputy Equalization Director John Hippensteel explained that the Board of Review procedure would not change; the City would still have their appointed Board of Review. He stated that Equalization provides guidance and answers questions for the Board of Review. He stated there is still a separation because the county assessors are looking at the county as a whole while the City assessor is looking at individual neighborhoods within the City.

Comr. Haadsma inquired what counties with the same type of arrangements were used as models.

Administrator/Controller Scott stated that Administration had looked at Oakland County (who has 20 or 30 local units they do the assessing for), Lenawee County, Charlevoix County, and Muskegon County.

Comr. Camp inquired where the additional funds would come from for the additional assessor.

Administrator/Controller Scott stated that the expenses were built into the contract and would be covered.

Comr. Camp inquired what oversight was planned for the next six months to a year to see that the Townships' concerns were addressed.

Administrator/Controller Scott stated that both the Equalization Director and Assistant Director were present at the meeting and heard the Township's concerns. She stated a letter would be going out to the local entities addressing the concerns. She stated she had also noted what the concerns were and what she had offered as resolution. She stated she can't speak for what had happened in the past but now everything would be in writing and if they didn't follow through then the entities could come back and hold them accountable.

Comr. Kale inquired if there would be any legacy costs associated with this move.

Administrator/Controller Scott stated that there would be no infrastructure costs, the City was bringing their own file cabinets and operational costs were built in to the contract.

Res. 46-2011

"Moved Comr. Behnke, supported by Comr. Haadsma to approve the following: Resolved the Assessing Services Agreement between Calhoun County and the City of Marshall is approved as presented and the Board Chair is authorized to sign the agreement on behalf of Calhoun County."

Comr. Camp stated she believed this is a situation where they needed to look at the consequences of the agreement and who are the minor players at the table. She commented that she appreciated all of the township managers and assessors contacting the County with their concerns and she believed they would be addressed by Administrator Scott. She stated that she would be voting no to stress the importance of looking at the consequences and considering the minor players at the table.

Comr. Frisbie inquired if the arrangement with the City clerk would fit in with the current County employees, since she would be a City employee.

Administrator/Controller Scott stated there is not another position similar to the assessing clerk in the County office at this time so she would be taking on more clerical duties.

Comr. Haadsma stated this was an agreement he supported because the current state of our State and state of our County requires that we do business in the most efficient manner including collaboration.

On a roll call vote, Yes – 6, No – 1 (Camp), Motion CARRIED

D. Employee Leasing Agreement with the City of Marshall

Res. 47-2011

“Moved Comr. Haadsma, supported by Comr. Behnke to approve the following: Resolved the Calhoun County Board of Commissioners to approve the employee leasing agreement with the City of Marshall.”

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

E. Amendment to the Agreement with Bonnie Payton

Res. 48-2011

“Moved Comr. Haadsma, supported by Comr. Behnke to approve the following: Resolved to approve the Employee Leasing Agreement between the City of Marshall and Calhoun County, as presented, and authorize the Board Chair to sign the Agreement on behalf of Calhoun County.”

Comr. Camp stated that she was not comfortable that this was not consistent with the original intent of the contract and she asked that the vision be expanded so that the potential information can be available when a project is started.

Comr. Frisbie commented that he has no problem with the agreement but he would like to know that there is a plan in place for having a full time level 4.

Administrator/Controller Scott stated that this agreement was for one year and would allow for some time to decide what would make the best sense. She stated that up until recently there had been a Director and Deputy and the townships prefer it that way so they would have to look at the situation.

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

F. Approval of Local 9-1-1 Surcharge

Administrator/Controller Scott stated the final item comes from the Consolidated Dispatch Authority and the Board is required to approve the surcharge every year. She stated this would allow the County to collect the same \$.60 surcharge per device as last year, for a period June 1, 2011 through June 30, 2011.

Comr. Frisbie noted that this was nothing new, the original plan for funding for the first five years was to use surcharges.

Res. 49-2011

“Motion by Comr. Haadsma, supported by Comr. Todd to approve the following: Resolved the Calhoun County Board of Commissioners does hereby approve the collection of the local 9-1-1 surcharge at the rate of sixty (60) cents for July 1, 2011 through June 30, 2012.”

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

13. CITIZENS' TIME

There were none.

14. COMMISSIONERS' TIME

Comr. Camp stated that since it was the National Day of Prayer she would like to thank those residents who pray for them.

Comr. Camp stated that the Big Marsh Advisory Board met and has scheduled a Board of Determination Hearing for Thursday, June 9 at 10:00 a.m. at the First Assembly of God Church in Battle Creek. She stated there is also a 130 page study available online from the engineer.

Comr. Haadsma stated he was commending, with Comr. Kale, the Substance Abuse Prevention Services of the Albion Area and Substance Abuse Council on the west side of the County in the Battle Creek area for the prescription medication take-back program. He stated the two agencies took back 217 pounds of medication at 9 locations. Comr. Kale stated he went to the collection points in Albion and Homer and he stated it was an awareness issue, to think about old prescriptions and how we need to keep them out of the hands of kids.

Comr. Kale congratulated Comr. Camp on her election win earlier in the week.

15. CLAIMS PAYABLE LISTING

Res. 50-2011

"Moved Comr. Todd, supported by Comr. Frisbie, to approve the following: Resolved the Calhoun County Board of Commissioners to approve the Claims Payable Listing for April 2 – 28, 2011 in the amount of \$2,220,380.04."

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

16. ANNOUNCEMENTS

There were none.

17. CLOSED SESSION

"Moved Comr. Camp, supported by Comr. Haadsma to retire to closed session pursuant to Section 8C and 8E of the Open Meetings Act to discuss strategy in negotiation connected with the negotiation of collective bargaining agreement and to consider settlement strategy in connection with specific pending litigation. County Administrative Staff, Sheriff Al Byam and outside Counsel Len Hickey were invited to join the Commissioners in this session."

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

Comr. Kale asked everyone except those who were invited leave Chambers so the Board could conduct Closed Session. He stated the Closed Session would not be video recorded and the only action the Board would take when returning from Closed Session would be to settle two pending Worker Compensation issues followed by adjournment.

- A. Authorization to Settle Workers' Compensation Case #0406-10-03711

Res. 51-2011

“Moved Comr. Haadsma, supported Comr. VanSickle to approve the following: Resolved, to authorize counsel to settle workers compensation case #0406-10-03711, and to authorize Administrator/Controller Scott to sign any documents related to or necessary for the resolution of said case.”

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

- B. Authorization to Settle Workers' Compensation Case #0406-07-12095

Res. 52-2011

“Moved Comr. Behnke, supported by Comr. Todd, to approve the following: Resolved, to authorize counsel to settle workers compensation case #0406-07-12095, and to authorize Administrator/Controller Scott to sign any documents related to or necessary for the resolution of said case.”

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

18. ADJOURNMENT

The meeting was adjourned at 8:50 p.m. at the call of the Chair.

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Chairman  
Calhoun County Board of Commissioners

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Clerk  
Calhoun County Board of Commissioners